

APPLICATION REPORT – 23/00004/FUL

Validation Date: 4 January 2023

Ward: Clayton East, Brindle And Hoghton

Type of Application: Full Planning

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

Location: 10 Riley Green Hoghton Preston PR5 0SL

Case Officer: Mrs Hannah Roper

Applicant: Mark Twiname Brinscall Care Limited

Agent: Kate Grimshaw KG Planning Ltd

Consultation expiry: 2 February 2023

Decision due by: 1 March 2023

This application is being reported to Planning Committee at the request of Councillor Allen Cullens.

RECOMMENDATION

1. It is recommended that planning permission is granted subject to conditions.

SITE DESCRIPTION

2. The application site is located in the Green Belt on Riley Green Switch Road, Hoghton. The existing property is a sizeable detached dwellinghouse that is one of five dwellings located directly to the west of the junction with Bolton Road and which form part of a small hamlet around road junction.
3. There is hardstanding to the frontage of the dwellinghouse and a private garden to the rear, with fields beyond.

DESCRIPTION OF PROPOSED DEVELOPMENT

4. This application seeks planning permission to change the use of the property from a dwellinghouse (Use Class C3) to a children's home (Use Class C2). The garage would be converted to habitable accommodation to facilitate the change of use.
5. The property would be registered for a maximum of four children between the ages of 8 and 17 years old. There would be a maximum of 10 staff, with a maximum of 4 at the property at any one time, working a shift rota of 2 staff on 9am to 9pm and 2 staff on 9pm to 9am when the home is fully occupied.

REPRESENTATIONS

6. 34no. representations have been received (including several from the same respondent and one written on behalf of a number of the respondents who have already individually commented) raising the following issues:

- There are no facilities in Riley Green such as shops or schools. Young people would have to travel for any recreational activity.
- Impact on parking. Whilst the application makes reference to parking for six cars there would be other staff such as social workers visiting the site.
- Overspill parking on the pavement would cause a hazard and issue for neighbours accessing their drives. There have been numerous accidents here over the years.
- Privacy for residents would be lost and there would be issues with noise. Especially for direct neighbours.
- There would be concerns regarding privacy for the children placed here.
- There would be 10 staff there and where would they park.
- The proposal is too isolated.
- The proposal would lead to trespass and anti-social behaviour in the surrounding fields and estate.
- Fencing would be required to keep the children from absconding into the fields to the rear.
- The number of visitors set out in the supporting information is definitely incorrect.
- The upstairs windows of the property look directly into neighbouring gardens and the downstairs windows into the neighbouring conservatory.
- There is already a drugs problem and anti-social behaviour in the area.
- There are a lot of accidents on the road here.
- Children should not be placed near a crime hotspot.
- Fails to comply with policy BNE1.
- There would be a loss of residential amenity for neighbouring dwellings.
- The proposal does not comply with Ofsted requirements.
- What about the trees on the site, would they be impacted?
- The cars would overspill and block the pavement.
- Where would refuse be stored for this business?
- The character of the village would be impacted.
- There are too many environmental hazards for vulnerable children

CONSULTATIONS

7. Lancashire County Highway Services – Have no objections.
8. LCC Children's Homes – Have objected to the proposal as it does not meet their criteria.
9. Hoghton Parish Council – Have objected to the proposal.
10. CIL Officers – Have commented that proposal is not chargeable.

PLANNING CONSIDERATIONS

Principle of the development

11. Paragraph 17 of the National Planning Policy Framework (the Framework) sets out 12 'Core Planning Principles' that should underpin plan-making and decision-taking. One of these principles establishes that planning should:

“take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.”

12. The application site is located in the Green Belt. Section 13 of the Framework (2021) confirms that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
13. Development will only be permitted within the Green Belt, in accordance with the Framework, if it is considered appropriate development or where very special circumstances

can be demonstrated. The Framework confirms that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

14. Paragraph 150 of The Framework states *that 'the reuse of buildings provided that they are of permanent and substantial construction'* is acceptable within the Green Belt.

15. Policy BNE5 of the Chorley Local Plan 2012-2026 'Redevelopment of Previously Developed Sites in the Green Belt' states that:

'The reuse, infilling or redevelopment of previously developed sites in the Green Belt, will be permitted providing the following criteria are met: In the case of re-use:

- a) The proposal does not have a materially greater impact than the existing use on the openness of the Green Belt and the purposes of including land in it;*
- b) The development respects the character of the landscape and has regard to the need to integrate the development with its surroundings and will not be of significant detriment to features of historical or ecological importance.'*

16. The proposed change of use falls to be considered under the exception stated at paragraph 150.d) of the Framework and as reflected within part a) of policy BNE5 of the Local Plan, as the building is of a permanent and substantial construction having been recently in use as a dwellinghouse. Further, the proposal involves no increase in the size of the existing building, hardstanding areas or its curtilage. As such, the proposal would preserve the openness of the Green Belt and would not conflict with the purposes of including land within it, listed below.

