

APPLICATION NO	PA/2022/858
APPLICANT	R Keyworth
DEVELOPMENT	Planning permission for the change of use from four dwellings to a children's care home
LOCATION	Forresters Hall, High Street, Barrow upon Humber, DN19 7AA
PARISH	Barrow upon Humber
WARD	Ferry
CASE OFFICER	Alan Redmond
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Member 'call in' (Cllr Richard Hannigan – significant public interest) Objection by Barrow upon Humber Parish Council

POLICIES

National Planning Policy Framework:

Chapter 2 – Achieving sustainable development

Chapter 4 – Decision-making

Chapter 5 – Delivering a sufficient supply of homes

Chapter 9 – Promoting sustainable transport

Chapter 11 – Making effective use of land

Chapter 12 – Achieving well-designed places

Chapter 15 – Conserving and enhancing the natural environment.

North Lincolnshire Local Plan:

H5 (New Housing Development)

HE1 (Conservation Areas)

HE2 (Development in Conservation Areas)

DS1 (General Requirements)

DS3 (Planning Out Crime)

DS4 (Changes of Use in Residential Areas)

T19 (Car Parking Provision)

C4 (Children's Day Care Provision)

North Lincolnshire Core Strategy:

Policy CS1 (Spatial Strategy for North Lincolnshire)

Policy CS2 (Delivering More Sustainable Development)

Policy CS3 (Development Limits)

Policy CS5 (Delivering Quality Design in North Lincolnshire)

Policy CS6 (Historic Environment)

Policy CS7 (Overall Housing Provision)

Policy CS8 (Spatial Distribution of Housing Sites)

Policy CS9 (Affordable Housing)

Policy CS25 (Promoting Sustainable Transport)

North Lincolnshire Housing and Employment Land Allocations Development Plan Document

Interim Planning Policy for Residential Care Homes/Institutions

CONSULTATIONS

Highways: No objections.

LLFA: No objections.

Environmental Protection: No objections.

Neighbourhood Services: No objections, but protection of the adjoining public footpath is required.

Conservation: No objections or concerns.

Archaeology: No objections or concerns.

Waste & Recycling: No objections, but offer informative advice.

Public Rights of Way: No objections.

Humberside Police:- No objections or concerns.

PARISH COUNCIL

Object, raising the following concerns:

- increased demand for parking

- no outdoor space
- relocation of bin store is not appropriate to the front of the building
- will result in the loss of housing
- the building has not been an auction house for at least 20 years.
- there is a lack of local facilities to serve the residents
- the garden area within redline is not owned by the property.

PUBLICITY

Advertised by site notice. Eighteen letters of objection have been received which are summarised below:

- parking and highway safety
- lack of outdoor space for residents
- safety of residents
- has consideration been given to the size of the bin store and accommodation of medical waste bins etc?
- staff and family visits, including medical staff, will be required and will have an impact on parking and amenity.

ASSESSMENT

Planning history

PA/2005/1663: Planning permission to convert ex-auction rooms into four town houses (re-submission of 2005/1239) – approved 07/12/2005.

Proposal

This is an application for the change of use of 4 residential properties which are within a C3 use class (Dwelling-houses) to a class C2 (residential institutions). The applicants wish to use the 4 properties as accommodation for children with additional needs.

The proposal requires no alterations to any of the properties and the application is solely concerned with their use.

The care home will provide full-time accommodation for 8 residents living across the 4 houses, together with 5 staff on an 8 and 12 hour shift rotation pattern employed to provide their care. The night shift will be a 12 hour shift pattern with a 9pm start and 9am finish to minimise disruption to local residents and to make sure there is minimal disruption during school drop-off and pick-up times. The houses will also provide 2 respite children's spaces for daytime use predominantly, but will offer a bedroom for an overnight stay to provide their families with a break.

The key considerations in determining this application are:

- **principle of development**
- **visual amenity**
- **residential amenity**
- **highway safety.**

Principle of development

The application site is within the rural settlement of Barrow upon Humber where the principle of sustainable development is considered acceptable in accordance with policy CS3 of the North Lincolnshire Core Strategy.

The site is also within the Barrow upon Humber conservation area.

