

<b>Agenda Item</b>	A11
<b>Application Number</b>	24/00243/CU
<b>Proposal</b>	Change of use of dwelling (C3) to a residential care home for children (C2)
<b>Application site</b>	27 Longlands Crescent Heysham Morecambe Lancashire
<b>Applicant</b>	Therapeutic Care Ltd
<b>Agent</b>	Mr Simon Richardson
<b>Case Officer</b>	Mrs Petra Williams
<b>Departure</b>	No
<b>Summary of Recommendation</b>	Approval

(i) **Procedural Matters**

This form of development would normally be dealt with under the Scheme of Delegation. However, the application was called in within 21 days of the application appearing on the weekly list of planning applications by Cllr Penney who requested the application to be determined by the Planning Regulatory Committee.

**1.0 Application Site and Setting**

1.1 The property which forms the subject of this application is a single storey detached residential property with accommodation within the roof space which is served by pitched roof dormers. The site is located on the western side of Longlands Crescent in Heysham. The property has gardens to the front and rear with an existing driveway to the front which is able to accommodate 3-car parking spaces in addition to a detached garage.

1.2 The surrounding area is residential in nature with a mix of detached and semi-detached dwellings. The site is within walking distance of local shops, services, schools and public transport routes.

1.3 The only notable designation affecting the site is that it has limited potential for groundwater flooding to occur.

**2.0 Proposal**

2.1 The application proposes the change of use of the dwelling to a residential care home for up to two young people (17 years and younger) with care provided on a 24-hour basis by two care staff at any one time. There will also be a manager between 9 am and 5pm Monday to Friday with an additional responsibility to be on call for the home at other times.

### 3.0 Site History

3.1 There is no planning history associated with this property.

### 4.0 Consultation Responses

4.1 The following responses have been received from statutory and internal consultees:

Consultee	Response
Lancashire Childcare Service	<b>No objections</b> - The home is a smaller home that will help meet an identified gap in local provision. We welcome the cascade condition which means that the home will provide a home for Lancashire children.
Environmental Health	<b>No objections</b>
Lancashire Constabulary	<b>Neither objects or supports the application</b> - To protect staff, residents and visitors to the dwelling, it is recommended that the building is covered by day/night capable CCTV, and that there is an internal and external anti tamper proof access control system. Doorways should be illuminated with dusk till dawn lights.
County Highways	<b>No objections</b>
Strategic Housing Officer	<b>No comments received</b>
Fire Safety Officer	<b>No comments received</b>
Parish Council	<b>Objection</b> – Lack of public consultation. There are a number of care homes within the local area, all of which in the past have caused disruption to the local community, many of which still affect the close residents to these homes. The area where this care home is proposed is a residential area with an elderly population

4.2 The following responses have been received from members of the public:

Eleven individual items of public comment have been received in respect of the proposal. Of these only one offers support for the application. In addition, a petition has been submitted with 84 signatures against the scheme. Concerns relate to the following:

- Increased anxiety and stress
- Disruption of community cohesion
- Failure of the applicant to engage with community
- Proximity to other care homes
- Removal from housing stock of a large family home
- Impact on local crime rate
- Proximity to local heritage site (Heysham village)
- Council's failure to notify neighbours
- Could be a better use of taxpayers money such as community-based support services.
- Contamination of the site - structure behind the garage which is completely made of white asbestos
- The boundaries of the site are not secure
- There is a deed of covenant restricting the use of the property for any business use
- Comments from Lancashire County Council children services is not true. Therapeutic Care Ltd is a new company created in March 2023 and has no children's care homes. It therefore cannot be known to and used by County Council
- Longlands Crescent is a quite narrow residential street which has a significant amount of cars parked at all times on both sides of the road.
- Business in a residential area
- Increased noise levels or activity associated with having multiple staff members coming and going throughout day and night.
- Would staff be fully trained in trauma informed care, crisis intervention, and de-escalation techniques
- Entrusting the care of vulnerable youths to private companies removes local councils and communities from direct oversight and accountability.
- Devaluation of neighbouring properties and making them difficult to sell

The one letter of support makes the following points:

- Although the company has only recently been established, it was formed by professionals, with many years of experience in the sector.
- The needs of the individuals supported by the company are low, reducing the risk of challenging and disruptive behaviours, very much like the typical behaviours of any child, or which there are plenty living on this street.
- Due to the supportive and community nature of Heysham, this may be a great place for them (the children) to settle, allowing them access to facilities they may not previously had access to, to allow them to develop into respectful adults.

## 5.0 Analysis

5.1 The key considerations in the assessment of this application are:

- Principle of the use
- Impacts upon residential amenity
- Parking and highways

### 5.2 Principle of the use (NPPF paragraphs 7-14 & 96 and Policy DM8 of the Development Management DPD)

5.2.1 Policy DM8 of the Development Management DPD states that proposals for accommodation for vulnerable groups will be supported subject to the proposal meeting the following criteria:

- IX. The proposal meets genuine housing needs of the intended occupiers;*
- X. Provides the appropriate standards regarding accessibility, facilities, independence, support and/or care needs;*
- XI. Is well located to shops, public transport, community facilities and the social networks appropriate to the needs of the intended occupiers;*
- XII. Is affordable in the context of financial support available to the intended occupiers;*
- XIII. Is accompanied by a care plan and needs risk assessment setting out the type and level of support to be provided clearly demonstrating that any perceived risk can be managed appropriately in the proposed setting;*
- XIV. Facilitates move-on accommodation where appropriate;*
- XV. That priority is normally given to vulnerable people who have a local connection to Lancaster district over and above households that are otherwise the responsibility of or are owed assistance by another Local Authority; and*
- XVI. All proposals have the full support of the relevant Commissioning Manager in writing for the relevant vulnerable group and the plans align to Commissioning Plans.*

5.2.2 The Supporting Statement sets out that the purpose of housing children who are in care in a dwelling is to live in an environment which is as close to a conventional home as possible. Although the children would be looked after by staff, their daily routines would be as close to living in a conventional dwellinghouse as can be achieved.

