

PLANNING APPLICATION NUMBER:P12/0083

Type of approval sought	Full Planning Permission
Ward	Castle & Priory
Applicant	Mr E. Watson
Location:	1, LIMEPIT LANE, DUDLEY, DY1 3DT
Proposal	CHANGE OF USE FROM DWELLING (C3) TO CARE HOME (C2)
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

SITE AND SURROUNDINGS

1. The application site is a 3 bed detached house with rear garden and front parking area. The rear garden ranges from 15m to 17m in length, whilst the 10.5m deep x 9m wide front area is brick paved to allow for off street parking.
2. An adjoining driveway serves 10a Limepit Lane, a 'backland' bungalow sited to the rear of flats at 10-16 Limepit and to the side of the rear garden of the application property.
3. Adjacent to the east and south of the site is the access road and parking area for the reservoir located directly to the south of the site. Further to the east beyond the reservoir parking area lie the rear gardens of properties in Acacia Close, set some 30 m from the application property. On the opposite side of the Limepit Lane to the west is a further reservoir.
4. Besides the reservoirs which dominate the locality, the surrounding area is residential in nature.

PROPOSAL

5. The proposed development is for a change of use from dwelling house (C3) to a Care Home (C2).
6. Internal alterations would provide a fourth bedroom, with an existing side window being enlarged from 0.85m to 1.7m in width. A level access front entrance would also be provided.
7. The Design and Access Statement states that:

The proposal is to change the use to a care home which would be specifically aimed at young care leavers leaving fostering placement and or care homes, providing a supporting accommodation to assist in their transition from care to independent living. The proposal is to provide temporary supportive accommodation for young people in order to develop their greater independence. The proposal would utilise the existing dwelling in its current format with minor changes to the internal layout and fenestration. Changes would be to the main entrance to ensure disabled access is possible by the provision of a new level threshold and a widened door.

How the proposal would operate – numbers and ages of potential occupants.

The accommodation is for residents aged 16 to 26 with a maximum of three residents at any one time.

Expected length of occupancy

This may vary from a week to several months, depending on individual case circumstances, however, the aim of the accommodation provision is to assist the young person to gain independent living as soon as it is possible. Each case would be looked at on its own merits and the person's specific needs for support; therefore it is difficult to determine how long residents will stay.

Shift Pattern of staff

The proposal is for two full time staff to provide 24hr attendance between them. (e.g. one person may work 6am-6pm and the other 6pm till 6am). The development also proposes two part time staff who would work 3-4 hours a day during normal working hours (i.e. 9-5) to would assist the full time staff. However these arrangements will need to be flexible depending on the needs of the residents.

Level of support needed

The proposal includes potential support needed for cooking, cleaning, washing, organising/reminding for appointments, timekeeping, organising paperwork such as job applications etc and emotional and personal support. It does not envisage any need for visiting tutors, teachers etc, therefore do not expect an increase in vehicular trips and parking requirements.

Accommodation

Each young person will have their own private bedroom in which they can add their own personal touch. Each young person will be provided with a WELCOME pack consisting of all bedding requirements, towel bale, toiletries, and essential food starter pack along with crockery.

There will be computers available to use, therefore, the service user will be able to create their own email address in order to write and receive emails from their family and friends, as well as learning new computer skills. The applicant has forwarded additional background information that includes the following:

8. 'Supported Accommodation is a new initiative set up by government to house children and young people in an environment where they can make progress and this idea is linked with the Care Leavers Legislation states that children should be adequately supported before, during and after making the transition into adulthood' and 'the proposed supported accommodation at 1 Lime Pit Lane will be used for housing young people with minor learning difficulties who are unable to look after themselves without support. There will be qualified professional staff present on a 24

hour basis. The staff will include a nurse and a teacher who will be the owners. Anti-social behavior in no shape or form will be tolerated’.

HISTORY

9.

APPLICATION No.	PROPOSAL	DECISION	DATE
95/50932	Erection of lounge with bedroom with en-suite and dressing area over.	Granted	16.08.95

PUBLIC CONSULTATION

10. The application was advertised by way of site notice and neighbour notification, with 65 letters sent out to addresses in Fairview Road, Highland Road, Acacia Close, The Broadway and Limepit Lane. 15 letters and a petition containing 69 signatures have been received objecting to the application and raising the following issues:

- Potential anti social behaviour
- Noise and unrest
- Existing care home on Highland Road and associated problems
- Detrimental impact on quality of life
- Parking along Limepit Lane
- Close proximity to a school, takeaway, supermarket encourages gatherings of young people and anti social behaviour

11. An objection has also been received from all Councillors who represent the Castle and Priory Ward, The objection stating ‘that there are anti social behaviour problems in the area and the devaluation of properties would occur’.

12. One letter of support has been received from the occupiers of the application site, No 1 Limepit Lane.

OTHER CONSULTATION

13. Group Engineer (Development) - The proposed care home would provide sufficient car parking on the existing forecourt to cater for its needs. The Highway Authority has no objections to the proposed change of use.
14. Head of Environmental Health and Trading Standards – no adverse comments.

