



**PLANNING COMMITTEE:** 29<sup>th</sup> September 2020  
**DEPARTMENT:** Planning Service  
**DIRECTOR OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2020/0780

**LOCATION:** 5 Ditchford Close

**DESCRIPTION:** Change of Use from Dwellinghouse (Use Class C3) to Children's Home (Use Class C2) to accommodate up to 3no children aged 8 to 18 years old

**WARD:** Nene Valley Ward

**APPLICANT:** GAC Family Services  
**AGENT:** TZ Town Planners Ltd

**REFERRED BY:** Director of Planning and Sustainability  
**REASON:** Level of public interest

**DEPARTURE:** No

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#### **APPLICATION FOR DETERMINATION:**

#### **1 RECOMMENDATION**

1.1 **APPROVAL** subject to the conditions as set out below and for the following reason:

The proposal would have no significant undue impact upon the character and appearance of the area, neighbour amenity and parking and highway safety. The proposal is therefore in conformity with the National Planning Policy Framework, Policies H1, H5 and S10 of the West Northamptonshire Joint Core Strategy, and Policies E20 and H29 of the Northampton Local Plan.

#### **2 THE PROPOSAL**

- 2.1 The application proposes the change of use of the existing dwellinghouse to a children's home for a maximum of three children aged 8 to 18 years old.
- 2.2 There will be no staff living permanently at the property, however there would always be a member of staff on site. One of the existing bedrooms would be used by the carers.
- 2.3 There are no external alterations proposed to the building.

#### **3 SITE DESCRIPTION**

- 3.1 The application site comprises a detached two storey dwelling located on the northern side of Ditchford Close. The site is provided with off-street parking for two vehicles.

## **4 PLANNING HISTORY**

- 4.1 None.

## **5 PLANNING POLICY**

### **5.1 Statutory Duty**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted West Northamptonshire Joint Core Strategy (2014), and the Northampton Local Plan (1997) saved policies.

### **5.2 National Policies**

The National Planning Policy Framework (NPPF) sets out the current aims and objectives for the planning system and how these should be applied. In delivering sustainable development, decisions should have regard to the mutually dependent social, economic and environmental roles of the planning system. The NPPF should be read as one complete document. However, the following sections are of particular relevance to this application:

Paragraphs 7-12 - Presumption in favour of sustainable development.

Paragraph 60 - Housing needed for different groups in the community.

Paragraph 127 - Create places with a high standard of amenity for existing and future users.

Section 8 - Promoting healthy and safe communities.

Section 9 - Promoting sustainable transport

### **5.3 West Northamptonshire Joint Core Strategy (2014)**

The West Northamptonshire Joint Core Strategy (JCS) provides an up to date evidence base and considers the current Government requirements for plan making as it has been prepared in full conformity with the NPPF. Policies of particular relevance are:

Policy S10 - Sustainable Development Principles.

Policy H1- Housing.

Policy H5 - Managing the Existing Housing Stock.

### **5.4 Northampton Local Plan 1997 (Saved Policies)**

Due to the age of the plan, the amount of weight that can be attributed to the aims and objectives of this document are diminished, however, the following policy is material to this application:

Policy E20 - New Development (Design)

Policy H29- Residential Institutions

### **5.5 Supplementary Planning Documents**

Northampton Parking SPD (2019)

Planning out Crime in Northamptonshire SPG 2004

## **6 CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **NBC Public Protection** – No objection. Recommend condition restricting the number of children and staff which would assist in protecting residential amenity from noise and disturbance.
- 6.2 **Private Sector Housing** – No objection. Advise the applicant that fire protection, detection and alarm systems will be required.
- 6.3 **Northamptonshire Police** – No objection as the children’s home will be regulated by the CQC and Ofsted.
- 6.4 **Councillor J Nunn** – Sympathises with neighbour concerns.
- 6.5 **NCC Highways** – No comment to make on application.
- 6.6 29 neighbour letters have been received objecting to the application. The concerns raised can be summarised as follows:

- Application form states there are three parking spaces but there are only two.
- Existing parking issues in area and no space for further on-street parking.
- Concern road would be blocked by vehicles so emergency services could not visit other properties.
- NCC Highways should be required to respond.
- Use will be at all times and concern as to the impact on neighbouring residents.
- Safeguarding issues from proposed children occupiers on existing residents.
- Believe children occupiers would have behavioural problems and substance abuse and the impact of this on other children in the street.
- Area is affluent and safe and does not warrant the presence of people with history of drug abuse.
- Concern as to how property will be operated, staff numbers, security measures, how guests are managed, plan for assisting existing residents with issues.
- Concerned property not large enough for three children and three adult carers.
- Question if children will frequently change and what backgrounds they will be from.
- Impact on community spirit
- Will not be like a family as carers do not live there.
- Concern duty manager who lives nearby could move jobs or homes.
- Believe current property is being used as a HIMO with people moving in and out every few weeks.
- Concerned application is hiding an alternative scheme (*Officer Comment: The application under assessment is that applied for only*).
- Concerned if property meets with current building regulations (*Officer Comment: This is not a material planning consideration*).
- Concerned Planning officers are working from home and not visiting sites during pandemic (*Officer Comment: The site has been visited by the Planning Officer*).
- Doesn’t understand what 3NO means (*Officer Comment: 3no means 3 number*).
- Concerned owner is not as outlined on application form within certificate B (*Officer Comment: The applicant has submitted evidence as to the owner of the property. No evidence has been received showing an alternative owner*).