The council's Interim Planning Policy for Residential Care Homes/Institutions adopted in 2014 sets out the council's criteria for assessing development of this nature. Development will not be considered acceptable unless it satisfies criteria A to K within the policy.

Policy C4 of the local plan covers children's day care provision. The development will principally be for residential care, however there will be provision for up to two daytime respite places.

Saved policy DS4 of the local plan deals with changes of use within residential areas.

Heritage and visual amenity

The application site consists of 4 separate dwellings which were converted under planning reference PA/2005/1663 from a former auction room. The property is within the Barrow upon Humber conservation area.

The application has been assessed by the council's Conservation Officer and no objections or concerns have been raised.

Criteria C and D of the council's Interim Planning Policy for Residential Care Homes/Institutions, policy DS4 and criterion V of policy C4 of the local plan require proposals to not have a detrimental effect upon the character of surrounding residential areas or the street scene.

The proposal does not propose any internal or external alterations to the properties. To the east of the properties will be a bin and bike store which will be screened by 1.8 metre fencing. Adjacent to this will be a small outdoor play area which measures approximately 4 metres by 5.3 metres.

Due to the location of the play area and bin store, it is not considered that these elements will have any adverse implications in terms of visual amenity or any implications upon the character of the conservation area. It is therefore considered that the proposal is in accordance with saved policies H5, C4, DS1 and DS4 of the local plan, CS5 of the Core Strategy, the Interim Planning Policy for Residential Care Homes/Institutions and part 12 of

the National Planning Policy Framework which seek to secure high quality design in developments.

Residential amenity

The site currently consists of 4 separate dwellings. The internal arrangements for the rooms remains as per the existing situation. Therefore, it is considered that future occupiers will have an appropriate standard of amenity in terms of room size and outlook.

The care home will provide full-time accommodation for 8 residents living across the 4 houses, together with 5 staff on an 8 and 12 hour shift rotation pattern employed to provide their care. The night shift will be a 12 hour shift pattern with a 9pm start and 9am finish to minimise disruption to local residents and make sure there is minimal disruption during school drop-off and pick-up times. The houses will also provide 2 respite children's spaces for daytime use predominantly, but will offer a bedroom for an overnight stay to provide their families with a break.

Concern has been raised with regard to the size of the play area. Policy C4 of the local plan and criterion i of the Interim Planning Policy for Residential Care Homes/Institutions require developments to have adequate outdoor play provision. The existing properties do not have any formal amenity area. This arrangement was considered acceptable when the dwellings were approved in 2005. Furthermore, the site is adjacent Midby Park which would provide easy access to outdoor amenity. It is therefore considered that the small play area is sufficient to meet the requirements of the site and satisfies the policy requirements.

Comings and goings are based on shift patterns which will ensure that there is no undue disturbance during unsocial hours. Whilst the changeovers of staff would happen at the same time (the outgoing staff handing over to the incoming), which wouldn't happen with a C3 use, it is not considered, given the limited size of the property, that this would cause significant disturbance to neighbouring properties.

Based on the above, it is considered that the occupancy of the properties would not be dissimilar to that of its existing use as C3 dwelling houses as each dwelling could reasonably be expected to have two adults and one or two children.

It is therefore considered that the proposal is in accordance with saved policies H5, C4, DS1 and DS4 of the local plan, CS5 of the Core Strategy, the Interim Planning Policy for Residential Care Homes/Institutions and part 12 of the National Planning Policy Framework which seek to secure appropriate standards of amenity in developments.

Highway safety

The existing and proposed properties do not benefit from any off-street parking provision. Most of the properties within the immediate locality are all reliant on on-street parking and therefore parking can sometimes be at a premium, particularly at weekends and evening when more people are at home.

Policies C4, DS4 and the Interim Planning Policy for Residential Care Homes/Institutions require development to be acceptable in highway terms.

The 4 existing residential properties will inevitably result in an existing demand for on-street parking. The proposed use as a C2 will result in staff being at the properties on a 24-hour basis. It is highly likely that staff would arrive by car and therefore it is expected that the

proposed use would generate increased demand on existing parking in the locality, but this would be unlikely to cause a detriment to the highway over and above that of the authorised residential use.