RELEVANT PLANNING POLICY

15. National Planning Guidance

The Draft National Planning Policy Framework (NPPF) was published for consultation on 25th July 2011. The Planning Inspectorate have issued guidance which makes it clear that the NPPF is capable of being a material consideration and therefore regard has to be had for the document. However, it carries limited weight at this stage of the process as it is in draft form and subject to possible change. Existing national planning policy remains and carries substantial weight.

PPS1 - Delivering Sustainable Development

16. Black Country Joint Core Strategy

DEL1 - Infrastructure Provision

ENV 2 - Historic Character and Local Distinctiveness

ENV 3 - Design Quality

TRAN2 - Managing Transport Impacts of New Development

17. Saved Unitary Development Plan Policies

CS1 - Special Needs Accommodation

DD4 - Development in Residential Areas

Supplementary Planning Guidance/Documents

18. Parking Standards and Travel Plans

ASSESSMENT

19. The key issues to be considered in this application are as follows:

- Principle
- Impact on Amenities
- Access & Parking
- Planning Obligations
- Other Considerations

Principle

20. The application site is located in a predominately residential area that comprises a mixture of dwelling houses and flats. The garden is enclosed and between 15m and 18m long. The site is also close to public transport links with Dudley Town Centre, there would be adequate provision for the parking and manoeuvring of vehicles on site and there would be no material changes to the external appearance of the building. The property is considered suitable for providing the type of residential care proposed and in this respect accords with saved Policy CS1 of the adopted UDP (2005).

Impact on Amenities

21. The proposal is for two staff who would provide 24hour attendance between them. (e.g. one person may work 6am-6pm and the other 6pm till 6am), two part time staff who would work 3-4 hours a day during normal working hours (i.e. 9-5) assisting the full time staff and up to a maximum of 3 No. residents.

22. The two storey property is currently in use as a 3 bed residential house. Internal alterations to the first floor would allow for a 4 No. bed property (the fourth room to allow for facilities for the full time employee). It is considered that the level of comings and goings and activity would not be dissimilar to what could be expected from a large family house and would therefore not materially impact on the character of the

area or the amenity of neighbouring residents, in compliance with saved policy DD4 of the adopted UDP (2005).

Access & Parking

23. The frontage of the property is brick paved, used for vehicular parking and allows for 3 parking spaces on site. The site is reasonably well linked to the public transport network, thus enabling staff and visitors to access the site using means other than the private car. It is considered that the off street parking provision is satisfactory and there are no highway objections in compliance with saved policy DD4 of the adopted UDP (2005).

Planning Obligations

24. The proposed scheme does not meet the threshold for planning infrastructure requirements.

Other Considerations

25. Residents have raised concerns regarding the proximity of the site to a public house, an off licence, shop, elderly people's home and health centre, however, the location of the proposed use does not conflict with UDP policy requirements.
26. Further concerns have been raised regarding youth culture and existing problems of anti social behaviour/vandalism in the area, which it is perceived would worsen if this proposal were accepted. In planning terms, supported accommodation for up to a maximum of 3 cared-for people set in a substantial residential property would have a minimal impact on the overall character of the area, further, the young people would be supervised by full time staff members.
27. Concerns regarding existing behaviour on adjacent sites are not ones that can be controlled through this planning application and if residents have concerns regarding activities on the public open land to the rear of the site, these should be directed to the appropriate authorities.
28. The impact on surrounding property values is not a material planning consideration.

29. If an unrestricted change of use were to be allowed, then the premises could be used for any of the uses falling within Use Class C2. However, other uses not proposed currently but falling within this definition would not be considered appropriate in this location, such as a residential training centre or a hospital and therefore the LPA would wish to retain control over such changes of use. Similarly, whilst this proposal is for up to 3 supported people and the staff (as described in paragraph 7), without limitations this intensity could be increased if not restricted. It is therefore recommended that a condition be attached restricting this property only to the use proposed here and no other uses within the C2 use class, as would otherwise be the case.
30. It is further recommended that the number of supported people also be limited through the imposition of a condition, in order that the use could not intensify to such an extent that an inappropriate use for the site developed which could cause harm to the amenities of the surrounding residents.

CONCLUSION

31. It is considered that the general activity associated with the use would not be considerably different to those potentially associated with a large family detached house. The concerns of respondents are recognised and have been carefully considered and addressed by the imposition of restrictive conditions. It is therefore considered that the proposed change of use would not have a materially harmful impact on the character of the area or upon residential amenity, in accordance with saved Policies CS1 and DD4 of the adopted UDP (2005).

