

Item No. 5

Application Reference Number P/17/0800/2

Application Type:	Full	Date Valid:	20/04/2017
Applicant:	Mr Sandeep Manaktala		
Proposal:	Change of use from residential (Class C3) to residential care home (Class C2).		
Location:	36 Gracedieu Road Loughborough Leicestershire LE11 4QG		
Parish:	Loughborough	Ward:	Loughborough Ashby
Case Officer:	Stephen Dukes	Tel No:	01509 634988

Description of the Application

This application is reported to Plans Committee at the request of Cllr. Dr. Bradshaw MBE due to concerns about the loss of a family home, the location of the residential care home within a residential area, and the impact on the amenity of neighbouring properties.

The application site is a two storey semi-detached dwelling house on Gracedieu Road in Loughborough, located within a residential area. No floor plans of the existing property have been provided, but details available online when the property was last available to let indicate that it contains four bedrooms, as the ground floor lounge has been converted to a bedroom, with a kitchen and living area provided to the rear. The property has a rear garden and a gravel car parking area to the front which can accommodate one vehicle.

The proposal is for the change of use of the dwelling to a residential care home falling within class C2 of the Town and Country Planning (Use Classes) Order 1987 (as amended). This class includes the provision of residential accommodation with care and includes nursing homes, residential care homes, and hospitals. The applicant is a family run company providing residential care and support for children aged 10 to 18 years. The company currently has 9 homes across Derbyshire and Nottinghamshire and are looking to expand into Leicestershire.

The property will be used to provide care for one young person who will reside there, with 24/7 staff cover. The applicant has confirmed that the home will have a full time registered manager present at the property between 9am and 5pm Mondays to Fridays, and there will be up to two additional staff members at the property at any given time.

There are no external alterations proposed, but the proposed floorplans indicate that the residential care home will consist of two bedrooms (with one en-suite) and a separate bathroom at first floor, and a kitchen/diner and living area, office and toilet at ground floor.

Development Plan Policies

Charnwood Local Plan 2011-2028 Core Strategy

Policy CS1 – Development Strategy - provides the Development Strategy for Charnwood. The policy sets out a settlement hierarchy for the Borough and the criteria for considering proposals within those settlements. Loughborough is a key location in the borough for growth and therefore it is considered to be a sustainable location for new housing development.

Policy CS2 - High Quality Design - requires developments to make a positive contribution to Charnwood, reinforcing a sense of place.

Policy CS3 – Strategic Housing Needs – sets out how the Borough Council will manage the delivery of new homes up to 2028 to balance the housing stock and meet the community's housing needs.

Policy CS25 – Presumption in favour of sustainable development – this policy notes that the Council, when considering development proposals, will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.

Borough of Charnwood Local Plan (adopted 12 January 2004)

Policy EV/1 relates to good design and also seeks to safeguard the amenities of nearby occupiers.

Policy TR/18 indicates that planning permission will not be granted for development unless off-street parking for vehicles, including cycles, and servicing arrangements are included to secure highway safety and minimize harm to visual and local amenities.

Material considerations

National Planning Policy Framework

At the heart of the NPPF is the presumption in favour of sustainable development. Delivering a wide choice of quality homes and conserving and enhancing the natural environment are identified as ways by which sustainable development can be delivered.

Paragraph 17 indicates that one of the 12 principles of planning is to seek a good standard of amenity for all existing and future occupants of land and buildings. Planning is a creative exercise in finding ways to enhance and improve the places where people live.

Paragraph 32 indicates that developments that generate significant amounts of traffic movements should only be prevented or refused on transport grounds where the residual cumulative impact of developments would be severe.

Paragraph 50 calls for inclusive and mixed communities and that there should be plans for a mix of housing based on current and future demographic trends and the needs of

different groups in the community. Planning authorities should be identifying the type and range of housing that is required in particular locations, reflecting local demand.