- a) to check the unrestricted sprawl of large built-up areas;*
- b) to prevent neighbouring towns merging into one another;*
- c) to assist in safeguarding the countryside from encroachment;*
- d) to preserve the setting and special character of historic towns; and*
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

17. The proposal includes no increase in built development at the site and so also complies with part b) of policy BNE5 of the Chorley Local Plan.

18. The proposal is, therefore, not considered to be inappropriate development in the Green Belt and complies with the Framework and policy BNE5 of the Chorley Local Plan in this regard.

Highway safety

19. Policy BNE1 of the Chorley Local Plan 2012-2026 states that developments must not cause severe residual cumulative highways impact or prejudice highway safety, pedestrian safety, the free flow of traffic, or reduce the number of on-site parking spaces.

20. The property has a large area of hardstanding to its frontage to accommodate parked cars. The applicant states that 6no. spaces would be provided. An over-supply of parking is, therefore, provided for the use compared to adopted standards set out in Appendix A of the Chorley Local Plan 2012 – 2026.

21. Lancashire County Council Highway Services have raised no objection. The proposal is therefore considered to accord with policy BNE1 of the Chorley Local plan in respect of highway safety considerations.

Impact on character and appearance of the locality

22. Policy BNE1 of the Chorley Local Plan 2012 – 2026 states that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided that the proposal does not have a significantly detrimental impact on the

surrounding area by virtue of its density, siting, layout, building to plot ratio, height, scale and massing, design, orientation and use of materials.

23. The proposed development includes the conversion of the internal garage to habitable accommodation with the garage door being replaced by a window. This alteration could be undertaken under permitted development as a residential dwellinghouse. Matching materials could be secured by condition. It is therefore considered that the proposal would be in accordance with policy BNE1 of the Chorley Local Plan with regard to the impact on character and appearance of the locality.

Impact on neighbour amenity

24. 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.
25. The application property is located within a small ribbon of development to the south of Riley Green Switch Road. It is a detached dwelling with hardstanding to the front and a private garden to the rear.
26. The supporting information submitted with the proposal states that the home would operate with a maximum of four children between the ages of 8 and 17, with two staff on site. The exception would be at shift changeover where four staff would be on site for a short period of time. Vehicles associated with these four staff could be accommodated on site.
27. The occupation of the property by four young people and two adults would replicate that of a larger family living together in a residential dwellinghouse. Comings and goings would not be dissimilar to those of a family in terms of school runs and visitors and these would take place at fairly common times such as rush hours and early evenings. Similarly, the use of the garden by four young people would reflect that of a family. It is, therefore, not considered that the proposed change of use would result in a detrimental impact on amenity through an unacceptable degree of noise disturbance.
28. The proposed change from the garage door to a window would not adversely impact on any of the occupiers of neighbouring dwellings due to its location within the site.
29. The proposed change of use would not result in additional noise, disturbance or increased levels of general activity over and above the lawful use of the property as a dwellinghouse.

Other issues

30. Whilst it is noted that Lancashire County Council Children's Homes have objected to the proposal on the grounds that it does not meet their criteria, it should be considered that this is a licensing issue and is not a material planning consideration. This is a matter that should be pursued outside of the planning application process.

CONCLUSION

31. The proposed development accords with Green Belt policy and there would be no adverse impact on the streetscene, highway safety or residential amenity. The proposal does, therefore, accord with the Framework and policies BNE1 and BNE5 of the Chorley Local Plan 2012-2026.

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.

Suggested conditions

1. The development hereby permitted shall be carried out in accordance with the approved plans below:

| Title | Plan Ref | Received On |
|--------------------------|-----------------|--------------------|
| Proposed Site Plan | N/A | 4 January 2023 |
| Location Plan | N/A | 4 January 2023 |
| Change of Use - Existing | 3202-02 | 4 January 2023 |

Reason: For the avoidance of doubt and in the interests of proper planning.

2. The proposed development must be begun not later than three years from the date of this permission.

Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.

3. All external facing materials of the development hereby permitted shall match in colour, form and texture to those on the existing building and no others substituted unless alternatives are first submitted to and agreed in writing by the Local Planning Authority, when the development shall then be carried out in accordance with the alternatives approved.

Reason: In the interests of the visual amenity of the area in general and the existing building in particular.

RELEVANT HISTORY OF THE SITE

Ref: 87/00169/FUL **Decision:** PERFPP **Decision Date:** 12 May 1987
Description: Conversion into one detached dwelling extension to form entrance hall and erection of detached double garage

Ref: 89/00443/FUL **Decision:** PERFPP **Decision Date:** 5 September 1989
Description: Redevelopment to form shop with offices above

Ref: 93/00395/FUL **Decision:** PERFPP **Decision Date:** 22 July 1993
Description: Traditional construction rebuild of Parkinson Frame house with alterations and extension

Ref: 02/00731/FUL **Decision:** PERFPP **Decision Date:** 5 September 2002
Description: Erection of conservatory to rear