5.2.3 The submission sets out that the care home would provide accommodation for two children with the need to be met in accordance with a contractual agreement with the Social Services authority and would be OFSTED registered. The Lancashire County Commissioning Manager has advised that a smaller home, such as proposed, will help meet an identified gap in local provision. The application site is located in an accessible location in Heysham, in an established residential area close to shops, services and schools. There are good bus and footpath links to the site, and the services are within reasonable walking distance.

5.2.4 The submission is accompanied by a Management Plan which advises that care would be provided on a 1:1 basis and the home would focus on the care of high acuity young people aged 17 years and below. The Management Plan also acknowledges the requirement for a cascade condition to be imposed on the planning permission to ensure the facility meets a local need. This would include a child or young person (under 18 years of age) who have been living in the district for 3 years or

more, has a local connection to Lancaster District, has a local connection to North Lancashire or has a local connection to another district within Lancashire.

5.2.5 The proposal would result in the loss of a dwelling house from the open market supply, however, the proposal would not compromise the potential for the existing use to be re-established in the future. Additionally, there are many similarities between the proposed use and the existing, with the proposal still providing residential accommodation, albeit not in a traditional sense.

5.2.6 Taking all of the above into account, the proposal is considered acceptable in regard to Policy DM8 of the Development Management DPD.

5.3 **Impacts upon residential amenity (NPPF paragraphs 131 & 135 and Policy DM29 of the Development Management DPD (2020))**

5.3.1 The existing dwelling has four bedrooms (one at ground floor and 3 at first floor). As part of the scheme the existing downstairs bedroom will become a staff office, and two of the bedrooms at first floor level would be used for the two children, with a further bedroom for staff. No external or internal works to the property are proposed. The property is considered suitable for the proposed use, with all habitable rooms of sufficient scale and benefiting from outlook and natural light, offering acceptable residential amenity to future occupants. The property is considered suitable for the proposed use, with all habitable rooms of sufficient scale and benefiting from outlook and natural light, offering acceptable residential amenity to future occupants.

5.3.2 Many of the public comments relate to the impact of the use on the residential amenity of the surrounding properties. In terms of noise and disturbance, the proposal is for two children with at least two members of staff on site at any one time. As such, the management of the occupants should ensure that the occupation of the property would be unlikely to have an unreasonable impact on residential amenity beyond that of a 4-bedroom dwellinghouse, which could similarly provide residential occupation for children in receipt of care in the form of a more traditional family household. The arrival and departure of staff and social workers (who will visit the home monthly) would result in some activity at certain points in the day; however, this is not considered to be dissimilar to school or work runs that one would find within residential areas. Such movements would have minimal disruption on the surrounding area and would not have an adverse impact on the amenity of the neighbouring properties.

5.3.3 Due to the control of the management of the home, it is not considered appropriate or reasonable to impose any conditions on the management of the care home. However, it is reasonable to require a condition to restrict the occupancy for two persons in care only to ensure that the proposal continues to provide a genuine housing need and any intensification of the use of the building can be adequately addressed by the LPA.

5.3.4 Comments from Lancashire Constabulary are noted but their suggestion for the inclusion of security measures are considered to be overly onerous in this small-scale setting and it is understood that Ofsted and Social Services have specific requirements around safety and building surveillance.

5.4 **Parking and highways (NPPF paragraphs 115 & 116 and Policy DM62 of the Development Management DPD (2020))**

5.4.1 Appendix E of Policy DM62 outlines the maximum car parking standards for development types. A residential care home is required to provide a maximum 1 space per 5-beds. It is considered that the existing on-site parking provision meets the requirements for this particular use. Moreover, there are bus and footpath links in close proximity to the site and Longlands Crescent has largely unrestricted on street parking other than an approximately 25 metre length of double yellow lines close to the junction with Heysham Road. Taking all of this into account, it is not considered that the proposal would result in any significant highway safety issues. County Highways have also been consulted and had no objections.

**6.0 Conclusion and Planning Balance**

6.1 The Commissioning Manager has confirmed that smaller homes such as proposed will help meet an identified gap in local provision. Approval of the application will involve cascade provision which

will ensure that children from or with a connection to Lancaster district will receive priority for places. This will ensure that the establishment will positively contribute towards meeting a specialist housing with care and support need in the district. As such, the proposal is seen to comply with the relevant local and national policies and is recommended for approval.

## Recommendation

That Planning Permission BE GRANTED subject to the following conditions: *(delete as appropriate)*

Condition no.	Description	Type
1	Standard 3-year timescale	Procedural
2	Development to accord with plans	Procedural
3	No more than two young persons, aged 17 years or under.	Control
4	Cascade mechanism for local occupancy	Control

### **Article 35, Town and Country Planning (Development Management Procedure) (England) Order 2015**

Lancaster City Council has made the recommendation in a positive and proactive way to foster the delivery of sustainable development, working proactively with the applicant to secure development that improves the economic, social and environmental conditions of the area. The recommendation has been taken having had regard to the impact of development, and in particular to the relevant policies contained in the Development Plan, as presented in full in the officer report, and to all relevant material planning considerations, including the National Planning Policy Framework, National Planning Practice Guidance and relevant Supplementary Planning Documents/ Guidance.

### **Background Papers**

None