

## **APPLICATION REPORT – 23/00100/FUL**

**Validation Date: 3 February 2023**

**Ward: Euxton**

**Type of Application: Full Planning**

**Proposal: Change of use of dwellinghouse (Use Class C3) to residential institution (to accommodate three children, aged 8-17 with carers) (Use Class C2)**

**Location: 36 Empress Way Euxton Chorley PR7 6QB**

**Case Officer: Mrs Hannah Roper**

**Applicant: Mrs Vicky Wilden Northridge Care Group Ltd**

**Agent: Mr Graham Lea Graham Lea Architecture**

**Consultation expiry: 14 March 2023**

**Decision due by: 26 April 2023 (Further extension of time requested)**

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### **UPDATE**

1. Members will recall that consideration of this application was deferred at Planning Committee on 25 April 2023 to give members the opportunity to visit the site. The original committee report follows on below which has been updated to include the comments from Lancashire County Council Children's Homes which were previously reported on the Addendum.
2. The recommendation remains as per the original report.

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### **ORIGINAL REPORT**

#### **RECOMMENDATION**

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

#### **SITE DESCRIPTION**

2. The application relates to a link detached property located on Empress way, Euxton. The dwelling is a gable fronted with a garage to the side elevation filling the gap between the dwelling and the neighbouring property. A driveway and garden are located to the front of the property and a garden to the rear.
3. The surrounding area is residential in character, with no.34 located on the corner of Empress Way, having a garage and driveway adjacent to the application dwelling. There are no dwellings directly opposite the dwelling with open grassland and a tree belt.

## 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 proposed change of use.
5. It has been confirmed by the agent that the property would be registered for a maximum of three children between the ages of 8 and 17 years old with on site staff support over a 24-hour period.
6. The facility would be managed by a Home Manager who would be on site every day between 8.30am and 4.30pm and staffed by up to five full time members of staff who would work on a shift basis with two members of staff on site at all times. Staff would work on a five-week rota working 8am to 10pm for two days and then having three days off. Staff handover would take place at 8.15am and 9.45pm with a handover taking no more than 15 minutes.

## REPRESENTATIONS

7. 1no. letter of support has been received
8. 43no. representations have been received citing the following grounds of objection.
  - Increase in traffic on the surrounding roads
  - Lack of parking and the impact this would have with people parking on the road
  - Will generate noise and disrupt residents
  - The property is unsuitable for the proposed use
  - The proposal would impact on local families
  - This is a business in a residential environment
  - There would be a danger to kids playing in the street
  - The proposal would result in air pollution as a result of increased traffic
  - There would be unsightly vehicles blocking paths
  - GDPR would be breached as the property would be linked
  - There would be anti-social behaviour in the local area
  - There is no relationship with the community
  - Extensions at the property have used up all the garden space
  - Staff wont necessarily use the bus
  - Loss of character to the area
  - It would compromise the neighbour's properties
  - The proposed changeover times would impact on children's bedtimes
  - There would be an impact on neighbouring elderly residents
  - The proposal would make the neighbouring property semi detached rather than link detached
  - There would be a loss in property values
  - No one wants to live next door to people with behavioural problems
  - Police will have to intervene
  - 17 year olds are not children
  - No site notice has been erected
  - Should built in an appropriate location for a business
  - Won't be able to park directly to the front of her son's house
  - This proposal is just about money and not about welfare
  - There is already anti-social behaviour locally
  - There will be multi-disciplinary teams visiting which would increase cars
  - The proposal would impact saleability of local properties

## CONSULTATIONS

9. Lancashire County Council Children's Homes – Have stated that despite having more than enough homes 'on paper' in the area, that they still struggle to find suitable, local good quality homes for some children. They consider that new homes should meet a local gap in provision and be delivered by providers who offer good quality, good value provision and who are committed to providing local homes for Lancashire children.

