



Appeal Decision

Site visit made on 4 November 2025

by F Rafiq BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 December 2025

Appeal Ref: APP/G4240/W/25/3371785

Midway, 4 Gallowsclough Road, Stalybridge, Tameside SK15 3QS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Dribben Investments Ltd against the decision of Tameside Metropolitan Borough Council.
 - The application Ref is 25/00163/FUL.
 - The development proposed is the change of use from C3 dwellinghouse to C2 children's care home for up to a maximum of three children.
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Decision

1. The appeal is allowed and planning permission is granted for the change of use from C3 dwellinghouse to C2 children's care home for up to a maximum of three children at Midway, 4 Gallowsclough Road, Stalybridge, Tameside SK15 3QS in accordance with the terms of the application, Ref 25/00163/FUL, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing no's: Location Plan, Location Plan (01.24077), Existing Ground Floor Plan (02.24077), Existing First Floor Plan (03.24077), Existing Loft Floor Plan (04.24077), Existing Elevations (05.24077), Existing Section Plan (06.24077), Proposed Ground Floor Plan (07.24077), Proposed First Floor Plan (08.24077), Proposed Loft Floor Plan (09.24077), Proposed Elevations (10.24077), Proposed Section A-A (11.24077), Vehicle Tracking Plan (12.24077), Staffing and Rota Pattern and Stage 3 Management Statement RevA.

Applications for costs

2. An application for costs was made by Dribben Investments Ltd against Tameside Metropolitan Borough Council. This application is the subject of a separate decision.

Main Issue

3. The main issue is the effect of the proposed development on highway safety with particular regard to access arrangements.

Reasons

4. The appeal property is a large detached dwelling on Gallowsclough Road, a short distance from Mottram Road. Gallowsclough Road is a narrow road, with no

pavements along it in the vicinity of the site, and part of which has a cobbled surface.

5. The junction of Gallowsclough Road with Mottram Road is formed of a tight bend, which, as the Appellant's swept path analysis demonstrates, would require east bound vehicles travelling along Mottram Road to cross the central hatched area to turn left into Gallowsclough Road. This is however an existing situation and past occupiers and visitors of the appeal and other nearby dwellings along this road would regularly have had to contend with such manoeuvres.
6. The Council has referenced the increased comings and goings that would arise from the proposed change of use; however the Local Highway Authority (LHA) has stated that the vehicle trips from the proposal would be comparable to an existing family home. Whilst the Council sets out that a worst-case scenario could result in 8 comings per day during the week, and 4 number comings per day during the weekends from the proposal, given the size of the current dwelling, it could be occupied by a family with adult children that drive, which would result in a similar number of trips per day.
7. Although the proposed use would attract additional visitors such as from social workers or other professionals, the use of the current dwelling would also generate social visits from visiting friends and family.
8. Some drivers unfamiliar with the layout of the junction at Gallowsclough Road with Mottram Road may fail to take a wide approach when turning into Gallowsclough Road, which could result in reversing back onto Mottram Road, a principal highway. This would however be no different to some delivery drivers or other first-time visitors to the existing dwellings on Gallowsclough Road. The proposed care home, given the small number of children that would be accommodated, is intended to provide a family like environment which is likely to entail regular staff performing caring duties. There is no substantive evidence before me that there would be regular visits from those who would be unfamiliar with the layout of the nearby junction.
9. The potential hazards with the junction are acknowledged, with vehicles having to over sail the central lining or undertake reversing manoeuvres to turn into Gallowsclough Road. Both of these were already being undertaken as observed by the LHA, but the Appellant has referenced five years of accident data showing no recorded collisions at this junction over this period. As such, given my finding that the proposal would result in the number of vehicular trips being similar to the current use of the appeal site as a dwelling, I do not consider there would be an unacceptable harmful impact on other road users, including vehicular traffic, pedestrians, cyclists or horse riders.
10. Given the above, I conclude that the proposed development would not have an unacceptable impact on highway safety, with regard to access arrangements. As such, it would not conflict with Policy T1 of the Tameside Unitary Development Plan or Policy JP-C8 of the Places for Everyone Joint Development Plan Document which seek, amongst other matters, appropriate connectivity to the existing highway network. It would also not be contrary to Paragraph 116 of the National Planning Policy Framework (Framework), which sets out that development should only be refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the

road network, following mitigation, would be severe, taking into account all reasonable future scenarios.

Other Matters

11. The Council has raised concerns arising on the amenity of existing residents. The proposal would however result in similar vehicle movements to the existing dwelling, and it would not therefore have a significant and disruptive impact on living conditions in this regard or from vehicle conflicts and queuing relative to the existing position.
12. Concerns have been raised by interested parties that the proposal would lead to an increase in noise, however, having regard to the number of children, staff and visitors, the pattern of activity would not be materially different to that of its current use as a dwelling. For this reason, the proposal would also not unduly harm the character of the area. There is also no substantive evidence that anti-social behaviour by residents of children's homes would be a problem or that nearby pylons would not be conducive to good health.
13. I also note the concerns relating to the lack of children's facilities and other local infrastructure, but this proposal seeks to accommodate 3 children, which would not be dissimilar to the number that would live in a large dwelling, like the current appeal property; the proposal would not be harmful in respect of this matter.
14. Reference has been made to the proposal setting a precedent, but each application would be considered on its own merits. I have considered representations made by interested parties including concerns relating to the devaluation of property and an increase in insurance costs. These matters do not however have a bearing on my conclusion on the main issue.
15. The Council has identified no inaccuracies in the application, and having regard to the submitted documentation, I have no reason to disagree. Although reference has been made to consultations not having been undertaken with local residents, there are a number of representations before me.

Conditions

16. I have considered the conditions suggested by the Council, having regard to the six tests set out in the Framework. A plans condition is necessary to ensure the development is carried out in accordance with the details hereby approved.
17. A number of other conditions have been suggested by the Appellant in relation to a Site Visit Risk Assessment and a Construction Traffic Management Plan, but I do not consider these to be necessary given the proposal, which is for a change of use, would not result in a dissimilar number of vehicular trips to the current use.

Conclusion

18. The proposal would accord with the development plan as a whole, and there are no other considerations, including the Framework, that indicate that I should take a decision other than in accordance with this. I conclude that the appeal should be allowed.

F Rafiq INSPECTOR