Concern has also been raised with regard to transport for residents who will go off site to attend schools. It is understood from the applicant that this will either be by minibus or private vehicle dependent on the child's needs. Whilst it is acknowledged that this may cause temporary disruption if parking is not available, it is considered that this would be temporary and not result in any significant adverse impact in terms of highway safety or the wider highway network.

Highways have raised no objections to the proposal.

Other matters

Concern has been raised with regard to the storage of waste. The council's waste and recycling team has advised that the site will require a general waste, recycled waste and medical waste bin, which would be of the commercial type. The applicant has provided a drawing which demonstrates that the 3 bins can be accommodated within the bin store area.

Concern has also been raised with regard to insufficient local services to meet the needs of the development. The property is already with a residential 'C' use and it is not considered that the proposal would place undue pressure on local amenities or services. Furthermore, in the council's 2019 settlement survey, Barrow upon Humber is ranked 12th, with access to 5 of the 7 assessed services. It is therefore considered that Barrow upon Humber is a sustainable location.

Public Footpath 46 runs flush up against the north-eastern flank of Foresters Hall, and the highway authority have a statutory duty to assert and protect the public's right to walk it, and to prevent, as far as possible, its stopping up or obstruction. An informative note is recommended to advise the applicant of its presence.

Conclusion

The decision has been considered against the relevant policies of the North Lincolnshire Local Plan, the Core Strategy and guidance contained in the National Planning Policy Framework and National Planning Practice Guidance.

It is considered that the proposed change of use to a C2 residential institution is compatible with its residential surroundings with no unresolved technical issues.

Within the C2 use class, there are permitted changes to other uses which may not be as compatible with the residential location. It is therefore considered reasonable to restrict the use of the site for the use as outlined within the application to ensure there is adequate control over the site in the future. A condition is recommended accordingly.

It is considered that the proposal is in accordance with the requirements of the local plan, Core Strategy, Interim Planning Policy for Residential Care Homes/Institutions and the NPPF and approval is therefore recommended subject to appropriate conditions.

RECOMMENDATION **Grant permission subject to the following conditions:**

1.

The development must 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 documents and plans:

- Application Form
- Site Location Plan
- Proposed Block Plan Drawing Number PL(A)010 Rev '2'
- Proposed Floor Plans Drawing Number PL(A)010.

Reason

For the avoidance of doubt and in the interests of proper planning.

3.

Notwithstanding the permitted changes as outlined within the Use Classes Order 1987 (as amended) and the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), the use of the property shall be solely for the purposes outlined within the application.

Reason

To ensure there is proper control over future uses and to allow them to be fully considered by the local planning authority.

