

## **APPLICATION REPORT – 21/00969/FUL**

**Validation Date: 9 August 2021**

**Ward: Clayton West And Cuerden**

**Type of Application: Full Planning**

**Proposal: Change of use from a dwellinghouse (Use Class C3) to a children's home (Use Class C2)**

**Location: 84 Dallington Avenue Clayton-Le-Woods Leyland PR25 5AG**

**Case Officer: Mrs Hannah Roper**

**Applicant: Fitri Brock, Helm Care Services**

**Agent: Mr Joe Smith, ELG PLanning**

**Consultation expiry: 3 September 2021**

**Decision due by: 6 October 2021 (Extension of time agreed)**

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### **RECOMMENDATION**

1. It is recommended that planning permission is refused for the following reason:

*The proposed development would result in increased demand for on street parking and the associated comings and goings of cars generated by staff and visitors to the care home would result in additional noise, disturbance and increased levels of general activity, particularly at times when residents in the vicinity could reasonably expect the quiet enjoyment of their homes. The proposed development is therefore contrary to policy BNE1 of the Chorley Local Plan 2012 – 2026.*

### **SITE DESCRIPTION**

2. The application relates to a modern, detached dwellinghouse located on Dallington Avenue, Clayton-le-Woods, within a residential estate. The property has a driveway to the side elevation and a garage to the side/rear which is a double garage shared with no.86. No boundary treatment exists between the two drives.

3. The property is surrounded properties of a similar age and design and is located opposite a grassed area adjacent to no.22.

### **DESCRIPTION OF PROPOSED DEVELOPMENT**

4. The application seeks planning permission to change the use of the property from a residential dwelling to a children's care home.

5. The Planning Statement that has been submitted to support the application states that the facility would accommodate a maximum of 3 children aged 8-18 who would be cared for on a rota basis rather than by live in carers. Three double bedrooms on the first floor would accommodate the children and two waking staff would be on duty overnight.

6. The applicant is a company that specialises in the care and rehabilitation of children with emotional and behavioural difficulties and as a result exact staff numbers would be needs led dependent on the individual care plans of the children residing there at any time and extra staff would cover appointments and leisure activities.

7. The applicants consider that the property would be occupied in the same manner as a traditional dwellinghouse occupied by a family with three children.

## **REPRESENTATIONS**

8. 17no. letters have been received citing the following grounds of objection:

- Goes against lease in terms of running a business and noise
- Fire drills planned at all times of day and night
- Application forms do not list correct details
- Existing anti-social issues will be made worse and will impact on the children
- Only interested in profit and not care
- Parking is already problematic, and visibility will be impaired
- Already a daily police presence in the locality
- Reduction in property values
- Visitors to property already block parking
- Facilities insufficient for what is proposed
- Not OFSTED registered as claimed

9. The applicant has put forward the following in support of the proposal:

- There will be no material change of use and actually do not consider that planning permission should be required
- The property would be occupied in the same manner as a traditional house
- The social objective of the facility is to integrate children into the community
- The NPPF outlines a need for variety of housing

## **CONSULTATIONS**

10. Regulatory Services - Environmental Health – No comments have been received.

11. Lancashire County Council Highway Services – Have no objection on the grounds of highway safety and advise that highway amenity should be considered.

12. Clayton-le-Woods Parish Council – No comments have been received.

13. CIL Officers – Comment that the proposal is not CIL liable.

## **PLANNING CONSIDERATIONS**

### Impact on neighbour amenity

14. Policy BNE1 of the Chorley Local Plan 2012 -2026 stipulates that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided that, where relevant to the development the proposal would not cause harm to any neighbouring property by virtue of overlooking, overshadowing, or by creating an overbearing impact; and that the proposal would not cause an unacceptable degree of noise disturbance to surrounding land uses.

15. The application property is located within a housing estate, with private residential dwellings directly surrounding it, including a shared drive and garage structure with the direct neighbour at no.86. Whilst the applicant has stated that the children's home would function in the same manner as a family home, the proposal does however seek planning permission for the operation of a commercial use.

16. Whilst care and nursing homes are often viewed as an acceptable part of predominantly residential areas, in this instance the use of a residential dwellinghouse, within a housing estate, would inevitably result in additional on street parking in the vicinity of the site.

17. It would also generate significant additional trips associated with the proposed children's home over and above a family home, together with increased levels of comings and goings of cars generated by staff, visitors and health care professionals. Whilst the Planning Statement itself sets out that two staff would be on site as a minimum at any time it also states that the level of staff would be in part dependent on the occupants of the children's home, indicating that staff levels could be increased where required.

18. It is likely, therefore, that the proposed change of use would result in additional noise, disturbance and increased levels of general activity and on street parking, particularly at times when residents could reasonably expect the quiet enjoyment of their homes. This would be unacceptable and would result in a detrimental impact on amenity of residents in the surrounding locality as well detrimentally impacting on the prevailing character of this residential area. The resultant harm that would be caused by the proposal cannot be overcome through the imposition of conditions.

#### Highway safety

19. Policy ST4 of the Chorley Local Plan 2012-2026 and its associated appendix sets out the council's parking standards based on bedroom numbers of a property.

20. The proposed use of the building as a children's care home would result in a requirement for one car parking space on the site in line with the adopted parking standards set out in Appendix A of the Chorley Local Plan 2012 – 2026.

21. The property has a drive to the side elevation and a detached garage. Sufficient parking can, therefore, be accommodated in accordance with the council's parking standards. LCC Highway Services have been consulted on the proposal and have raised no concerns in relation to highway safety, however they had requested that amenity be taken into consideration.

#### **CONCLUSION**

22. Whilst the proposed development may be acceptable in highway safety terms it is considered that the proposed children's care home would result in increased demand for on street parking and the associated comings and goings of cars would harm the level of residential amenity currently enjoyed by the residents of nearby residential dwellings. It is, therefore, recommended that the application is refused.

**RELEVANT POLICIES:** In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan (the Central Lancashire Core Strategy, the Adopted Chorley Local Plan 2012-2026 and adopted Supplementary Planning Guidance), unless material considerations indicate otherwise. Consideration of the proposal has had regard to guidance contained within the National Planning Policy Framework (the Framework) and the development plan. The specific policies/guidance considerations are contained within the body of the report.

#### **RELEVANT HISTORY OF THE SITE**

**Ref:** 21/00555/CLPUD      **Decision:** REFPUD      **Decision Date:** 15 July 2021  
**Description:** Application for a certificate of lawfulness for a proposed use as a dwellinghouse (C3b) for the occupation of up to 3 young persons (aged 8-18 years)