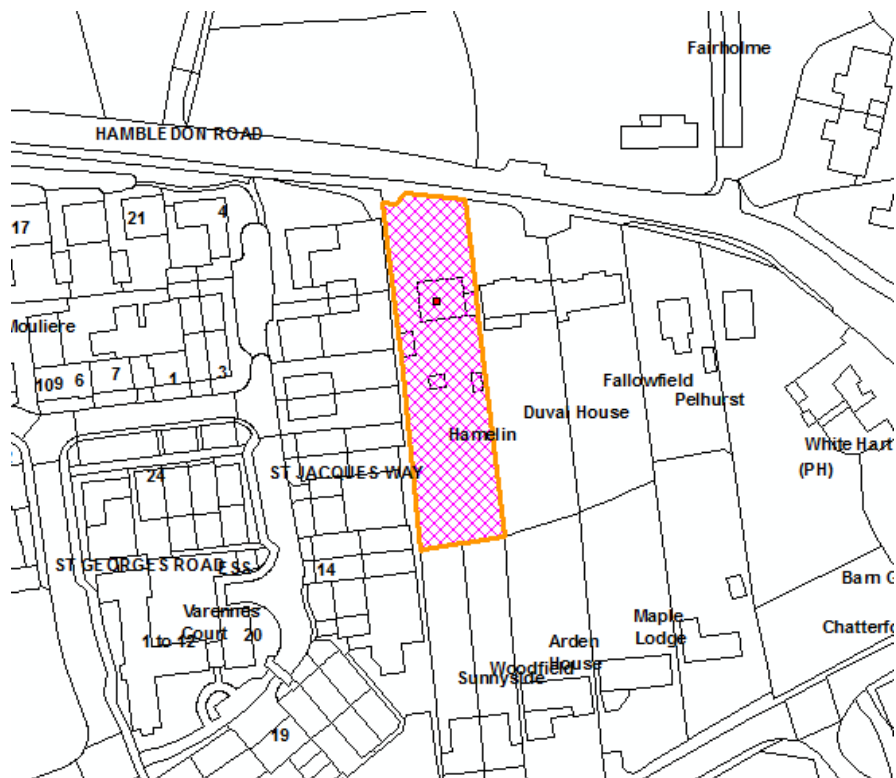


Winchester City Council
Planning Committee

Case No: 19/01573/FUL
Proposal Description: Change of use of existing dwelling (C3 Use Class) into residential care home (C2 Use Class) incorporating the erection of a 2 storey side extension and a single storey rear extension and a new first floor extension and new roof.
Address: Hamelin Hambledon Road Denmead Waterlooville Hampshire
Parish, or Ward if within Winchester City: Denmead
Applicants Name: Mr Chris Southcott
Case Officer: Nicola Clayton
Date Valid: 19 July 2019
Recommendation: Application Permit

Pre Application Advice: No



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General Comments

This application is reported to the Planning Committee because of the number of objections received contrary to the officers recommendation.

Site Description

This application relates to a two-storey 3 bedroom house located on the southern side of Hambledon Road within the settlement of Denmead.

Proposal

The applicants wish to use the property as a community care home for young people, to provide residential accommodation for a maximum of 5 children aged between 6 and 18. These 5 residents will be assisted in their daily lives by a number of care staff, but with no staff permanently resident on site.

The nature of the care provided will vary over time, depending on the ages and abilities of the residents, ranging from the skills normally performed by a parent (feeding, socialising and transporting to school and social activities), to more specialist skills associated with any health or disability issues. The term 'child' is used as an inclusive term to refer to all 0-18 years old.

Relevant Planning History

No relevant planning history.

Consultations

None.

Representations

Denmead Parish Council raise an objection to this proposal for the following reasons;

- The bulk of the proposed extension would adversely affect the neighbours' privacy, particularly those residing in St Jacques Way and would have an impact on the visual amenity.
- The trees and hedgerows should be protected in relation to the amenities.
- It was questioned whether the entrance to the site would be sufficient to allow emergency vehicles to access.
- It should be specified that the first-floor windows should be installed with obscured glass only.

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Concerns were expressed in relation to insufficient parking for a dwelling of this type, citing Parking Standards in relation to Policy DM17 in Winchester District Local Plan Part 2.

9 letters of objection have been received raising the following material planning matters:

- The preservation of the hedgerow and boundary that separates our properties
- size and scale of the extensions
- loss of wildlife in the hedgerows
- noise and disturbance
- on site parking provision
- impact on local services
- highway safety issues from the proposed use
- anti social behaviour/crime from the proposed use and
- loss of residential amenity.

Reasons aside not material to planning and therefore not addressed in this report

- Noise and disturbance arising from the actual building works is not a valid planning objection. However, the applicant has confirmed that the building works will be carried out in an tidy manner with consultation with neighbour's to address any issues.

Relevant Planning Policy

Winchester District Local Plan Part 1 (Joint Core Strategy) – CP6

Winchester District Local Plan Part 2 - (Development Management and Site Allocations). DM15, DM16, DM17, DM18

The NPPF (2019)

Principle of development

The dwelling is within the settlement boundary of Denmead and therefore the principle of development is acceptable providing it accords with planning policy. Furthermore policy CP6 provides support for the provision of local services and facilities and the application accords with this.

The Use

The proposed use would involve the dwelling being used as a home for children in care. There would be a maximum of 5 children living on site, and these will be between the ages of 6 and 18.

There will be a minimum of 3 - 4 staff to 5 children but this depends on the care plan and the level of care required with a minimum 2 staff sleeping over plus an office hours

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manager in the home. Families will be encouraged to visit within the care plan and this will probably be out of education hours. It will not be a respite service, but a residential home.