They consider that the proposal to develop a small children's home for up to 3 young people would help to meet a local gap in provision and have confirmed that they have an existing relationship with Northridge Care with both their homes in Lancashire caring for a Lancashire child. However, to date Northridge Care has chosen to not be part of LCC's children's home commissioning arrangements, which, if they were to join, would help to demonstrate their commitment to providing local homes for Lancashire children and further increase the likelihood of Lancashire children being cared for in this new home.

10. Lancashire County Council Highway Services (LCC Highway Services) – Have no objection subject to additional parking being provided
11. Euxton Parish Council – Have objected to the proposal on the grounds that it has inadequate parking, the property is inadequate and that there would be noise issues. They request that a temporary use is granted if the Local Planning Authority is minded to approve the proposal.
12. CIL Officers – Advise that the proposal is not CIL liable.

## PLANNING CONSIDERATIONS

### Impact on character and appearance of the locality

13. 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.
14. The proposed development includes the conversion of the internal garage to habitable accommodation. This alteration could be undertaken under permitted development as a residential dwellinghouse and would not alter the residential appearance of the property. Matching materials could be secured by condition. It is, therefore, considered that the proposal accords with policy BNE1 of the Chorley Local Plan 2012 -2026 with regard to the impact on character and appearance of the locality.

### Impact on neighbour amenity

15. 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.
16. The application property is located on a housing estate and is surrounded by further residential properties. It is a link-detached dwelling with hardstanding to the front and a private garden to the rear.
17. The supporting information submitted with the application states that the home would operate with a maximum of three children between the ages of 8 and 17, with two staff on site and a home manager. The exception would be at shift changeover where four staff would be on site for a short period of time.

18. The occupation of the property by three young people and three 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 three 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.
19. 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.
20. 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. The proposal does, therefore, accord with the policy BNE1 of the Chorley Local Plan 2012-2026 in respect of amenity considerations.

#### Highway safety

21. 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.
22. The proposal includes the provision of 3no. parking spaces across the frontage of the property through the hard surfacing of the garden. This would be in accordance with policy ST4 of the Chorley Local Plan 2012-2026 and adopted parking standards.
23. LCC Highway Services have raised no objection, subject to a condition, to secure the parking spaces and an informative advising that a legal agreement for an extension of the dropped kerb will be required. The proposal is therefore considered to accord with policy BNE1 of the Chorley Local plan in respect of highway safety considerations.

#### Other issues

24. Issues relating to property values and saleability are not material planning considerations and as such cannot be taken into consideration in the determination of this application.
25. With regard to comments relating to the suitability of the property for the proposed use, the applicant has applied on the basis that the property would meet their requirements.

#### **CONCLUSION**

26. The proposed development would not result in any adverse impact on the streetscene, residential amenity or highway safety. The proposal does, therefore, accord with policy BNE1 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 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.*

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

<b>Title</b>	<b>Plan Ref</b>	<b>Received On</b>
Location Plan	GL486C/00	6 February 2023
Proposed Plans	GL486C/61	6 February 2023
Elevations	GL486C/21	6 February 2023

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

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.*

4. The parking spaces/hard surfacing shown on the site plan forming part of GL486C/61 - Proposed Plans received by the Local Planning Authority on 06.02.2023 shall be surfaced or paved, drained and made available in accordance with the approved plan prior to the first opening of the use, hereby approved and shall thereafter be permanently retained for that purpose (notwithstanding the Town and Country Planning (General Permitted Development) Order 2015).

*Reason: To ensure provision of adequate off-street parking facilities within the site.*

5. The property shall only be used to accommodate up to three children at any one time.

*Reason: To prevent an intensification of use which may give rise to wider impacts which would require more detailed assessment, having regard to the amenity of local residents, highway safety and the amenities of the area.*

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

**Ref:** 83/00270/FUL      **Decision:** REFFPP      **Decision Date:** 31 May 1983  
**Description:** Kitchen/dining/bedroom extension

**Ref:** 84/00697/FUL      **Decision:** PERFPP      **Decision Date:** 13 November 1984  
**Description:** Extension to garage