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| <b>Agenda Item</b><br>A6  | <b>Committee Date</b><br>4 March 2013   | <b>Application Number</b><br>12/01100/CU |
| <b>Application Site</b><br><br>Glenfield<br>Bottomdale Road<br>Slyne<br>Lancaster | <b>Proposal</b><br><br>Change of use of dwelling house (C3) to children's care home (C2) and relocation of the site access. |  |
| <b>Name of Applicant</b><br><br>Mr Martin Horner                                  | <b>Name of Agent</b><br><br>Mr Richard Barton   |  |
| <b>Decision Target Date</b><br><br>8 February 2013                                | <b>Reason For Delay</b><br><br>None   |  |
| <b>Case Officer</b>   | Catherine Spreckley   |  |
| <b>Departure</b>  | No  |  |
| <b>Summary of Recommendation</b>  | Refusal   |  |

**(i) Procedure**

This application is one which would normally be dealt with under the Scheme of Delegation but has been placed on the Committee at the request of Councillor Thomas due to local interest in the application, particularly in relation to road safety. The application was deferred by Members at the Planning Committee Meeting on 4 February 2013 for a site visit.

**1.0 The Site and its Surroundings**

1.1 This application relates to a detached dwelling located on the south side of Bottomdale Road, just outside the village of Slyne. The dwelling is one and half storeys in height with the first floor provided in the roof space and served by dormer windows to the east elevation. The property has single storey extensions to the front and rear. The application site is long and narrow with the dwelling located towards the centre of the plot's depth. To the south east corner of the site is large detached garage/outbuilding. A driveway leads down the eastern boundary of the site to the garage. The site is enclosed by varying boundary treatments.

1.2 To the west and south / rear, the site adjoins Slyne Caravan Park, a static holiday caravan site. To the east is what would appear to be a piece of unused land and then a couple of dwellings. On the opposite side of the road is football field with a small clubhouse.

1.3 The site is designated as Green Belt and Countryside Area within the Lancaster District Local Plan.

**2.0 The Proposal**

2.1 The application seeks planning permission for the change of use of the existing dwelling (Use Class C3) to a children's care home (Use Class C2). The home would accommodate 4 children aged 10 to 17 years (inclusive) who experience emotional and / or behavioural difficulties. The children would be cared for by 16 members of staff who would work shifts to provide 24 hour care. Staff will work 9 to 25 hour shifts. During the day, three carers would be present and reducing to two at night.

2.2 The only proposed external alterations to the property relate to relocating the vehicular access to the

property so that it is more centrally placed on the front boundary. This will involve the removal of most of the front boundary planting and a slight adjustment to the route of the driveway

- 2.3 No signage identifying the property as a children's home would be installed.
- 2.4 The applicant, Bay View Childcare, currently run a children's home in Heysham. The covering letter to the application explains they aim to create a therapeutic and nurturing environment that will enable young people in their care to experience happier times and work towards a more prosperous future.

### **3.0 Site History**

| Application Number | Proposal   | Decision |
|--------------------|--|----------|
| <b>74/0782</b>     | Extensions to bungalow to provide lounge, two bedrooms, dressing room and conservatory | Approved |
| <b>75/0079</b>     | Extensions to bungalow to provide two first floor bedrooms, kitchen and dining room    | Approved |
| <b>85/0503</b>     | Extensions and alterations for bedroom and sun lounge                                  | Approved |