RECOMMENDATION

32. It is recommended that planning permission is approved subject to the following conditions:

REASON FOR APPROVAL

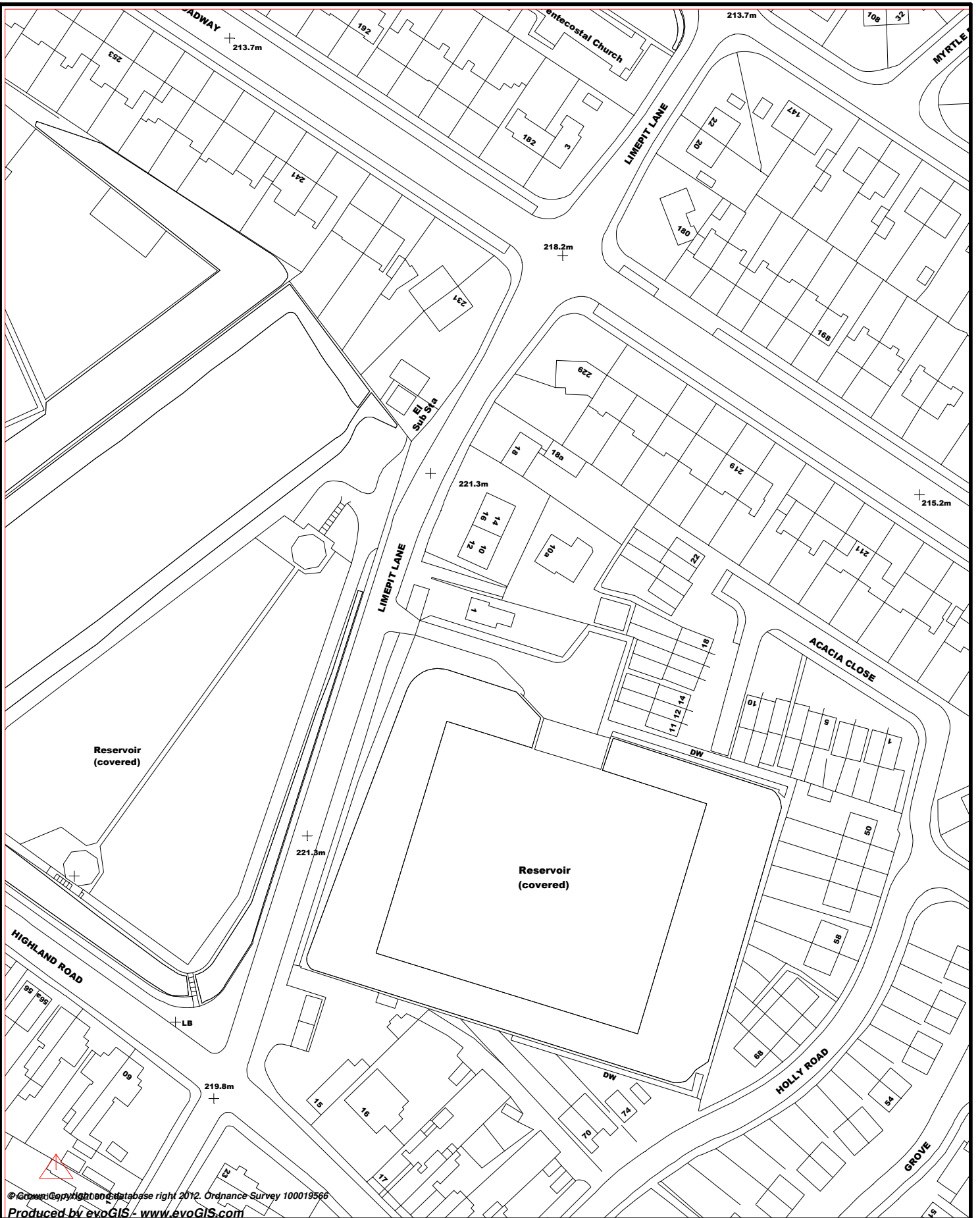
It is considered that the general activity associated with the use would not be considerably different to those potentially associated with a large family detached house. The concerns of respondents are recognised and have been carefully considered and addressed by the imposition of restrictive conditions. It is therefore considered that the proposed change of use would not have a materially harmful impact on the character of the area or upon residential amenity, in accordance with Policies CS1 and DD4 of the adopted UDP (2005).

The decision to grant planning permission has been taken with regard to the policies and proposals in the adopted Dudley Unitary Development Plan (2005), the Black Country Core Strategy (2011) and to all other relevant material considerations.

The above is intended as a summary of the reasons for the grant of planning permission. For further details on the decision please see the application report.

Conditions and/or reasons:

