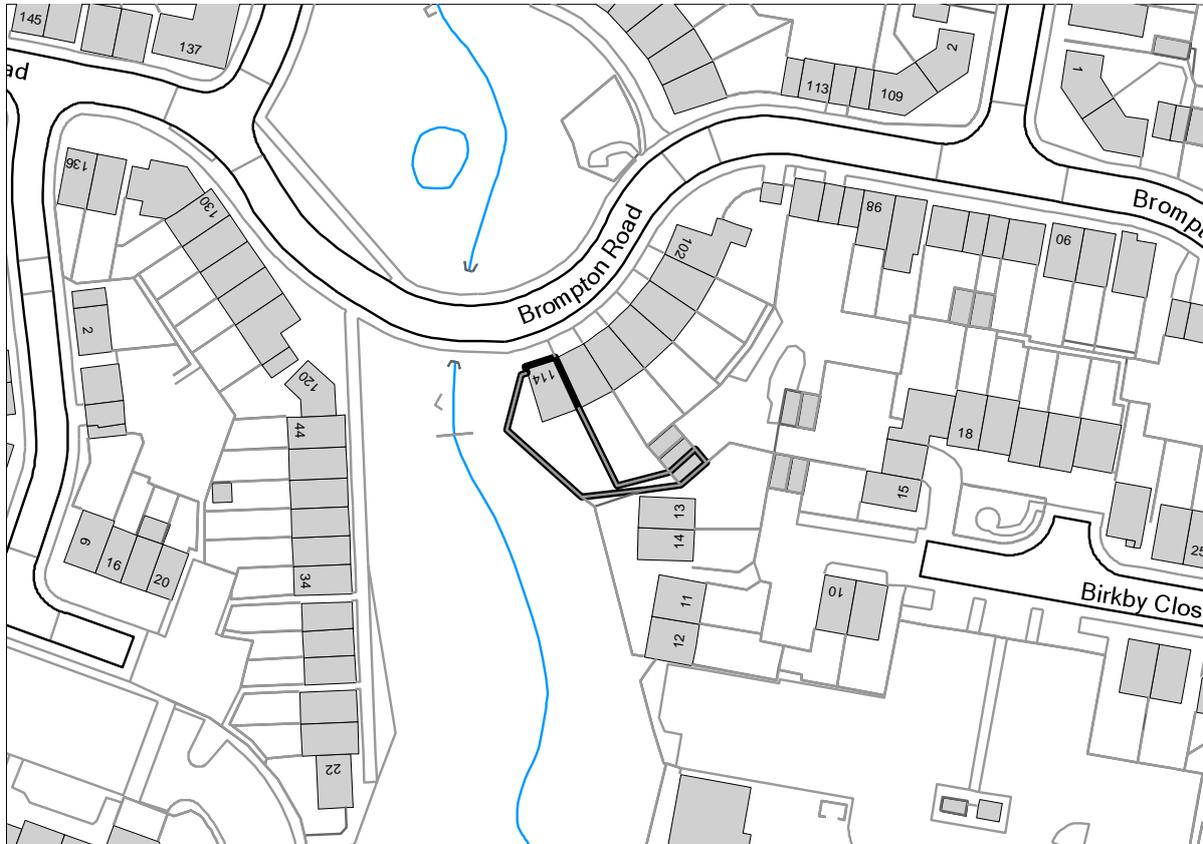


<b>Recommendation: Conditional approval</b>	
<b>20201276</b>	<b>114 Brompton Road</b>
Proposal:	Change of use from dwellinghouse (Class C3) to residential care home (3 Bedrooms)(Class C2)
Applicant:	PARAMOUNT CHILDREN CARE LTD
View application and responses:	<a href="https://planning.leicester.gov.uk/Planning/Display/20201276">https://planning.leicester.gov.uk/Planning/Display/20201276</a>
Expiry Date:	20 November 2020
SSA	WARD: Humberstone & Hamilton



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## Summary

- Brought to committee given the number of objections
- Objections from 8 addresses on grounds of character, noise and disturbance, traffic, parking, inadequate care for the occupiers and anti-social behaviour
- Issues are the principle of the use, impacts on residential amenity and traffic
- Recommended for approval

## **The Site**

The application relates to a three storey, end terrace town house (4 bed) located in a residential area. There are two on-site parking spaces at the rear of the property accessed through under croft communal parking area.

There are public open spaces to the west and opposite north side of the property.

## **Background**

Single storey extension at side and rear of house approved in 2008

## **The Proposal**

The proposal is to change the use from dwellinghouse (Class C3) to a 3 bed care home (Class C2) to accommodate a maximum of three children and young people from the age of 8 to 18 years.