### **4.0 Consultation Responses**

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

| Consultee                        | Response  |
|----------------------------------|---|
| <b>County Highways</b>           | Recommend that the application is refused. The proposal will increase pedestrian and vehicle movements at the site due to the provision of 24 hour care provided by staff. Additional vehicle movements will not impact upon highway capacity. However, the sightlines at the application site access point are significantly below the standard that would be expected for the speed most vehicles travel along Bottomdale Road. Due to an intensification of vehicle movements, the proposal is unacceptable and will impact on highway safety without sightlines provided to the recognised standard. Without the required parking provision (5 spaces) and a turning area, inappropriate parking may occur on Bottomdale Road and vehicles will reverse to or from the highway. This would be to the detriment of highway safety.<br>Re-consulted following receipt of amended plans: Sufficient evidence has not been provided for the initial objection to be withdrawn. Anything other than a minor relaxation in visibility splays is not acceptable. The splays to the proposed access fall significantly short of a minor relaxation and highway safety concerns remain. There is scope within the development site for adequate parking and manoeuvring to be provided and dealt with by condition. Further comments included below. |
| <b>Environmental Health</b>      | No comment.<br>Re-consulted following receipt of amended plans: No comment.   |
| <b>Contaminated Land Officer</b> | Radon Affected Area informative recommended.  |
| <b>Strategic Housing</b>         | It is queried who will have responsibility for any children referred to the home from other local authority areas once they leave the home. Local authorities have re-housing duties once the social service's duty ends. Lancaster District already has a large demand for supported housing beds and move on accommodation for young people generated by those with a local connection.<br><br>The Commissioning Manager for Lancashire County Council Children and Young People's Service is not aware of the proposal. They use Bay View Childcare for outreach support and supported tenancies but it was not known if they were on the County Council's preferred provider list. It is not unreasonable for the applicant to demonstrate there is a need for the service or that it is supported by the responsible local authority.  |
| <b>Lancashire Constabulary</b>   | No comments submitted within the statutory consultation period.   |

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| <b>Lancashire<br/>Childcare Service</b> | No comments submitted within the statutory consultation period.   |
| <b>Parish Council</b>                   | Motorists often exceed the speed limit along Bottomdale Road. The lane is often used as cut-through towards the motorway and is busy at peak times - 1000 plus cars per hour have been recorded. There have been a number of minor accidents. It would be hazardous for children to walk along the road and they would need supervision or be transported by car to reach buses and local facilities. Staff and delivery and service vehicles will increase traffic along the road. The access to the property is narrow with poor sight lines and there is no turning circle. The proposal will add to the hazards of the road. Account needs to be taken of flooding problems and water/sewerage disposal issues in the area. It is questioned whether the property and surrounding garden is adequate to accommodate four children and staff. No provision is made for children and staff with disabilities. |

## **5.0 Neighbour Representations**

5.1 Following receipt of amended plans to relocate the existing access, neighbours have been re-notified and a new site notice posted. The expiry date for representations is 25 February 2013.

5.2 33 objections received raising the following issues:

- Unsuitable location.
- Size of house and grounds is unsuitable with no room for expansion. The outside space to the site is at the front of the property leading onto the road. Parked cars will reduce the available space for the children.
- Insecure site.
- No easily accessible amenities.
- Is the septic tank at the site capable of accommodating additional people?
- Bottomdale Road is narrow, dangerous, busy, has no pavements or lighting and is used as a shortcut from the M6. Vehicles exceed the speed limit. There have been a number of accidents on the road. Pedestrians, cyclists and horse riders are at significant risk along Bottomdale Road. The road will be a danger to children at the home. Football matches (Saturdays and 2 to 3 times during the week) attract a large number of spectators. On match days, traffic is restricted to one-way.
- Cars would have to back onto the road from the site.
- Increased traffic.
- Parking issues.
- Teenagers with emotional and behavioural problems are difficult to control. It is unlikely that it will be possible to supervise residents of the home at all times.
- Anti-social behaviour and strain placed on police.
- Caravans at the adjoining site are left unattended during the year and are therefore vulnerable to vandalism, burglary and intrusion by care home residents. Gas bottles at the caravan site create a potential danger if tampered with.
- Absconders could cause inconvenience to caravan owners.
- Children may be unable to play unattended at the caravan site.
- It is suggested consent be granted on a short-term basis to assess the implications of the use.
- Litter problems.
- Too close to residential properties and caravan site.
- The caravan park is a quiet and peaceful environment, many owners are retired and people stay for prolonged periods. The proposal will disturb the caravan site through increased noise, comings and goings, shouting and police visits. Consideration should be given to the elderly people who use the caravan park.
- Loss of privacy.
- Caravan owners may move their caravans off the caravan park and there may be problems attracting new caravan owners to the park as a result of the proposal. Caravan owners support the local economy and the proposal may therefore affect local businesses and the caravan park business.
- Caravans/pitches at the caravan site and the caravan site itself could be devalued.
- Approximately 1 metre of land along the southeast boundary, shown to be within the

boundaries of the application site, belongs to Bottomdale Barn.