Housing and Economic Development Needs Assessment (HEDNA)

This states that there are currently around 6,400 spaces in nursing and residential care homes within the Housing Market Area. It identifies a projected increase of 4,542 people living in institutions over the 2011-36 period (182 per annum), although this is based on analysis of the changes to the number of people aged 75 and over and so does not directly relate to the consideration of this planning application for a residential care home for young people.

Relevant Planning History

None applicable

Responses of Statutory Consultees

Cllr. Dr. Bradshaw MBE

Councillor Bradshaw raises concerns about the conversion of the C3 property to another use resulting in the loss of a family home. She asserts that change in the character of the area arising from Houses in Multiple Occupation (HMO) inhabited by a transient student population will be exacerbated by further conversions of C3 dwellings to other uses. The location of the residential care home is totally unsuitable to the area. The other residential care homes which the applicant refers to are both five bedroom detached properties in larger grounds, whereas 36 Gracedieu Road is unsuitable being semi-detached and very close to neighbouring residential properties. The Councillor expresses concern that if the proposal is granted planning permission, it could become another HMO in the future.

Leicestershire County Council (Highway Authority)

The existing property was last marketed as a 4 bedroom house and so parking provision is sub-standard as the Highway Authority would usually expect three spaces to be provided, whereas currently there is only one. It is understood that there would be no more than three members of staff and one resident on site at any time. The proposals would in theory require four parking spaces for the staff and any visitors. Based on the existing level of parking and the current under provision of two parking spaces, the Highway Authority consider that the proposals would require a net increase of one parking space. As this space could be classed as the visitor parking space, however, it could be argued that visitors to the existing property would also need to park on-street. The Highway Authority do not advise refusal of this application based on the level of parking provided. They also refer to nearby bus stops which give the possibility of staff travelling to the site by public transport as well as on foot or by bike.

Other Comments Received

Three letters of objection have been received from neighbours, living at no. 34, 38 and no.45 Gracedieu Road, with the following issues raised:

- Concerns about the volume of traffic coming and going – refers to student parking cars on the road already from Monday to Friday;
- Concerns about parking – only space for one vehicle;
- Concerns about noise and disturbance;
- Concerns about possible occupants;
- Concern about existing anti-social behaviour in the area;
- Concern about the impact on families in the area and safeguards for other children; and
- Concern that there are already enough Houses in Multiple Occupation and there needs to be more homes for families.

Consideration of the Planning Issues

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

- i) The principle of the development
- ii) The impact on residential amenity
- iii) The impact on the highway

The principle of the development

Supporting information has been provided with the application including a Design and Access Statement, letters from the Care Director of the company and the prospective manager of the residential care home, and details of other residential care homes which the company manages.

The supporting information states that the company wishes to expand to continue to provide vulnerable young people with the homes and dedicated care that they deserve. To enable this they need to source suitable accommodation. They state that the property at no.36 Gracedieu Road will enable them to provide care for one young person. The applicant states that they have identified that there is a high demand for such homes and that they have already been approached by Leicestershire Social Services expressing a need for a home in this area which can provide care for one young person.

The application site is located within a residential area within Loughborough and therefore satisfies Policy CS1. Paragraph 50 of the National Planning Policy Framework calls for inclusive and mixed communities and for a mix of housing based on current and future demographic trends and the needs of different groups in the community. Policy CS3 of the Core Strategy states that the Council will seek an appropriate mix of types, tenures and sizes of homes, having regard to identified housing needs and the character of the area. It is considered that the residential care home will be able to cater for the care needs of one young person, but that the small scale nature of the home will enable the home to operate within a residential area without otherwise altering the residential character of the area.

The impact on residential amenity

The existing residential property could be occupied by a single person, a couple, two unrelated people living together, a family with children, or elderly people requiring an element of personal social care. As the proposed use as a residential care home would be for just one person, with associated care staff staying on site, it would be small scale in nature and would not be dissimilar to the current use of the property as a C3 dwelling. It would not be considered to be a house in multiple occupation as it is proposed for C2 use, and such a use would not be permitted without a separate grant of planning permission.

