DELEGATED DECISION REPORT

SMD/2024/0127 **Valid 15/03/2024**	**THE GRANGE OAKAMOOR ROAD HIGHSHUTT**	**CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO CHILDREN'S CARE HOME (USE CLASS C2)** **(FULL - MINOR)**

MAIN ISSUES
Impact on the character and appearance of the area, highway safety and the residential amenity of the area.

DESCRIPTION OF SITE
The application site lies within the rural area and comprises a detached two storey dwellinghouse known as The Grange. The property is Grade II Listed and is located on the southern side of the Oakamoor Road, approximately 1.2km from Cheadle.

The building is constructed from red/orange facing brickwork and has a steeply pitched Staffordshire Blue tiled roof atop. Its principal elevation faces to the south, looking out over an extensive area of established hardstanding. A large area of residential amenity space extends to the east of the site. Vehicular access to the site is taken direct off the Oakamoor Road to the immediate east of the dwellinghouse, with parking for 6+ vehicles available.

The existing dwelling has previously been used as a care home, having been approved for such purposes under application SMD/2008/1202. It was subsequently granted consent to revert back to a dwellinghouse under application SMD/2010/0063. Its current use remains that of a dwellinghouse.

To the immediate west of the site lies an 'L' shaped former agricultural building that has been converted into a dwellinghouse under application SMD/1980/0358 (The Barn). That dwelling is served by a winding vehicular access track that runs to the south of the application site, before turning northwards to run alongside the eastern site boundary.

A further dwellinghouse lies 83m to the southwest (Lower Grange Farm), with another dwelling located 88 metres to the east further along Oakamoor Road (High View House). The carriageway of the Oakamoor Road encloses the northern site boundary with open fields extending beyond that. The site frontage is enclosed by a mixture of high boundary walls and mature hedgerows which give the site a good degree of natural enclosure.

PROPOSAL
The planning application seeks to change of the use of the four bedroomed residential dwelling (C3b) to a children's home for three children (C2). No external or internal alterations are proposed.

Acheron Care Ltd is an organisation founded and registered for the purpose of providing residential therapeutic care for children and young people aged from 0-18 in the care of the Local Authority. The proposed care home will provide care, accommodation, and therapy for up to three young people, with the applicant specialising in providing care for children with trauma history backgrounds. The home will be registered with Ofsted with the children having access to a clinical psychologist as part of its operation.

There will be up to 3 members of full-time staff on duty at any one time, with an additional two managers present at varying hours during the daytime. Staff will work on a rota basis, typically involving two days on and four days off, with two members of staff staying overnight in a sleep-in capacity. Of the four existing bedrooms within the property, three will be for the children to use, each having their own room, the fourth being occupied by staff members. The home will operate as any other family home, with the young people attending school or college as any other child would. There will be no medical appointments taking place on the site.

No internal or external alterations to the existing dwellinghouse are proposed as part of the submitted proposal, nor will there be any changes to the existing site layout and parking arrangements.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Local Plan Development Plan Document (Adopted 2020)
S01 Spatial Objectives
SS1 Development Principles
SS10 Other Rural Area
DC1 Design Considerations
SD4 Pollution
T1 Development and Sustainable Transport

National Planning Policy Framework
Paragraph 96 of the National Planning Policy Framework states that planning decisions should aim to achieve healthy, inclusive and safe places which promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other, and should enable and support healthy lifestyles, especially where it would address identified local health and well-being needs. Paragraph 97 adds that to provide the services that the community needs, planning decisions should take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community.

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS
08/01597/FUL Change of use from dwelling to nursing care home. APPROVED.
10/00204/FUL Change of use from C2 Care Home to C3 Dwelling. APPROVED.

CONSULTATIONS

Publicity
Site Notice expiry date: 16/05/2023
Neighbour consultation period ends: 16/05/2024
Press Advert: Appeared in Leek Post and Times 25th March 2024 – consultation expired 24th April 2024.

Public Comments
None

Conservation Officer
No issue

Town / Parish Comments
Cheadle Town Council: Awaited

Environmental Health
No Objection. Noise -The proposal to change the use from C3 to C2 for the proposed use does not appear significant given the separation distance to the nearest NSR but the range of residential uses can be different. In the case of this application for development of the home for three children with onsite staff then the risks to neighbour amenity are low. But if future occupancy of the home was for people with more high intensive clinical needs then noise breakout could be a risk. It would be recommended that noise breakout is considered during the development phase in order to future proof the site and ensure good neighbour relations. Noise transfer from room to room should also be given consideration in order to maintain good amenity for other occupiers of the home and the potential for adverse noise breakout from each room.
Please note - The granting of planning permission does not in any way indemnify against statutory nuisance action being taken should substantiated complaints within the remit of part III of the Environmental Protection Act 1990 be received.