## **6.0 Principal Development Plan Policies**

### **6.1 National Planning Policy Framework (NPPF) – adopted March 2012**

Paragraph **14** states that there is a presumption in favour of sustainable development. Development proposals which accord with the development plan should be approved without delay.

Paragraph **17** details the 12 core land-use principles which should underpin decision-taking. The principles include seeking a good standard of amenity for all existing and future occupants of land and buildings, protecting the Green Belt and supporting transition to a low carbon future. Account must be taken of and support given to local strategies to improve health, social and cultural well being for all and deliver sufficient community and cultural facilities and services to meet local needs.

Section **1** (Building a Strong, Competitive economy) sets out the Government's commitment to securing economic growth. Paragraph 19 places significant weight on the planning system's role in supporting sustainable economic growth. Planning should operate to encourage not as an impediment to sustainable growth.

Section **3** (Supporting a Prosperous Rural Economy) requires the planning system to support economic growth in rural areas in order to create jobs and prosperity.

Section **4** (Promoting Sustainable Transport) – Paragraph **30** states that local planning authorities should support a pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport. Paragraph **39** explains that local parking standards should take account of the accessibility, type of development and availability of public transport.

Section **6** (Delivering a Wide Choice of High Quality Homes) – Paragraph **50** requires local authorities to plan for a mix of housing based on a number of factors including the needs of different groups of the community.

Section **8** (Promoting Healthy Communities) – Paragraph **69** recognises the need to promote safe environments where crime and disorder, and the fear of crime, do not undermine quality of life. Developments should be safe and accessible.

Section **9** (Protecting Green Belt Land) – Paragraph **79** explains that fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The 5 purposes of the Green Belt are preventing the unrestricted sprawl of large built-up areas and merger of neighbouring towns, safeguarding the countryside from encroachment, preserving the setting and character of historic towns and assisting in urban regeneration (paragraph **80**). Paragraph **90** sets out the forms of development which are not considered inappropriate in the Green Belt where the development does not conflict the purposes of the Green Belt. These forms of development include the reuse of buildings of a permanent and substantial construction.

Section **11** (Conserving and Enhancing the Natural Environment) – Paragraph **123** states that noise that gives rise to adverse impacts on health and quality of life resulting from a new development should be avoided.

### **6.2 Lancaster Core Strategy – adopted July 2008**

Policy **SC1** (Sustainable Development) requires development proposals to be as sustainable as possible and minimise greenhouse gas emission. To achieve this, development should be located where it is accessible by foot, cycle or public transport. The re-use of existing buildings is encouraged.

Policy **SC3** (Rural Communities) aims to build healthy sustainable communities in the District's rural areas. The policy recognises Slyne-with-Hest as a settlement with the five basic services. Development outside such settlements will require exceptional justification. In rural areas the Council will seek to identify local employment needs and opportunities for meeting them.

Policy **SC6** (Crime and Community Safety) aims to reduce crime and the fear of crime through a

number of measures including reducing the impact of traffic.

Policy **E2** (Transportation Measures) encourages a reduction in car travel by siting development in locations accessible via a choice of modes of transport.

### 6.3 Lancaster District Local Plan (saved policies) – adopted April 2004

Policy **T16** (Development Proposals Outside the Lancaster Central Parking Area) requires development proposals to include sufficient parking provision to meet Lancashire County Council's Parking Standards.

Policy **E1** (The North Lancashire Green Belt) confirms the establishment of the Green Belt in Lancaster District.

Policy **E4** (Countryside Area) – requires development in the Countryside Area to provide satisfactory access and cycle and car parking.

Policy **R21** (Access for People with Disabilities) seeks to ensure that development proposals include access provision for people with disabilities.

## 7.0 Comment and Analysis

7.1 The main issues to be considered in the determination of this application are:

- Principle of the proposed use;
- Green Belt;
- Crime and fear of crime;
- Impact upon the amenity of local occupants; and
- Highway safety and parking provision.