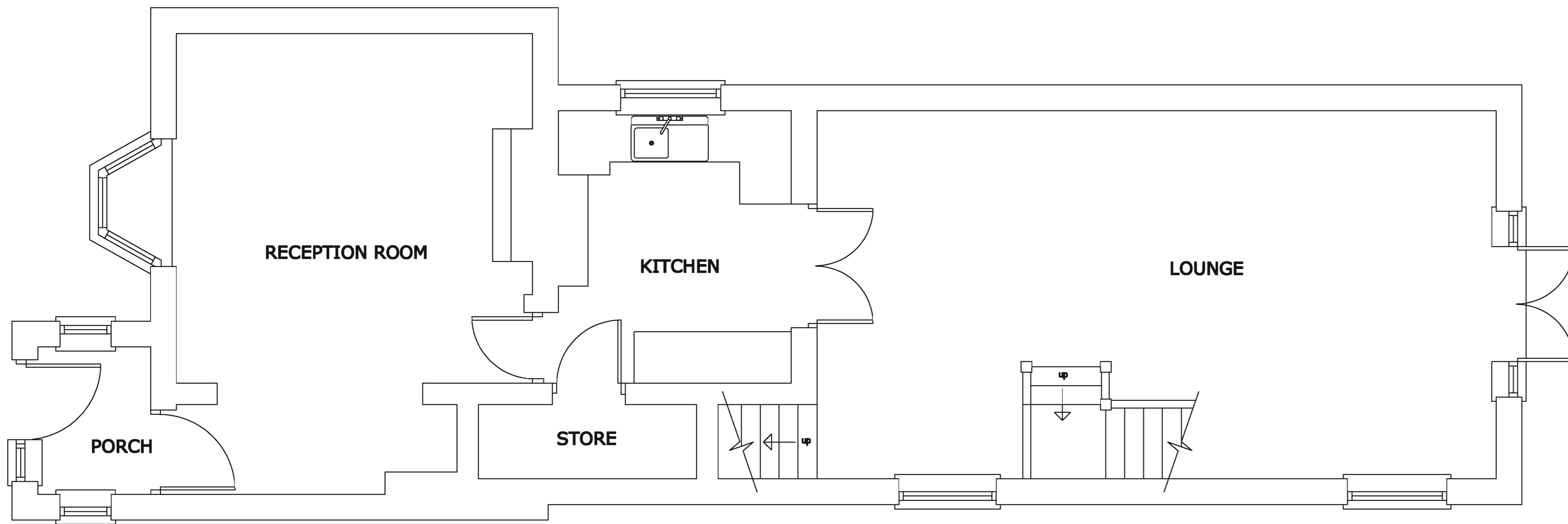
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: 11/4047/101, 11/4047/102 and 11/4047/103.
3. The premises shall be used for supported accommodation care only 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 or re-enacting that Order with or without modification.
4. Notwithstanding the provisions of the Town and Country Planning Use Classes Order 2005 (as amended) and the General Permitted Development Order 2005 (as amended), no more than three clients shall receive supported accommodation care at the property at any one time.
5. Prior to the commencement of the use hereby approved the first floor window to be installed in the north elevation of No 1 Limepit Lane shall be obscure-glazed and thereafter maintained in that condition for the lifetime of the development.