Informative 1

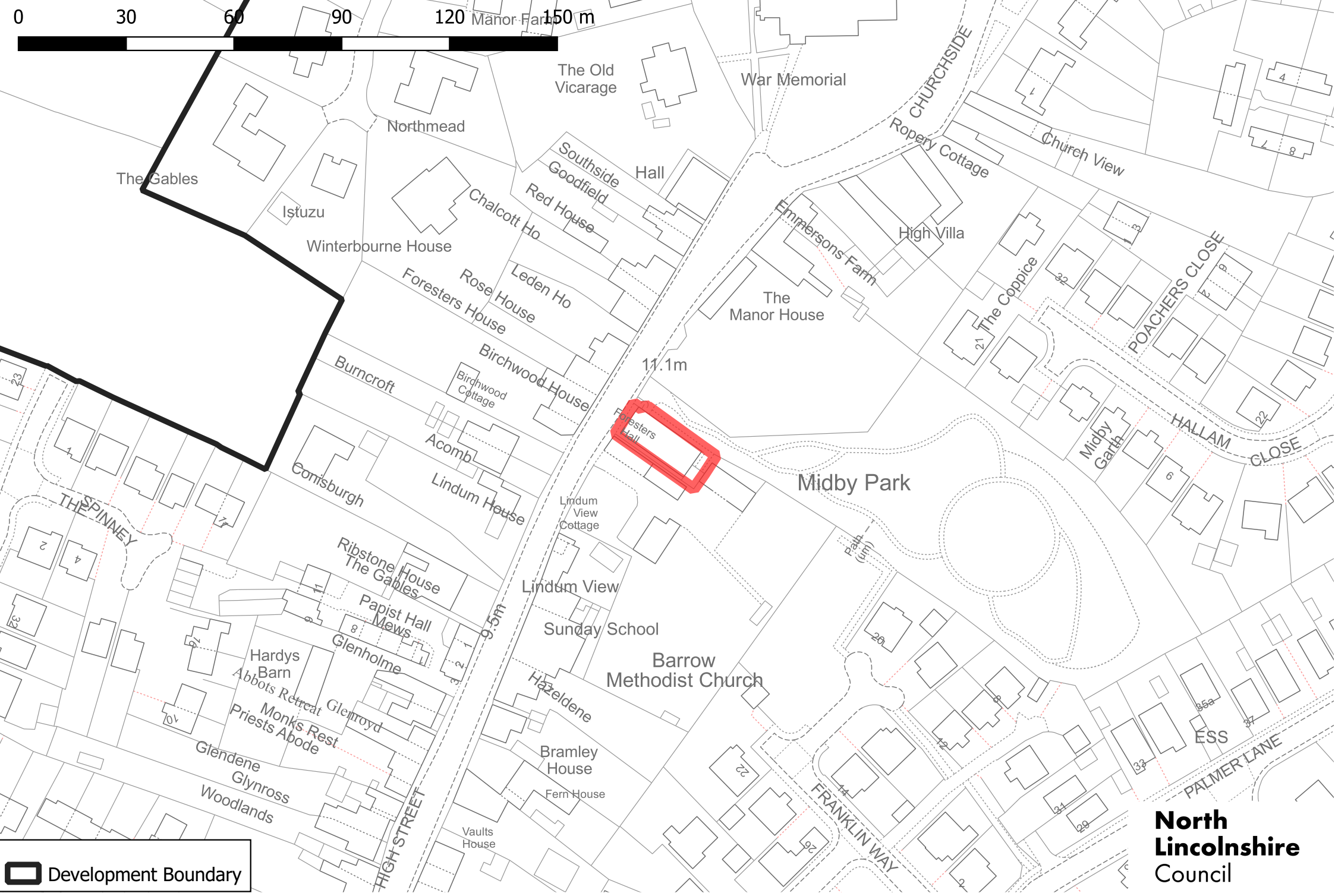
Public Footpath 46 runs flush up against the north-eastern flank of Foresters Hall, and the highway authority have a statutory duty to assert and protect the public's right to walk it, and to prevent, as far as possible, its stopping up or obstruction.

Informative 2

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 38 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.

Informative 3

Any future alterations to exterior windows and doors on the building will require planning permission and shall be suitable for the historic building.