### 7.2.1 Principle of the proposed use

The manner in which the children's home will operate is not considered to be dissimilar to the use of the property as a private dwelling. The last planning application to the site (85/0503) shows the property as having 4 bedrooms with a fifth room having potential for use as a bedroom. As such, the property could easily accommodate a four child household. County Highways has advised that a domestic property would be expected to have, on average, 6 vehicle movements a day. In comparison, it is expected that the children's home will generate 12 to 15 vehicle movements a day. Vehicle movements associated with the proposed use will consist of a maximum 5 two-way staff movements, occasional specialist staff, school runs and trips to activities, supermarket, doctors etc.. It is understood that staff will do the food shopping and no service deliveries will be made to the site. Waste collection would remain as per a private house.

7.2.2 The site is approximately a 10-minute walk from the nearest bus stops from which regular services are available between Carnforth and Lancaster. Whilst safety concerns for pedestrians along Bottomdale Road could limit the extent to which buses are used in connection with the proposed use, particularly with children, they do remain a possible commuting option for staff and visitors. The site is also within walking distance of a local convenience shop but this is only accessible along Bottomdale Road. The level of supervision the children will require and the location of the site is such that movements to and from the site are likely to be fairly dependent on private car. It is acknowledged that the proposed use has the potential to more than double existing vehicular movements to and from the site. However, it is not considered that the increase in movements will have a noticeable impact on the character of the locality, given the presence of the neighbouring caravan park. Neither is it considered that the increase in traffic raises sustainability issues. The principle of the proposed use in this location is therefore acceptable.

### 7.3 Green Belt

7.3.1 As set out above, the NPPF establishes that the reuse of existing buildings is an appropriate form of development in the Green Belt. The existing building at Glenfield is of a permanent and substantial construction. The parking of staff and visitor cars and relocation of the existing access will have a negligible impact on the Green Belt. The proposal does not conflict with the aims and purposes of

Green Belt policy. It is therefore considered that the proposal will have no greater impact on the openness and amenities of the Green Belt than the existing use.

#### 7.4 Crime and fear of crime

7.4.1 The NPPF recognises that crime and the fear of crime associated with proposed development needs to be addressed through the planning process. Considerable concern has been raised that the proposed use of the site will increase in crime and anti-social behaviour in the area. In particular, concern is raised about the safety and security of the adjoining caravan park.

7.4.2 In response to these concerns the agent has advised that:

*The children have been brandished as 'violent' and 'unruly' for no apparent reason and to claim that they are capable of committing acts of vandalism and even burglaries is mistaken and should be disregarded.*

*Each young person joining the home is carefully selected to ensure that they comply with Bay View Childcare's ethos and that they will not have a negative impact on the local community. It should not be expected that all young people in the care system are challenging. They may only require boundaries and support. The children will have 24 hour a day staff supervision and will only leave the site with staff.*

*Bay View Childcare has a proven track record of managing successful homes of this kind. Their existing home in Heysham is registered as 'outstanding' with Ofsted. The home in Heysham has had no young people missing for over 18 months and none of the residents are involved in criminal behaviour nor associated with the youth offending team. They are all in full time education.*

7.4.3 A letter has also been provided from an independent consultant in children's social care who has been working with Bay View Childcare since May 2011. The letter states that anti-social behaviour, excessive noise, criminal activity and the like does not arise from the young people cared for by Bay View Childcare as staff provide extensive support and supervision. The consultant then states "it is my opinion that Bay View Childcare has the best children's home I have known in Heysham that is run without any negative impact on the local community."

7.4.4 Based on the above information, Officers are satisfied that the children's home can be run without giving rise to anti-social behaviour and crime in the area. It is acknowledged that this is, in part, dependent on the manner in which the home is managed and that this is not something which can be controlled through the planning system. However, if the proposed home is managed in the same way the existing Heysham home is apparently managed, then it would appear that the proposed use is unlikely to increase crime and anti-social behaviour in the locality. Lancashire Constabulary has been consulted on this application but no comments have been received.