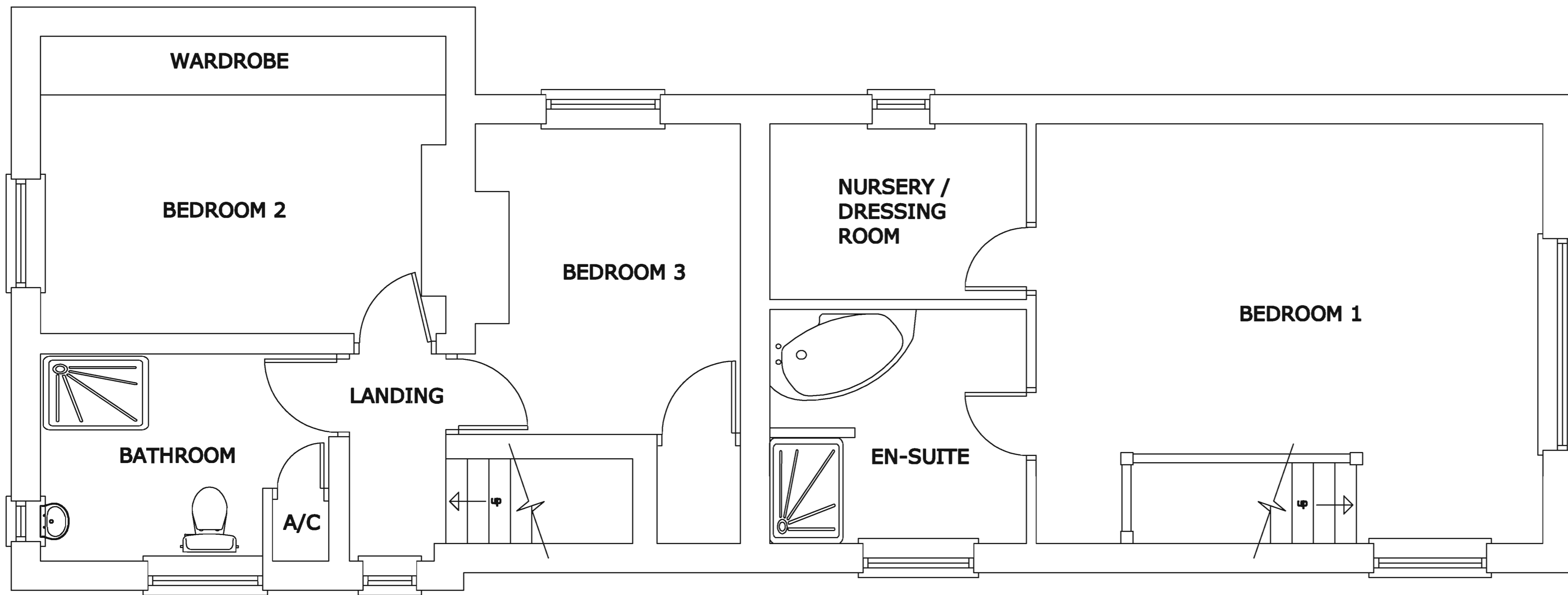
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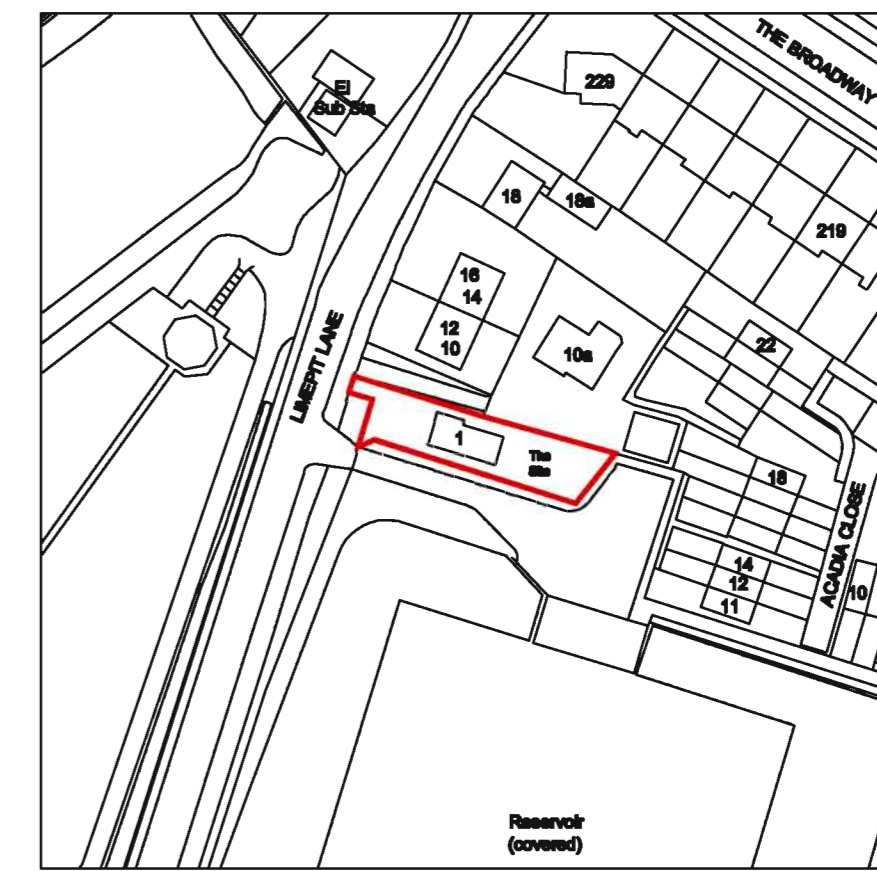
DIRECTORATE OF THE URBAN ENVIRONMENT,
 Director of the Urban Environment,
 John Millar



