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**ITEM 3h- 21/00969/FUL – 84 Dallington Avenue, Clayton-Le-Woods**

**The recommendation remains as per the original report.**

The applicant has responded as follows in relation to the public objections:

- The 17 objections quoted in the report is misleading
- Highways have not objected to the proposal
- The terms of the lease are not a material planning consideration
- The expertise of the directors stated is both factually incorrect and again not a material planning consideration
- Risk is not a material planning consideration however it should be noted that the home will not accept children who are currently in the criminal justice system or who pose an active risk to others
- Fire drills will take place at dusk not during the night and therefore will not pose any amenity issues

The applicant has submitted the following in support for the application:

- LCC highways have clearly considered all of the issues and a professional highways officer has concluded that the development would be entirely acceptable and have indicated support on that basis. Whilst LCC Highways have suggested that consideration should be given to amenity, the suggested reason for refusal is based on assumptions only and has no substantive evidence to support the reason for refusal.
- The proposed use is clearly limited in scale and requires minimal staffing to be present.
- The levels of activity and numbers of cars would be no different than you might expect with a family house, or indeed what might occur in other existing properties across this residential estate. The current property is a 4 bedroomed detached house, and in theory could have at least 4-5 cars parking here assuming 4-5 people live here as a family. According to the applicant, 5 cars are often present at the site, which could all arrive and leave the property at various points of the day for work, school, leisure and other activities.
- For the proposed use there will be a maximum of 2-3 staff at any one time on site to care for the children, operated in rota shifts. This would be a maximum of 2-3 cars present at the site which is significantly less than the property being occupied by a family of 4-5 people each owning cars. The drive way is shared with the neighbouring property but it is very clear that staff would only be allowed to use the left hand section of the drive associated with 84 Dallington Avenue.
- The drive way associated with this property can accommodate up to 3 cars, so even if 2-3 members of staff were present at the site in individual cars, they can park safely on the driveway without any impact upon amenity. In unlikely events of more than 3 staff being present, on street parking would need to be utilised, however, this would be infrequent and indeed happens already across the estate in standard residential properties.
- Staff may car share or use public transport/walk/cycle to the property to work, given the sustainable location of the development. As such, considered that the proposed

use could have less impact in this sense and could even be considered a improvement upon the existing situation in terms of highways.

- The committee report also suggests that “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”, however this is completely speculative and there is no evidence to support that this would be the case, and is contrary to the LCC highways officer response.
- It is inferred that staff movements could impact on the amenity of neighbouring residents during quiet time. However, staff changeovers would not be happening unreasonably late at night or early in the morning, they would be around 20.00 – 08.00 and, given limited numbers of staff present at site, it is clearly not going to cause undue disturbance. Occupants of a family dwelling doing shift work could well generate activity late at night / early morning so there really is no material difference with a C3 dwelling. As such, there would be no unacceptable impact on amenity to sustain a reason for refusal.
- It is also important to reiterate the clear benefits of this scheme in terms of addressing the need for children’s homes provision which is a significant social benefit that will effectively allow the opportunity for disadvantaged children to grow, live and integrate with the community whilst receiving the level of care they require, and would therefore strongly accord with the social objective of the NPPF.
- The proposal would result in the creation of jobs in the area, which is a further economic benefit.