The property contains living room, a kitchen / dining room, and toilet at the ground floor and 3 bedrooms with bathroom on the first floor and 4th bedroom with bathroom on the second floor. One bedroom at first floor level will be used as office accommodation by the carers who will look after the three children.

There are no external alterations.

The applicant state that:

- Access will be through the front door with visitors using parking to the front of the property on the public highway that has no parking restrictions.
- There is unrestricted parking, and the rear a garage and parking for 4 cars plus internally in the garage (the primary entrance). As the home will have its own vehicle it will use one of the spaces, staff will then occupy a maximum 2/3 on shift changes, with allocated spaces at the rear (including using the garage);
- The registered manager and deputy, a specialist in mental health will visit at least once a week. Additional visiting health care professionals will be engaged depending on the needs of the children;
- At at least 2 members of staff will be on duty at all times who will look after the children, teach them life skills and take and collect them to and from school. At weekends activities will also be provided.
- The children will be living as a single family unit. Whilst the proposal relates to a change of use from C3 dwelling to a care home this is to provide a home similar to a typical family home. The care is provided within the community to ensure the children keep normality within family homes;
- The care home will be regulated by Ofsted and the Care Quality Commission guidance.

## **Policy Considerations**

National Planning Policy Framework (NPPF) 2019

Paragraph 2 states that applications for planning permission must be determined in accordance with development plans unless material considerations indicate otherwise.

Paragraph 11 states that there will be a presumption in favour of sustainable development.

I Paragraph 108 states that development proposals should take up appropriate opportunities to promote sustainable transport modes; ensure safe and suitable access can be achieved for all users and; any significant impact (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable level.

Paragraph 109 states that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Paragraph 127- Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Development plan policies relevant to this application are listed at the end of this report.

Appendix 1 CLLP 2006 - Vehicle Parking Standards.

Supplementary Planning Document (SPD): Residential Amenity

### **Representations**

letters of objections have been received from nearby occupiers of 8 addresses raising the following concerns:

- The applicant is a new company with no guarantee that they understand what is entailed with providing care for vulnerable children
- As this is classed as C2, we do not know what problems the 'children' will have and the company can't guarantee that this not bring distress to residents with drugs/undesirables meeting up in what is a residential area with a large elderly population.
- To the side of the property there is a 7 foot fence which overlooks a large green area where lots of young children and families play and an open waterway which will be unsuitable to special needs.

- No objection to child minders business but have objection to a residential care home.
- As a resident association, we support development, however, in this case have to raise an objection.
- This is a family residential road and it should remain this way. The proposed change is not acceptable in a residential area with young families and children;
- Concerned about the possibility of crime and antisocial behaviour as a result of the new arrivals;
- will have a negative impact on the community;
- Brompton Road is already an anti-social behaviour hot spot and having a care home for young adults in this area will only add to the existing problems impacting on the residents living here.
- Staff will be parking on the public highway which is already heavily congested with residents own cars and there will be no parking available for visiting families;
- Will not permit visitors parking in our parking area at the back of the house.
- Further effect regarding parking and vehicles coming and going to the property, shift changes at various times; comings and goings 24 /7;
- Impact on value of the houses;
- Lack of planning procedure of notifying residents; Insufficient publicity notification,

### **Consideration**

The main issues are principle of the use, level of accommodation, impact on amenity of nearby occupiers and whether the staff working on shift patterns will have significant change in the character of a dwelling-house through increased coming and goings, access and parking demand.

#### Principle of development

The City Council aims to facilitate the provision of a range of accommodation to meet the special housing needs of all City residents. The Council's Core Strategy Policy CS06 supports the provision of supported housing to meet other identified special needs

The property is located outside a restricted hotels, hostels and residential institutions area where CLLP policy H16 states that planning permission will not be granted for a change of use to a residential institution unless it can be demonstrated that there would be no adverse effects on the amenities of neighbours or on the residential character of the area.

There does not appear to be a concentration of such uses in the immediate locality.

The property is surrounded by predominantly residential properties. Whilst the change of use would result in the loss of a family house, the proposed 3 bed care home will be a managed provision where assisted living is provided for the residents.

I consider the principle of the use is in accordance with the aims of Core Strategy policy CS06.

#### Amenity and character and appearance

Each of the bedrooms will be provided with good outlook from the existing windows. I consider an acceptable level of amenity will be provided in terms of outlook and natural light for each of the residents.

The three children to be housed will be accommodated within the existing bedrooms, Some comings and goings to and from the house may change in character, however this is unlikely to be significantly above the levels expected in a family house.