7.4.5 It is appreciated that the absence of crime does not remove the fear of crime that local residents and caravan owners may have about the proposed use. It is considered that, if the home is run in the manner which has been stated, residents and caravan owners will see that the proposed use is not a threat to local safety and security. In time, this is likely to reduce the fear of crime.

#### 7.5 Impact upon the amenity of local occupants

7.5.1 Concern has been raised that the proposed use will harm the amenities of the area through increased noise, including shouting, and vehicle movements. In particular, concern has been raised about the impact on the adjoining caravan park. Whilst the caravan park is used as holiday accommodation, it is appreciated that owners/guests may stay for long periods of time. One caravan has consent for occupation by the site warden. There are a number of caravans positioned close to the rear and west boundaries of the application site. To the west, the caravan site is located at a higher level which means that, despite the boundary screening, caravans are visible from the site and vice versa. As noted above, County Highways has advised that the proposed use could more than double the vehicle movements at the application site. It is appreciated that this increase in vehicle movements does have the potential to impact on the amenities of nearby occupants. However, it is not considered that the impact would be to an extent to cause an unacceptable level of disturbance. With regard to the amenities currently enjoyed at the neighbouring caravan park

movements must be considered in relation to the number of movements associated with the comings and goings of up to 85 caravan owners/visitors, deliveries and staff.

- 7.5.2 It is acknowledged that the emotional and behavioural difficulties that bring children to the home could result in noise and disturbance to adjoining occupiers. However, this must be balanced against the fact that any child, or indeed any household, has the potential to create a similar level of disturbance. In contrast with most households, the children at the home will be receiving 24 hour supervision from trained carers. As such, it is not expected that the proposal would create a significant or unacceptable level of disturbance to adjoining occupiers.
- 7.5.3 Concern is also raised about loss of privacy. There are two first floor rooflights to the application site facing the caravan park. Again, the impact of the proposal on the privacy of adjoining occupiers will be not greater than the existing use.
- 7.5.4 The residential properties to the east are located some 40m away and are screened from the site by a large fir hedge. For the reasons discussed in the above two paragraphs, it is not considered the proposal will harm the residential amenities to these properties.
- 7.5.5 Whilst the impact of the proposed use on the value of nearby properties is not a material consideration to this application, the impact on the caravan park business is. It is appreciated that, given the number of objections received from caravan owners, the approval of this application may, in the short-term, result in caravan owners leaving the park. This would be due to their view of the proposal's impact and is not a reason for refusal. In the long-term, however, once the home has become established, it would seem unlikely that there would be a significant, if any, impact on the caravan park business.

## 7.6 Highway safety and parking provision

- 7.6.1 Bottomdale Road is a country lane which leads south away from Slyne. It contains a number of bends and steep slopes and has no pavements, street lighting or centreline demarcation. Whilst it has a 30 mile per hour speed restriction in the vicinity of the application site, County Highways has noted that most vehicles travel at higher speeds. Traffic levels along Bottomdale Road are approximately 6,000 vehicles per day with around 600 movements in the peak hour. The road is wide enough to allow two-way traffic although, it is understood that parking associated with the football pitch can reduce it to one-way.
- 7.6.2 Manual for Streets suggests minimum sightlines for an access to a 30mph road of 2.4m x 43m. However, due to the higher speeds which vehicles travel along Bottomdale Road, County Highways advised in their initial comments that sightlines in the region of 2.4m x 60m would be expected. The existing access has sightlines significantly below what would be expected if traffic speeds were significantly below 30mph. Due to the intensification of vehicle movements that will be associated with the proposed use, the Highways Engineer considers that it will be necessary to improve the existing access to the recognised standard in order for the proposal to be acceptable. However, it is not considered that this will be possible within the site boundaries.
- 7.6.3 In response to County Highway's comments the applicant submitted plans showing the existing access relocated to enable better visibility splays to be provided. To the north, visibility splays would increase from 2m x 14.7m to 2m x 27.3m and to the south, from 2m x 14.9m to 2 x 26.3m. The revised access arrangements are supported by a letter provided by a transport consultant which is summarised as follows:
- Due to the rural feel of Bottomdale Road, vehicles tend to travel more centrally along the road, at a distance from the carriageway edge. This provides increased visibility.
  - The number of vehicle accesses in the local area means that traffic travelling along Bottomdale Road will be aware of the potential for traffic to turn onto or off the route.
  - The County Council's MARIO system shows that between January 2007 and September 2012 there were 2 slight collisions along the section of Bottomdale Road in the vicinity of the application site. These accidents were not related to people using accesses. (In relation to this matter, Officers note that objectors have referred to other accidents.) This illustrates that, despite a number of access along Bottomdale Road having sightlines below the Manual for Streets standards, there is no history of highway safety issues in the area.
  - Based on research (carried out for Manual for Streets), unless there is local evidence to the