EXISTING GROUND FLOOR PLAN



EXISTING FIRST FLOOR PLAN



LOCATION PLAN

1:1250 SCALE



BLOCK PLAN

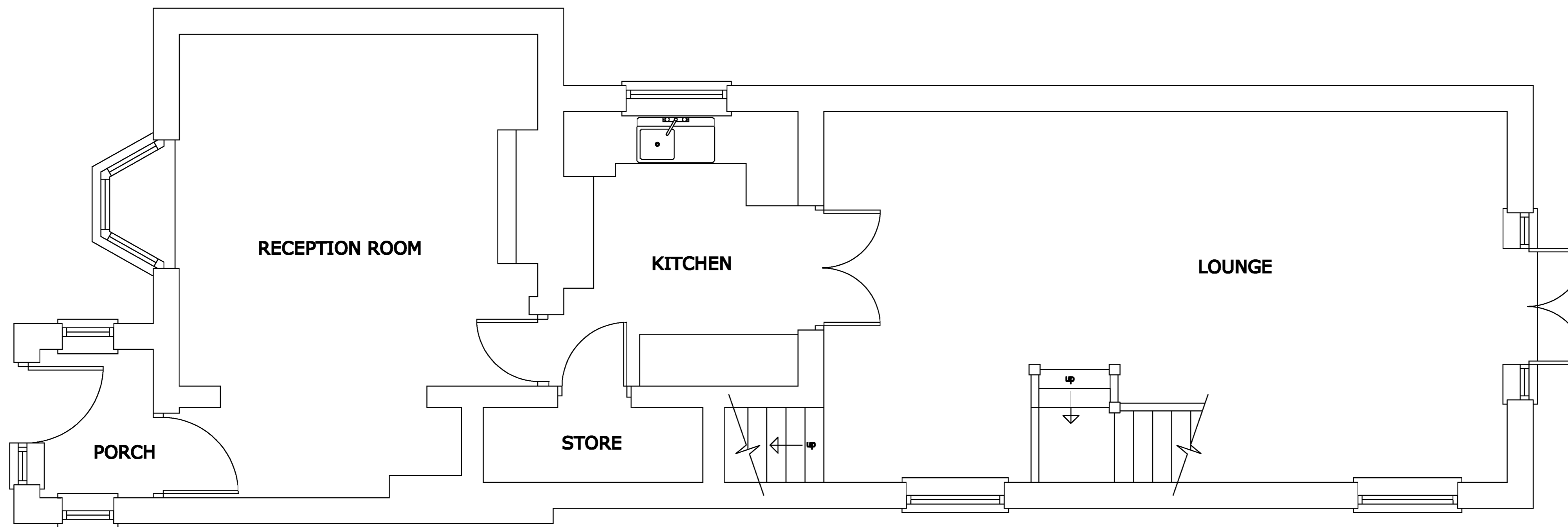
1:500 SCALE

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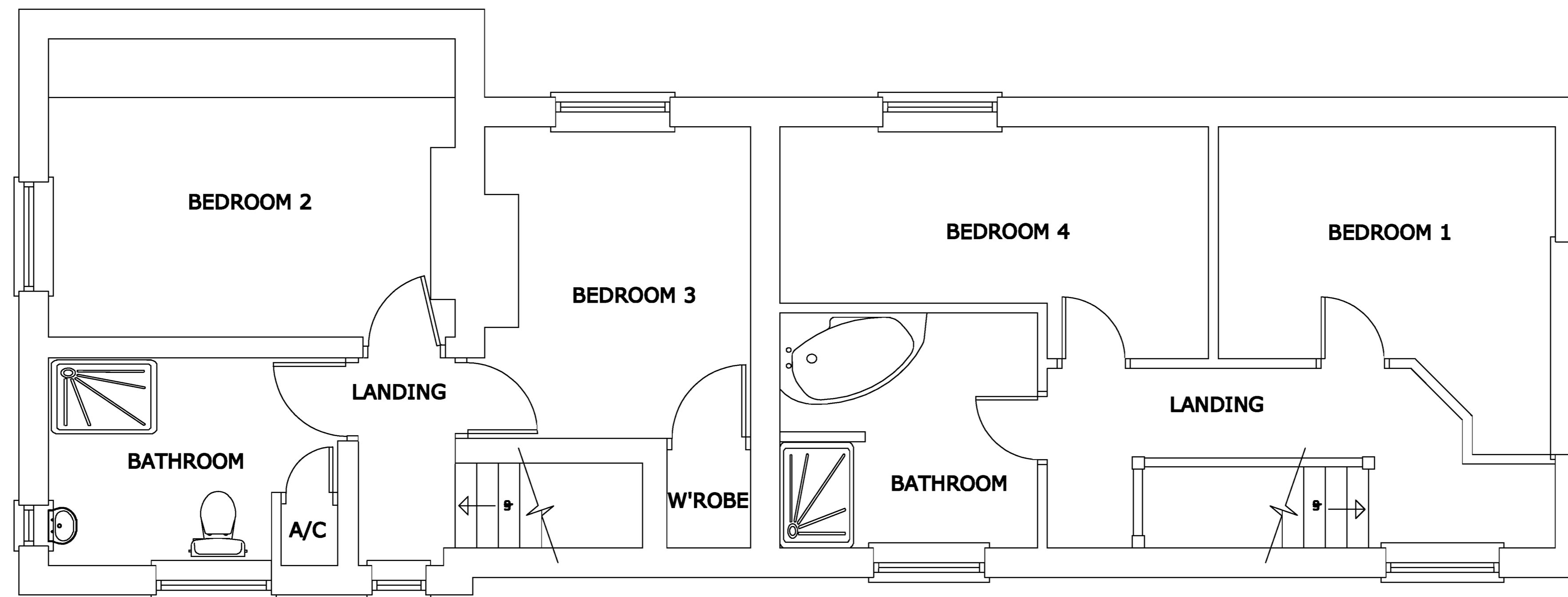
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Rev	Date	Drawn	Check
Project Title Change of Use At 1 Limepit Lane DUDLEY			
Drawing Title Location Plan, Block Plan and Existing Floor Plans			
Drawing No. 11/4047/101		Rev	
Scale 1:50 @ A1 unless stated	Date January 2011		
Drawn By MD	Checked By SRP	Status PLANNING	