## 7 APPRAISAL

### Principle of development

- 7.1 The application proposes the conversion of an existing dwellinghouse to a children’s home for a maximum of three children. At ground floor would be a shared lounge, dining room, conservatory, kitchen, utility room, W/C and garage. At first floor would be three bedrooms, one of which is en-suite, a shared bathroom, and a carer’s room.

- 7.2 The proposal is intended to be operated similarly to a 'family' with a maximum of three children being looked after by carers 24/7. With regards to staffing levels, there will be no staff living permanently at the property, however there would always be a member of staff on site. During the day there would be 2 carers on duty and an Ofsted registered manager who will only be on site during the morning. At night, there will be one member of staff on duty. Shift patterns are 8am-2pm, 2pm-8pm, and 8pm-8am.
- 7.3 Visitors to the site are expected to be professionals such as social workers who must visit monthly. Family members do not visit the children at home, with these being by prior arrangement at a contact centre.
- 7.4 The use of a dwellinghouse as a care home for up to 3 children is not considered to be a significant change in terms of the principle as compared with a dwelling, subject to there being an acceptable impact with regards to the impact upon the street scene, amenities of adjoining occupiers, and highway safety. It is not considered that the proposed change would have an unacceptable impact upon the character of the area, with any use being similar in style and scale to the existing use as a dwellinghouse where any occupier could easily have three or more children.

### **Design**

- 7.5 The proposal does not include any changes to the exterior to the existing building. As such it is not considered that there would be any impact upon the character and appearance of the host property or street scene as a result of this proposal.

### **Amenity**

- 7.6 As part of the assessment of this application, the Council's Public Protection team have been consulted on the proposal. No concerns were raised by this team as to the impact upon neighbouring amenity due to the small level of the use. Public Protection requested a condition limiting the number of children to 3 and the number of staff to 3, to ensure that the potential impacts on amenity can be controlled, as if the use is restricted to the low numbers detailed in the application, this would assist in protecting general residential amenity.
- 7.7 It is the case that the use of a house for the care of up to three children is broadly similar to a family dwellinghouse. As a dwellinghouse, each room could have occupiers looking through windows, playing within the garden, and making noise associated with a large family dwellinghouse. As a Care Home for young person's, occupiers would be looking through existing windows, at existing views over neighbouring properties, and would reasonably make the same level of noise disturbance as expected from a family within this building.
- 7.8 It has also been advised that there are infrequent visitors to the site, restricted to professional visits such as the Social Services. Any family visitors are required through Ofsted to meet the children at a contact centre under supervision and on neutral ground. The only likely frequent visitors, other than staff, would be social workers once monthly.
- 7.9 With no objection having been received from Public Protection, and with the disturbance from this property likely to be to a similar level as a three children family and how the property could already be used, it is not considered that the proposed change of use would result in an unacceptable impact upon neighbouring amenity.

### **Parking and highway safety**

- 7.10 As discussed earlier within this report, it is the case that there would be a maximum of three staff at any one time on this site, although the norm is likely to be one to two members of staff. The occupiers of the property would be children between the ages of 8 and 18 and as such are unlikely to have vehicles themselves, and family visitors are not allowed at the property. It is, therefore,

likely that the level of car use associated with this property would be similar to a two parent household.

- 7.11 The application site is provided with a driveway for two vehicles alongside a garage. It is understood that parking also occurs on the grass of the front garden however this cannot be considered a formal parking space. Garages are also not counted as formal parking spaces due to the limited size when compared to current car sizes. As such the site is considered to provide two off-street car parking spaces. The site is also within reasonable walking distance of bus stops and the local facilities.
- 7.12 NCC Highways have been consulted on this application and have raised no comments on the proposal.
- 7.13 With two off-street parking spaces, with no objection from NCC Highways, and with the site being within walking distance of shops and bus routes, it is considered that the proposal would not have an unacceptable impact upon the highway network.
- 7.14 With regards to bicycle storage, the application site has a garage and a secure rear garden within which bicycles could be stored.
- 7.15 With regards to bin storage, there is room for the bins to be stored within the garage or rear garden and this is considered acceptable for the proposed use.

## **8 CONCLUSION**

- 8.1 To conclude it is considered that the proposed change of use to a C2 children's home would not have an unacceptable impact upon neighbouring amenity and the highway network. As such the proposed change of use is considered acceptable and it is recommended that planning permission is granted subject to conditions.