contrary, a reduction in visibility below recommended levels will not necessarily lead to a significant problem. As such, in a site, such as the application site, where there is an existing access with no accident history, reduced visibility splays will not necessarily impact on highway safety.

- Based on an increase of 6 to 9 movements a day and the level of activity at the existing access with no highway safety history, and due to the research referred to above, it is suggested that, even if the existing access arrangement was retained, the proposed levels of traffic increase would not give rise to a highway safety issue.
- For the relocated access, the applicant is willing to reposition the boundary treatment along the rear of the sightlines and mark this boundary with a low level wall or fence to ensure that it cannot encroach on the sightlines.
- Whilst the proposed access would not benefit from the recommended sightlines set in Manual for Streets, it is a significant improvement.

7.6.4 County Highways has acknowledged that Manual for Streets 2 states that a reduction in visibility splays will not necessarily lead to a significant problem. However, the Highways Engineer notes that it is not clear how much of a reduction should be considered acceptable. Due to the levels of traffic and vehicle speeds along Bottomdale Road, only a minor reduction in visibility is considered to be acceptable. With regard to the set back of the visibility splay, a distance of 2.0m is considered acceptable (rather than the standard 2.4m). County Highways agree that vehicles approaching the site will not be at the edge of the highway and it is therefore considered acceptable for the sightline point to be measured 1.0m from the edge of the highway. However, the site lines to the proposed access fall significantly short of a minor relaxation in the expected standard of 2.4m x 60m. As such, County Highways remain of the view that the proposal will be detrimental to highway safety. In relation to the nearby accesses having similar levels of visibility to the application site, County Highways has advised that these accesses are historic and that improvements would be required should proposals come forward leading to an intensification of their use.

7.6.5 Following the February Committee Meeting, the traffic consultant has provided further details about staff shifts and other movements to and from the site. Two members of staff will work an 08:00 to 22:00 hours shift, whilst one will work an 08:00 to 21:00 hours shift. Two members of staff will arrive at 21:00 hours and are asleep on duty. There will be a handover from the two staff working 08:00 to 22:00 hours. In some cases the members of staff working through the night will work straight into the next day shift. Visitors need to be pre-planned enabling the applicant to ensure only one visitor will be present at any time. Social workers will visit each young person once every 6 weeks but, may see more than one child per visit. As such, it is suggested that maximum vehicle movements will be 6 departures and 6 arrivals per day. As a 4 bedroom house, the consultant considers that it would not be unreasonable to assume that the existing use could generate 2 departures during weekday morning and 2 arrivals during the weekday evening peak hour. It is therefore suggested that the proposal would generate the same level of morning peak hour traffic as the existing use, although this more likely to be a reduction, and a reduction in evening peak hour movements. It is then noted that, for the vast majority of the year, 3 of the vehicles exiting the site will do so between 21:00 and 22:15 hours when approaching vehicles will be able to see the headlights of vehicles leaving the site.

7.6.6 County Highways has been asked to comment on the above details supplied by the transport consultant and their views will be reported to Members at the Meeting. However, it is noted that the vehicle movements referred to above relate solely to staff arriving and leaving for their shifts and social worker visits. No account is taken of school runs, trips to shops, doctors, activities etc. and other visitors, such as parents. In addition, it would be difficult for the local planning authority to have control over the way the home is run, including staff shifts and, as such, the vehicle movements described above cannot be guaranteed.