There are no internal and external alterations required in order to facilitate the change of use to a care home. I do not consider the proposal would adversely affect the residential character or appearance of the property or have any negative visual impact on the surrounding residential area or the street scene. I conclude that the proposal would comply with policies CS03, CS08 and PS10 and is acceptable in visual and residential amenity terms.

There is a medium sized garden area at the rear of the house, screened by a boundary fence which would provide satisfactory private amenity area, storage for cycle and bins for the residents.

#### Access and parking

Policy CS14 of the Leicester Core Strategy (2014) states that development should be easily accessible to all future users, and that it should be accessible by alternative means of travel to the car, promoting sustainable modes of transport such as public transport, cycling, and walking and be located to minimise the need to travel.

Appendix 1 of the City of Leicester Local Plan sets out the parking requirements for the City. The maximum number of parking spaces for a residential institution within Zones 3 and 4 is one space for every four bedrooms, which would equate to a maximum requirement for one off street car parking space. There is on-site parking available for at least two vehicles at the site. There is unrestricted on street parking on the slip road in front of the property. Moreover, it is located close to amenities and is in a sustainable location where there is regular bus services and use of sustainable modes of travel available to staff members. It is unlikely that permanent residents will have individual car use.

Given the number of residents and the care staff required at any one time, I consider that the proposal will not have a detrimental impact on local on street parking capacity and the highway/parking impact of the proposal would not be severe.

As such I do not consider that the proposal is contrary to saved policy AM11 of the City of Leicester Local Plan and Core Strategy policy CS14 and para 108 and 109 of the NPPF.

However, within Class C2 the property could be used for a residential school, college, training centre or health facility. These uses could result in additional comings and goings, general disturbance and greater parking demand. Further consideration for these types of uses is necessary and for this reason I am recommending a condition that restricts the uses of the property to a care home.

#### Other matters

The issues /concerns over the use of the property, amenity, access and parking raised by the residents have been addressed above.

The agent has stated that the use will be regulated by Ofsted and the Care Quality Commission. The property would provide a home for the three children with staff assisting to provide them with a living environment similar to a typical family home and the children will living as a single family unit.

The proposal is a managed provision and therefore issues relating to with crime and anti-social behaviour would be managed by care team and other enforcement agencies. Likewise, emotional needs and behavioural issues, security and supervision and health care provisions are matters for the care team and other agencies.

The application has been given the publicity required and adjoining neighbouring properties have been notified and sufficient time have been allowed to submit their concerns.

### Conclusion

I consider that the use of the application property as a 3 bed-care home is an acceptable use within a residential area.

The property will be used in a way that is similar to a typical family house and as such, I do not consider the proposal would cause harm to the amenities of neighbouring properties or result in detrimental impact on the residential character of the surrounding area.

The development is not likely to cause severe harm to the local highway network or result in additional parking demand and is considered acceptable in highway terms. I consider that the proposal would be in accordance with the aims of the NPPF and development plan polices and guidance.

I recommend **APPROVAL** subject to the following conditions:

### CONDITIONS

1. START WITHIN THREE YEARS

### **Policies relating to this recommendation**

- 2006\_AM01 Planning permission will only be granted where the needs of pedestrians and people with disabilities are incorporated into the design and routes are as direct as possible to key destinations.
- 2006\_AM11 Proposals for parking provision for non-residential development should not exceed the maximum standards specified in Appendix 01.
- 2006\_H16 Planning permission will not be granted for new or extended hotels, hostels and residential institutions within Restricted Zones unless criteria can be met.
- 2006\_PS10 Criteria will be used to assess planning applications which concern the amenity of existing or proposed residents.
- 2006\_UD06 New development should not impinge upon landscape features that have amenity value whether they are within or outside the site unless it can meet criteria.
- 2014\_CS03 The Council will require high quality, well designed developments that contribute positively to the character and appearance of the local natural and built environment. The policy sets out design objectives for

urban form, connections and access, public spaces, the historic environment, and 'Building for Life'.

- 2014\_CS06 The policy sets out measures to ensure that the overall housing requirements for the City can be met; and to ensure that new housing meets the needs of City residents.
- 2014\_CS08 Neighbourhoods should be sustainable places that people choose to live and work in and where everyday facilities are available to local people. The policy sets out requirements for various neighbourhood areas in the City.
- 2014\_CS14 The Council will seek to ensure that new development is easily accessible to all future users including by alternative means of travel to the car; and will aim to develop and maintain a Transport Network that will maximise accessibility, manage congestion and air quality, and accommodate the impacts of new development.
- 2014\_CS15 To meet the key aim of reducing Leicester's contribution to climate change, the policy sets out measures to help manage congestion on the City roads.