In terms of likely noise and disturbance, it is not considered that this would be materially different to that generated from family occupation. Whilst the young person residing at the property may have specific needs, it is not considered that it would be reasonable or appropriate to consider this as part of the determination. A condition to ensure that no more than one young person resides at the property at any given time will avoid any future expansion of the residential care home, and protect the amenities of neighbouring residents.

As such, it is not considered that the proposed use of the property as a residential care home for one young person would unduly compromise the residential amenity of occupiers of neighbouring occupiers.

The impact on the highway

The existing residential property only benefits from one off street car parking space for the three bedroom property. The Local Highway Authority's Standing Advice and 6 C's Design Guide would normally require three off-street car parking spaces for a four-bedroom property.

The proposed residential care home would contain two bedrooms (one for the young person residing at the property and one for a carer). It is anticipated that there would be no more than two carers on site at any given time and as such, it is not anticipated that there would be a requirement for more than two off-street car parking spaces. Whilst this may result in one vehicle being parked on the street, this is not considered to be any different from the existing use of the property as a C3 dwelling.

A planning condition to permanently retain the existing car parking space will ensure there is no additional on-street car parking in future. In addition, the condition to limit the number of residents receiving care to one will avoid the need for additional staff, which could lead to increased visitors.

The Local Highway Authority agree that the parking situation would not be materially different to that of the existing property. In the absence of any evidence to demonstrate that the proposal would cause 'severe harm' as identified in the National Planning Policy Framework, there are no highway related reasons to refuse planning permission.

Conclusions

In summary, it is considered that a residential care home for one young person could be provided in this location without causing harm to the character of the area, the residential amenities of neighbouring residents, or highway safety issues. Policies CS1, CS2, CS3 and CS25 of the Core Strategy and EV/1 and TR/18 of the Local Plan have been considered in reaching a decision, along with the requirements of the National Planning Policy Framework. The proposal would be in general accordance with these policies and, although objections have been received against the proposal, it is considered that planning permission should be granted.

RECOMMENDATION:

Grant Conditionally

- 1 The development, hereby permitted, shall be begun not later than 3 years from the date of this permission.
REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The premises shall be used only as a residential care home for one person and for no other purpose, including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification, without the prior consent of the Local Planning Authority.
REASON: To ensure that the use remains compatible with the surrounding area and to avoid additional on-street car parking.
- 3 The existing parking facilities to the front of the property shall permanently remain available for use and shall not be obstructed in any way that would prevent such use.
REASON: To provide off-street parking, in the interests of road safety.
- 4 The development hereby permitted shall be carried out in accordance with the following plans:
 - Location Plan and Site Plan - SREAR - RS242_01 - received by the Local Planning Authority on 20 April 2017.
 - Proposed Floor Plans - SREAR - RS242_02 - received by the Local Planning Authority on 20 April 2017.REASON: For the avoidance of doubt and to define the terms of the permission.

The following advice notes will be attached to a decision

- 1 DEVELOPMENT PLAN POLICIES RELEVANT TO THIS DEVELOPMENT - Policies CS1, CS2, CS3 and CS25 of the Charnwood Core Strategy (adopted 9th November 2015) and EV/1 and TR/18 of the Borough of Charnwood Local

Plan (adopted 12th January 2004) have been taken into account in the determination of this application. The proposed development complies with the requirements of these policies and there are no other material considerations which are of significant weight in reaching a decision on this application.

- 2 Planning permission has been granted for this development because the Council has determined that, although representations have been received against the proposal, it is generally in accord with the terms of the above-mentioned policies and, otherwise, no harm would arise such as to warrant the refusal of planning permission.
- 3 Discussion with the applicant to seek an acceptable solution was not considered necessary in making this decision. The Local Planning Authority has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the National Planning Policy Framework (paragraphs 186 and 187) and in accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015.