7.6.7 The proposed use of the site will generate a need for 5 parking spaces for staff (allowing for staggered shift changes) plus space for visitors. A parking plan has been submitted showing the provision of the provision of 5 spaces and a turning area. County Highways have noted that the turning area is tight but sufficient. Following the submission of the parking plan, a neighbour has raised concern that part of his land has been included within the site boundaries of Glenfield. It is understood that the applicant is currently investigating this matter and that an amended plan will be submitted. Members will be updated on this matter at Committee.

7.6.8 The Parish Council and many objectors have raised concern about the suitability of Bottomdale Road for the location a children's home due to road safety implications for the children. It is



understood that children at the home would only leave the site with a carer and that journeys would be made by car. County Highways has not raised concern about this matter and, subject to appropriate site management, it is not considered that the road causes the site to be inappropriate for the proposed use.

## **7.7      Landscaping**

- 7.7.1      The proposed relocation of the access and the creation of visibility splays will involve the removal of most of the existing planting to the front boundary. This includes a medium size fir tree and a few smaller trees adjacent to the existing access. Whilst the existing planting contributes to the rural character of Bottomdale Road, it has little intrinsic value in its own right. If planning permission is granted, a replacement front boundary treatment, including planting, can be required by way of a condition.

## **7.8      Other matters**

- 7.8.1      Strategic Housing has raised concern that the proposal may place increased demand on the District's supported housing beds and move on accommodation for young people due to the home accepting children from outside the District. In response to this, the agent has stated most children rejoin their original families/guardians. It is also not considered that the concern raised is relevant to determination of this application as it should be addressed by other relevant regimes. With regard to evidence of need for the new home, the agent has advised that the applicant has had enquiries asking them to take on new children but that their existing home is full.
- 7.8.2      Concern has been raised by the Parish Council and in letters of objection as to whether the application site is suitable for the proposed use. The house will provide 4 good sized bedrooms for the children, a staff bedroom, two bathrooms, two living rooms and a suitably sized kitchen and dining room. Whilst the proposed access will reduce the amount of lawn at the front of the property, ample amenity space, including a private patio being the house, will be retained. As such, there is adequate internal and external space for the proposed use. It is not considered necessary for there to be room for future expansion of the home.
- 7.8.3      It is acknowledged that the proposal does not include provision for access for children, staff and visitors with disabilities. With two children's bedrooms on the ground floor, it is likely that children with mobility problems could be accommodated. The ground floor could be made accessible to wheelchair users with minimal alterations to the property.
- 7.8.4      The Parish Council has raised concern about flooding and water/sewerage disposal issues in the area of the application site but has not provided details. The application site is not located in Flood Zones 2 or 3 and the proposed use is no more vulnerable to flood risk than the existing use. The site is served by a septic tank which the agent has confirmed has the capacity to cope with the proposed use.

## **8.0      Planning Obligations**

- 8.1      Given the nature of the proposal there are no requirements for a legal obligation.

## **9.0      Conclusions**

- 9.1      Based on the above assessment, it is considered that the proposed use of the application site as a children's home is acceptable in terms of the character of the area, the Green Belt, amenity and security of nearby occupiers and implications for local businesses. However, neither the existing or proposed access arrangements at the application site provide sufficient visibility given the increase in vehicle movements that will be associated with the proposed use. As such, the scheme is considered to be harmful to highway safety. There is ongoing dialogue between County Highways and the applicant's transport consultant. The results of this dialogue will be reported to Members at the Meeting.

## **Recommendation**

That Planning Permission **BE REFUSED** for the following reason:

1. The proposed change of use would intensify the use of an access with sightlines below the required standards. The increase in use of the access would therefore be detrimental to highway safety and the proposal is subsequently found contrary to Saved Policy E4 of the Lancaster District Local Plan.

### **Human Rights Act**

This recommendation has been reached after consideration of the provisions of The Human Rights Act. Unless otherwise stated in this report, the issues arising do not appear to be of such magnitude to override the responsibility of the City Council to regulate land use for the benefit of the community as a whole, in accordance with national law.

### **Background Papers**

None.