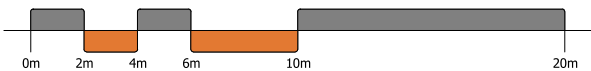
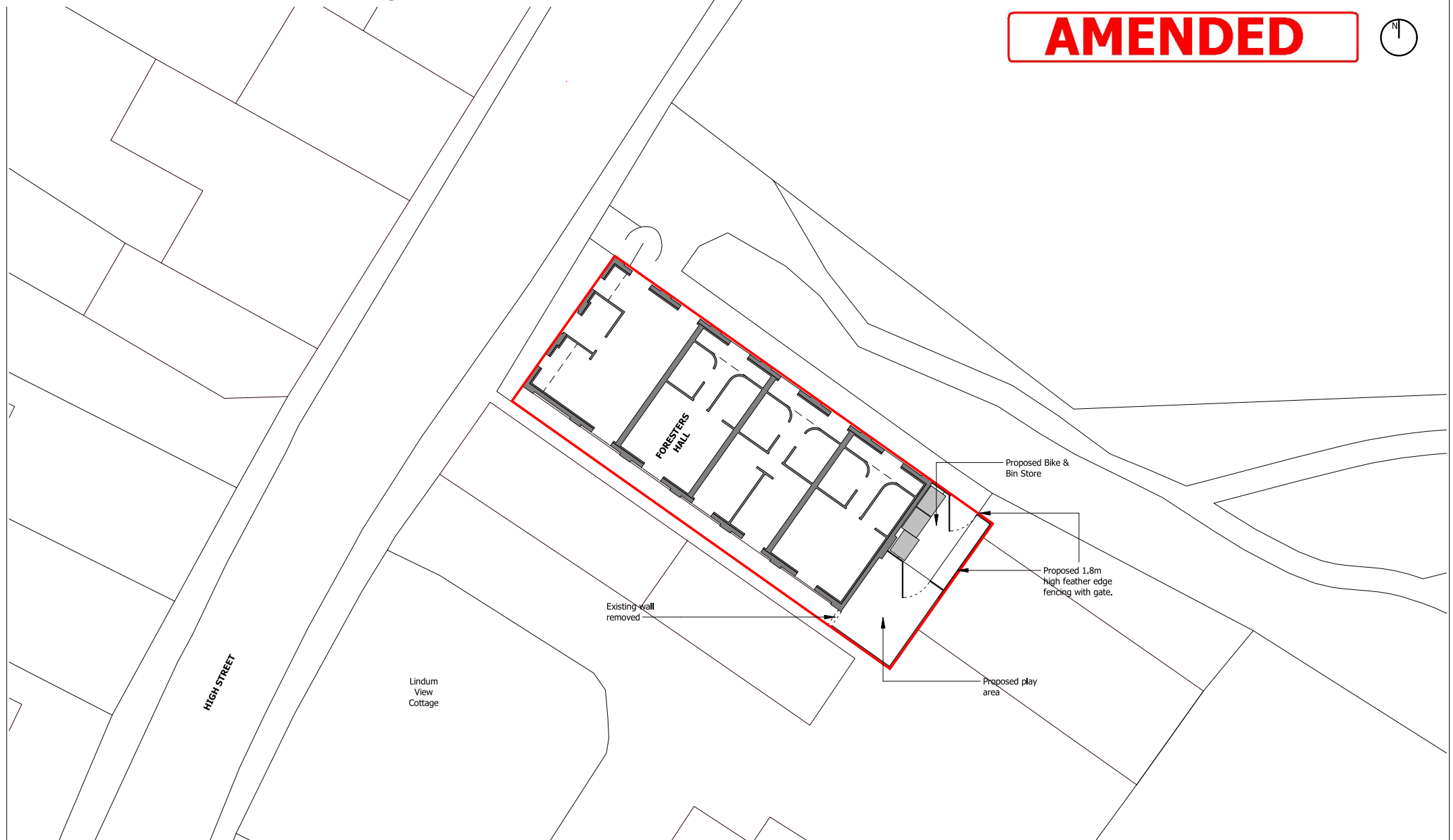