PROPOSED GROUND FLOOR PLAN



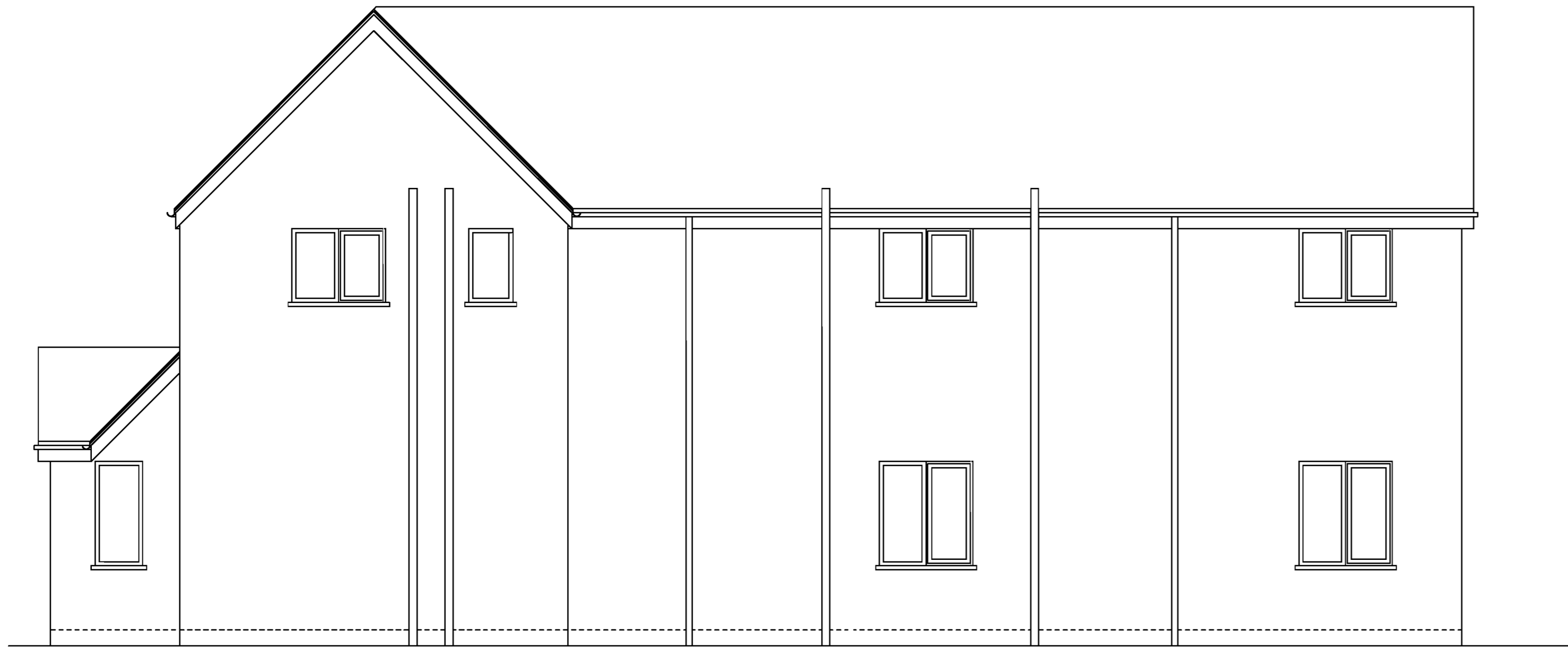
PROPOSED FIRST FLOOR PLAN

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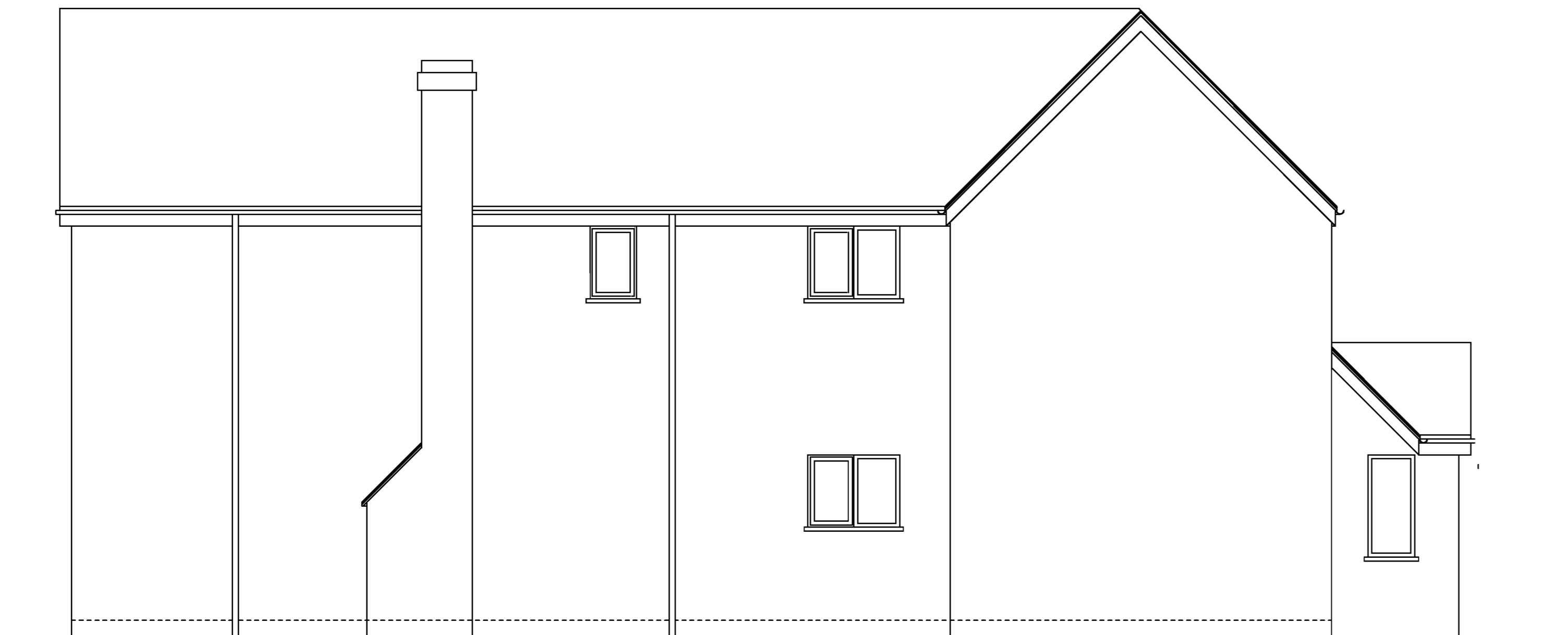
Rev	Date	Drawn	Check
Project Title Change of Use At 1 Limepit Lane DUDLEY			
Drawing Title Proposed Floor Plans			
Drawing No. 11/4047/102		Rev	
Scale 1:50 @ A1 unless stated		Date January 2011	
Drawn by MD	Checked by SRP	Status PLANNING	