## **9 CONDITIONS**

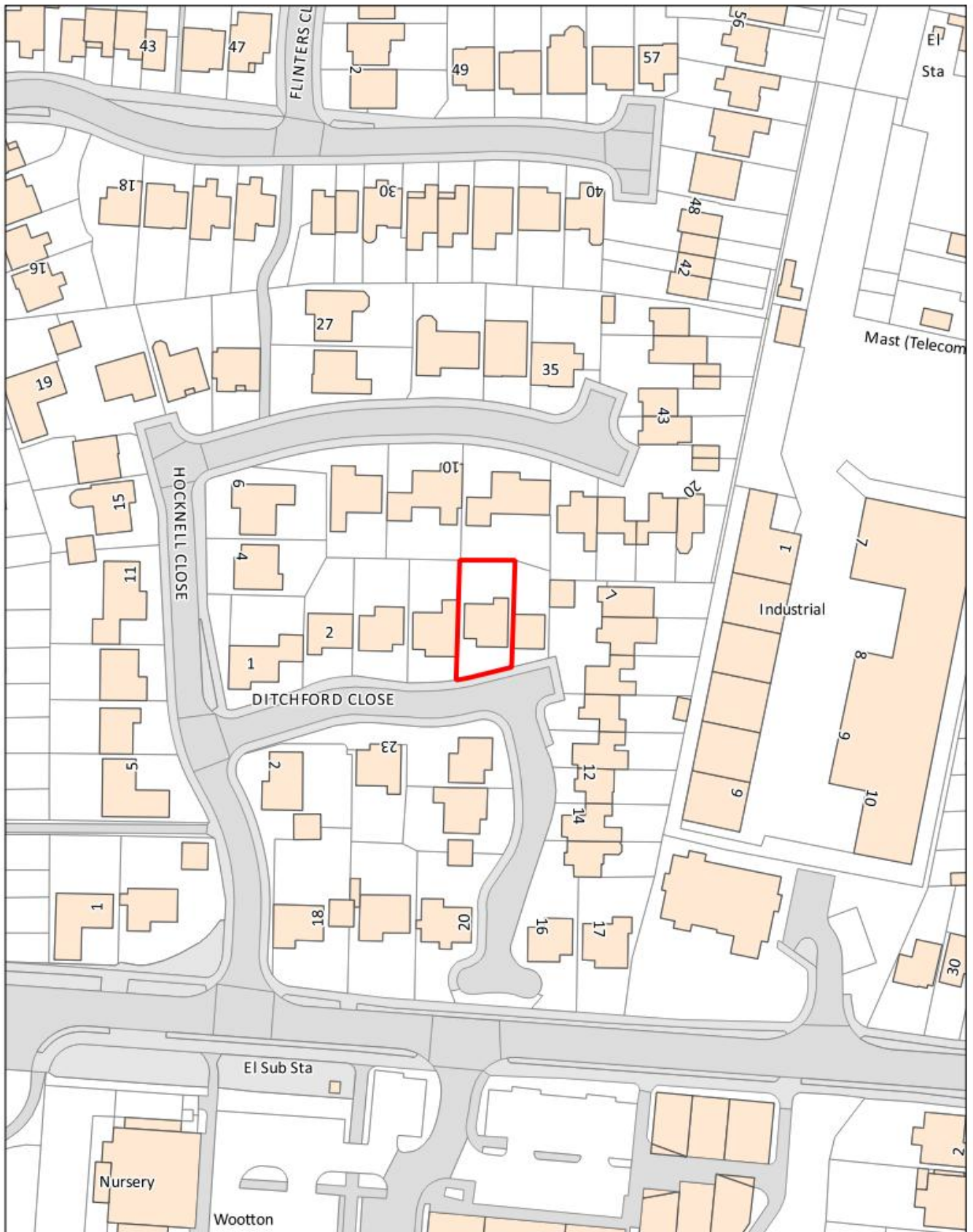
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- Reason: To comply with Section 91 of the Town and Country Planning Act 1990.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan 1:1250, A100-A-PROPOSED.
- Reason: For the avoidance of doubt and to accord with the terms of the planning application.
3. The number of occupants in care within this property shall not exceed 3 persons at any one time and the age of the occupants in care within this property shall be between the ages of 8 years and 18 years only.
- Reason: In the interests of the amenity of the area and neighbouring residents, and highway safety in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy.
4. There shall not be more than 3 members of staff on site at any one time.
- Reason: In the interests of the amenity of the area and neighbouring residents, and highway safety in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy.

## **10 LEGAL IMPLICATIONS**

- 10.1 The development is not CIL liable.

## **11 SUMMARY AND LINKS TO CORPORATE PLAN**

- 11.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.



Title: **5 Ditchford Close**

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Date: 17-09-2020

Scale: 1:1,000

Drawn by: -----