 Development Boundary

PA/2022/858

**North
Lincolnshire
Council**

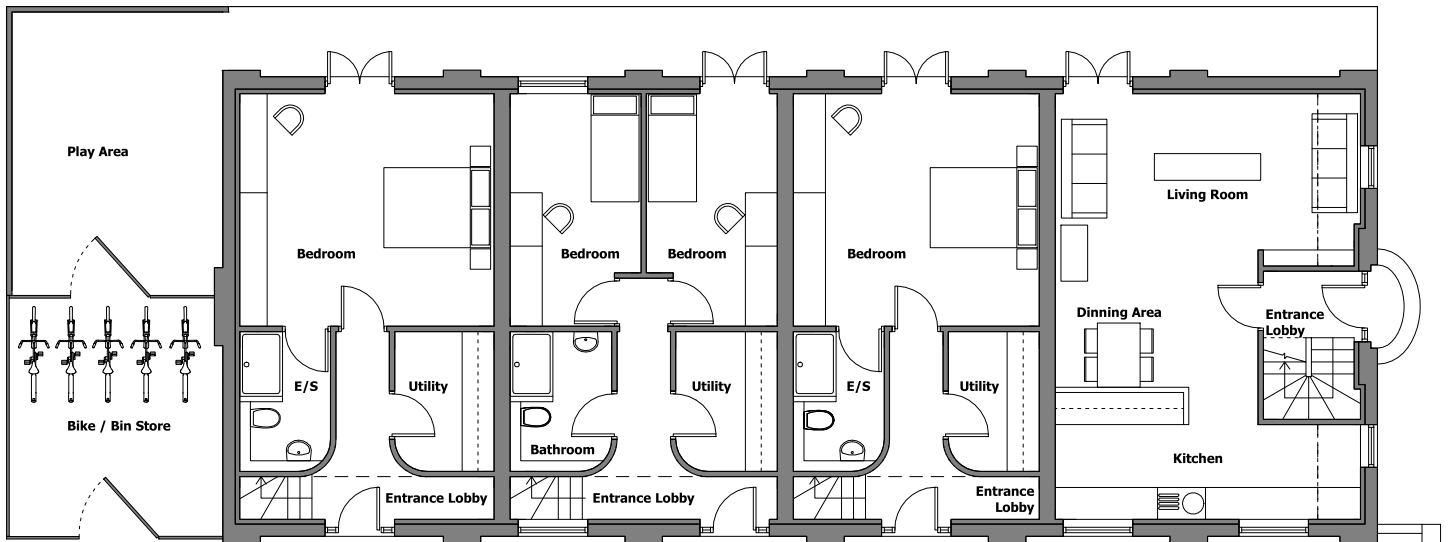
AMENDED



Issue	Date	Rev	Augusta Street, Grimsby, N E Lincolnshire DN34 4TJ M: 07807 492012 E: info@designandinnovate.co.uk W: designandinnovate.co.uk	Project
Bin store note added	17.10.22	2		Change of Use Application
			Do not scale dimensions from this drawing. Use figured dimensions only. All dimensions are to be checked on site. The contractor must report any discrepancies to the designer before commencing work. Work within The Construction Design and Management Regulations is not to start until a Health and Safety Plan has been produced.	Foresters Hall High Street, Barrow Upon Humber
			Copyright: DESIGN & INNOVATE LTD	Drawing No. PL(A)010
			Scale 1 : 200 Date 17/10/2022 14:40:10	
			Original Size A3 Project No. D22-010	Revision 2

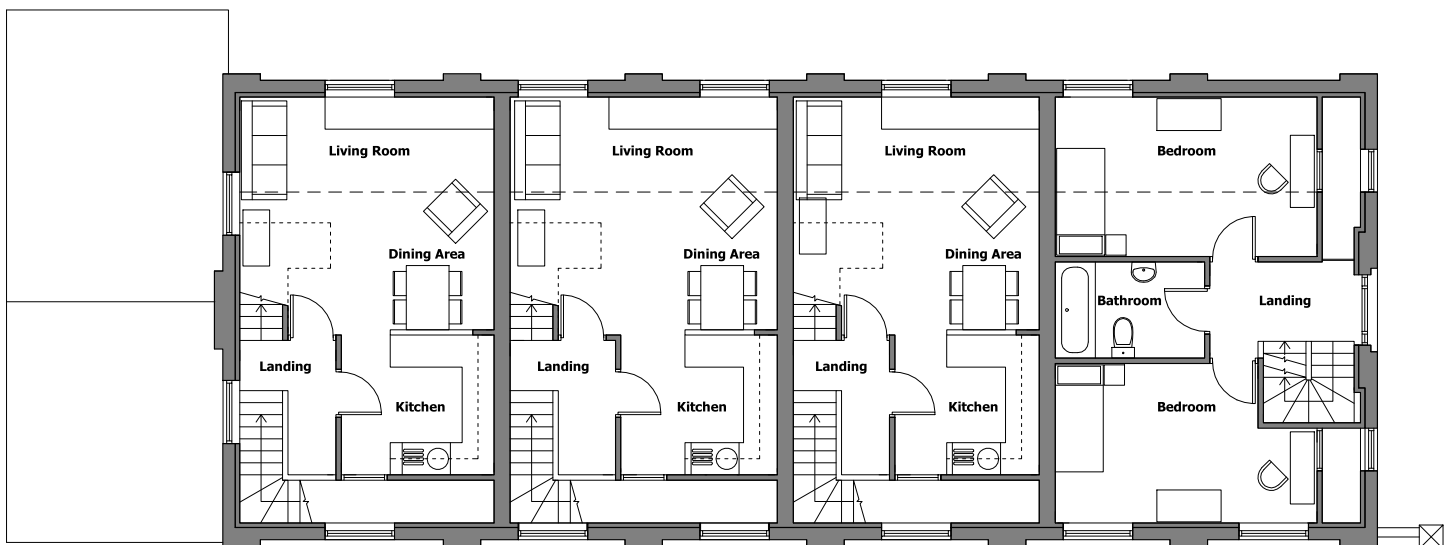


PA/2022/858 Proposed floor plans (not to scale)