EXISTING & PROPOSED WEST SIDE ELEVATION



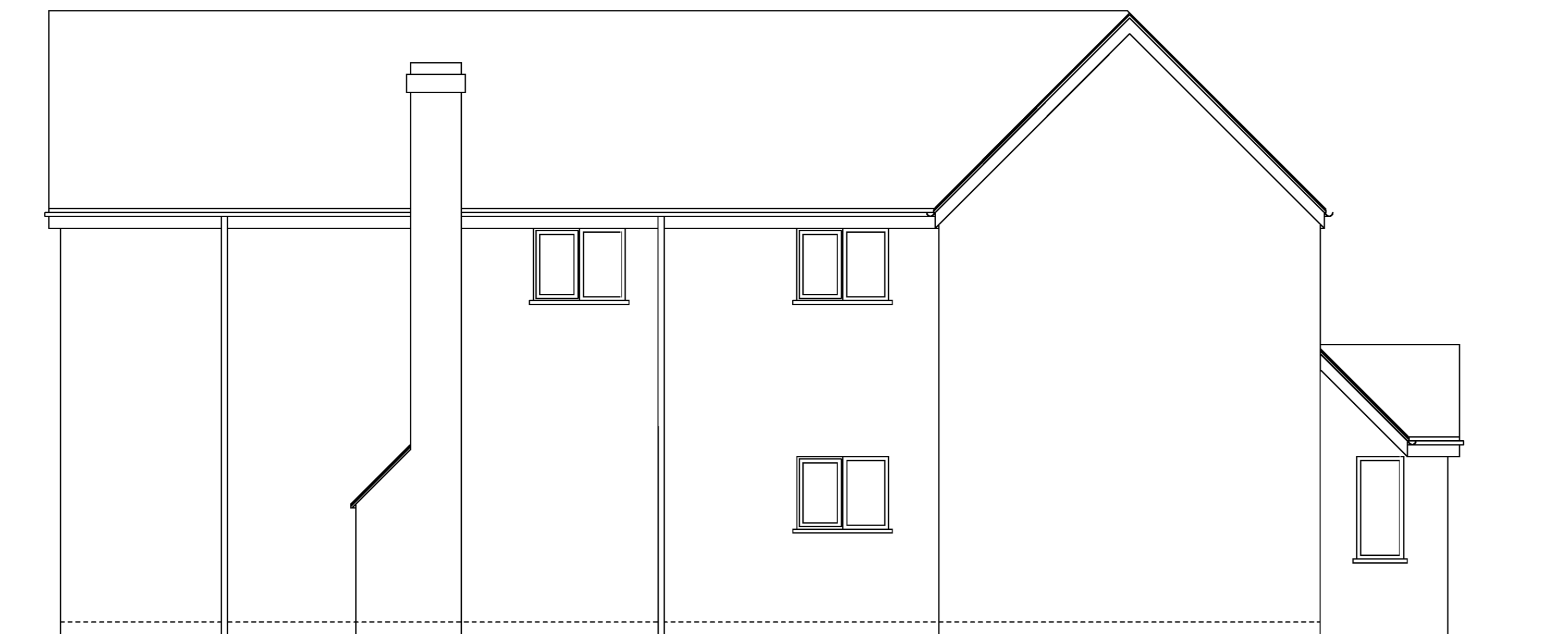
EXISTING & PROPOSED FRONT ELEVATION



EXISTING EAST SIDE ELEVATION



EXISTING & PROPOSED REAR ELEVATION



PROPOSED EAST SIDE ELEVATION

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Rev	Date	Drawn	Check
Project Title Change of Use At 1 Limepit Lane DUDLEY			
Drawing Title Existing & Proposed Elevations			
Drawing No. 11/4047/103		Rev	
Scale 1:50 @ A1 unless stated		Date January 2011	
Drawn by MD	Checked by SRP	Status PLANNING	