OFFICER COMMENTS

Introduction
As an existing dwellinghouse, the scope of the relevant use class (Class C3) and the changes that are permitted are quite broad. Obviously, the large 4 bed property could be used by a family of unrestricted number, but also it could be used, without planning permission, by up to six unrelated adults that receive care and live together as a household; or, with a change of use that is permitted by the General Permitted Development Order, as a house in multiple occupation by six unrelated individuals (Class C4). However, where the residents would be children, the matter is complicated because the courts have found that children, as a group of residents, with rotating non-resident staff, are not able to from a 'household', a necessity of being included within the C3 use class. An appreciation for that context, perhaps provides a useful baseline and starting point when it comes to considering the potential impact of a development

such as the one proposed. Indeed, sometimes the authority is asked, by application, to consider whether similar changes of use are material and require planning permission at all. Such a question is a matter of fact and degree to be addressed on a case by case basis, there are examples across the country where decision makers have found that children's care home proposals would result in material change and where they have found that they would not.

In this case however, the applicant does not argue that the change would be lawful and not material, they concede that there would be development, and instead, for the avoidance of doubt, seeks an express planning permission.

Other Rural Area Spatial Strategy Approach

The property is in an 'other rural area' of countryside outside of the Cheadle Town settlement. the 'other rural area' local plan strategy SS10 applies. SS10 and H1 supports the rural diversification and sustainability of the rural areas allowing the conversion or replacement of an existing rural building. The proposed development would provide policy support here and there is further benefit because the site adjoins the edge of a town settlement with some relationship with the facilities and services offered within that settlement.

Impact on the character and appearance of the area

The application does not propose any external alterations and the dwelling would not be enlarged. There are no proposals to alter or improve an existing area of driveway hard surface. There would be no changes to the size or appearance of the property.

Impact on Highway Safety

The existing dwelling has an area of hard surface providing ample parking at the end of a short drive that has access to the highway. The Grange has previously in some form been operating as a care home without incident or issue. The proposal should not introduce any significant intensification to the use of the highway or the access over and above the lawful use. The dwelling and its access off Oakamoor Road are existing. Trip generation profile may be different for a care home when compared to a dwelling, with adults/staff visiting the home rather than leaving it. However, that does not equate to an increase in trips that could be considered severe. Children/young persons would need to be transported whether part of a family or residents of a care home. Visitors are likely, as they would be for a family home.

Regardless of the trip profile, the effect of use of an existing dwelling as a residential care home for three young persons could not be described as having an unacceptable or severe effect on the highway. It is situated in a rural area remote from the residential suburbs of Cheadle, here the roadside dwellings are scattered and occasional.

Overall, the development should not be the cause of any discernible impact on the road network or safety of the highway, beyond that which is posed by any other vehicle that must negotiate the highway to access and service the existing dwelling. There would be no conflict with policies DC1 or T1 in these regards.

Impact on Residential Amenity

There has not been any public objection to or comment on the proposal. The proposed development will have up to three members of permanent staff present on site during

the day, normally reducing to two at night, along with a manager and deputy manager who will attend the site at varying times during the day time. The property will provide three bedrooms for children. Such factors equate to a total parking demand of 6 spaces plus one ambulance space.

The property has large, relatively secluded, grounds that provide parking and garden surrounding the dwelling. The boundary enclosures consist of high hedges, fence and tree lines that separate the property from neighbouring land. The adjacent dwelling at the converted barn, the nearest neighbour, is some 30m from the application dwelling it is set within its own extended grounds the other side of significant hedgerow.

The environmental health team do not object and note that in the case of this application for development of the home for one extra young child the risks to neighbour amenity are low. But if future occupancy of the home was for people with more high intensive clinical needs then noise breakout could be a risk, the use could be limited to specific purposes within the use class.

The comings and goings associated with the premises will not be dissimilar to those associated with a dwellinghouse, and the use of the premises for such purposes should not materially detract from the amenity of neighbouring residential occupiers to any unreasonable degree. The proposed development is therefore consistent with the requirements of policy DC1 of the Local Plan in this regard. The proposed change of use is not deemed to be development that would 'result in noise pollution' relevant to Policy SD4 of the Local Plan.

Planning Balance & Conclusions

The change of use would result in only limited changes to the character of the land use and would bring some community benefit by providing facility and support for some of the area's most vulnerable residents. There would be no adverse impacts to the character and appearance of the area, highway safety or the amenity of residents. There would be no conflict with the Local Plan.

OFFICER RECOMMENDATION : APPROVE

Case Officer: Ben Hurst
Recommendation Date: 17/5/2024

On behalf of Staffordshire Moorlands District Council