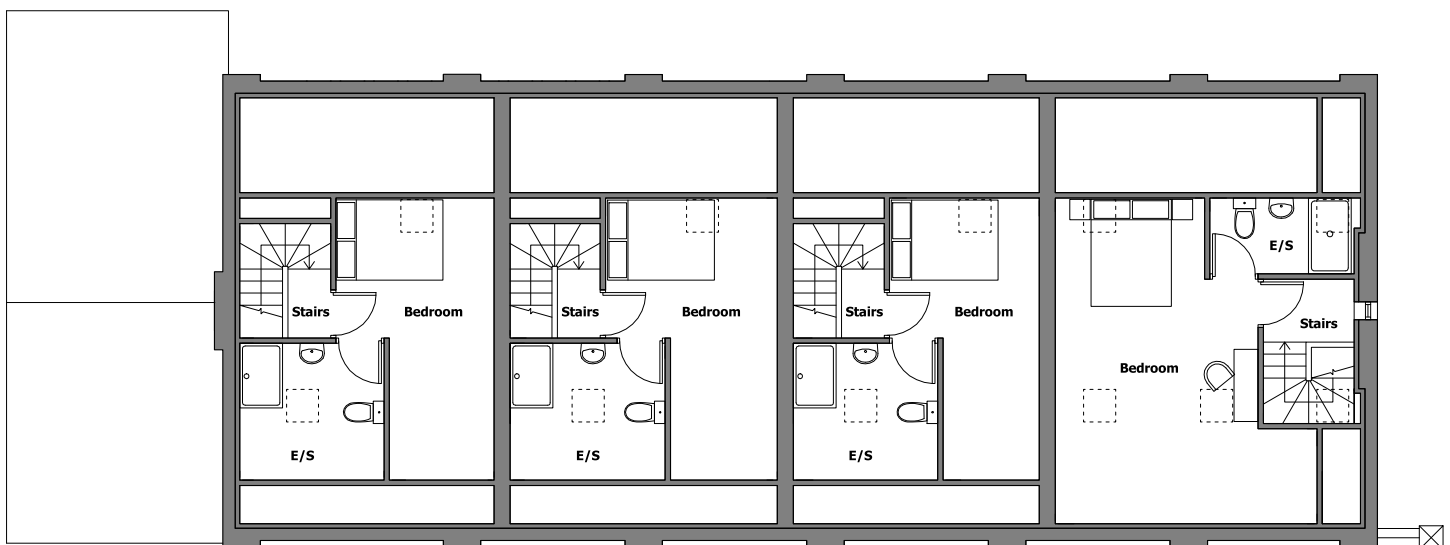
Proposed Ground Floor Plan

1 : 100



Proposed First Floor Plan

1 : 100



Proposed Second Floor Plan

1 : 100

Issue	Date	Rev	Augusta Street, Grimsby, N E Lincolnshire DN34 4TJ M: 07807 492012 E: info@designandinnovate.co.uk W: designandinnovate.co.uk	Project
			Do not scale dimensions from this drawing. Use figured dimensions only. All dimensions are to be checked on site. The contractor must report any discrepancies to the designer before commencing work. Work within The Construction Design and Management Regulations is not to start until a Health and Safety Plan has been produced.	Change of Use Application
			Copyright: DESIGN & INNOVATE LTD	Foresters Hall High Street, Barrow Upon Humber
			Scale 1 : 100 Date 27/04/2022 23:05:13	Title Proposed Floor Plans
			Original Size A3 Project No D22-010	Drawing No. PL(A)150 Revision