The 5 children will each have their own bedroom, but will otherwise all share facilities within the dwelling. Hence these will, to all intents, live together as a group learning the skills necessary for family life. Staff will help to educate with those skills in the same way that parents might with their own children, teaching and asking for assistance with daily chores appropriate to the ages of the different occupants. However, the overall aim of this care will be to provide a stable 'family' environment for those in care.

The children's community home is deemed to be a Class C2 use by the Town and Country Planning (Use Classes) (Amendment) Order 2005 (amended further in 2010). The provisions of this defines C2 as being a residential institution and these include care homes, hospitals, nursing homes, boarding schools, residential colleges and training centres. The development proposal supports the social role of sustainable development encouraged by the NPPF. The development proposal is deemed to be a community use when considered against the provisions of policy CP6 and the principle of the use is therefore considered acceptable. A safeguarding condition 03 is recommended restricting the use to that as proposed, as a more intensive C2 use of the site would require separate assessments that would be subject to further planning permission.

Impact on the character of the area

The proposed extension provides additional living space and bedrooms for the use of the dwelling as a care home. The proposed extensions are not excessive in size in comparison to the existing properties along Hambledon Road. The proposed dwelling will be 203sqm. The overall design is in keeping with the surrounding area which is characterised by 2 storey houses extending to the width of their plots.

Various comments have been made with regard to the retention of hedges and trees along the boundaries with the adjoining properties. For clarification a revised drawing 02A has been submitted to address this issue. The applicant does not propose to remove any hedges along the boundary that are outside their control. The existing hedges along the east and west boundaries adjoining the neighbour's will be retained to provide screening. The proposed extensions can be built within the constraints of these hedges without their removal or reduction in height. The applicant will however be clearing some trees and hedges that are within the central part of the rear garden to open up the area and provide a larger garden area for the property. These changes are not considered to harm the character or appearance of the area.

Based upon the above assessment the development is considered to be in keeping with the character of the area and complies with policies DM15, DM16 and DM 17 of the LPP2.

Impact on neighbouring amenity

Adequate separation distances are provided from the side elevation of the proposed extension to the dwellings within St. Jacques Way to prevent any loss of residential amenity in terms of loss of light, outlook or privacy. The proposed windows in the east and west elevations are en-suite bathrooms therefore these can be conditioned to be obscure glazed and fixed shut to 1.7m above FFL (condition 04) .

It is not considered that there would be any significant noise and disturbance arising from the use of the building as a residential care home to warrant the refusal of permission.

The operational use of the site as a residential care home for 5 children is not seen any different from a family home and therefore it is not considered that the use would increase anti-social behaviour and nuisance that would cause harm to individuals, their communities or the environment.

Based upon the above assessment the development is not considered to materially harm the residential amenity of neighbouring properties and complies with policy DM17 of the LPP2.

Refuse and Storage

Waste collection would be no different from the normal residential collections and waste requirements.

Car Parking

The front of the property will provide space for several cars to park. These spaces will be retained although it is unlikely that all of these will be needed at any time. As the 'residents' will range in age from 6-18 it is unlikely that any of these will own a car, so spaces will be used primarily by the care staff who are on site each day/night, for visiting adults from services such as social, health or education, and for friends or possibly relatives as with any other family home. The proposal would not therefore create inappropriate traffic generation and the parking arrangements are acceptable. The development thereby accords with policy DM18 of the LPP2.

Recommendation

Application Permitted subject to the following condition(s):

Conditions

01 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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01 Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

02 The development hereby approved shall be constructed in accordance with the following plans: 190034 02B; 190034 04 A

02 Reason: In the interests of proper planning and for the avoidance of doubt.

03 The premises shall be used for a residential care home for young persons 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, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

03 Reason: To restrict the use of the premises in the interests of highway safety and local amenity.

04 The first floor window(s) in the west elevation of the two-storey extension hereby permitted shall be glazed with obscure glass which achieves an obscuration level at least equivalent to Pilkington Obscure Glass Privacy Level 4, unless otherwise agreed in writing by the local planning authority, and the glazing shall thereafter be retained in this condition at all times.

04 Reason: To protect the amenity and privacy of the adjoining residential properties.

05 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

05 Reason: To protect the visual amenities of the surrounding area.

Informatives:

1. In accordance with paragraph 38 of the NPPF (July 2018) , Winchester City Council (WCC) take a positive and proactive approach to development proposals, working with applicants and agents to achieve the best solution. To this end WCC:

- offer a pre-application advice service and,
- update applicants/agents of any issues that may arise in the processing of their application, where possible suggesting alternative solutions.

2. In this instance a site meeting was carried out with the applicant.

The Local Planning Authority has taken account of the following development plan policies and proposals:

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The Local Plan Part 2 (2017): DM16, DM17

3. This permission is granted for the following reasons:

The development is in accordance with the Policies and Proposals of the Development Plan set out above, and other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning permission should therefore be granted.

4. All building works including demolition, construction and machinery or plant operation should only be carried out between the hours of 0800 and 1800 hrs Monday to Friday and 0800 and 1300 hrs Saturday and at no time on Sundays or recognised public holidays. Where allegations of noise from such works are substantiated by the Environmental Protection Team, a Notice limiting the hours of operation under The Control of Pollution Act 1974 may be served.

5. Please be respectful to your neighbours and the environment when carrying out your development. Ensure that the site is well organised, clean and tidy and that facilities, stored materials, vehicles and plant are located to minimise disruption. Please consider the impact on your neighbours by informing them of the works and minimising air, light and noise pollution and minimising the impact of deliveries, parking and working on public or private roads. Any damage to these areas should be remediated as soon as is practically possible.

For further advice, please refer to the Construction Code of Practice

<http://www.ccscheme.org.uk/index.php/ccs-ltd/what-is-the-ccs/code-of-considerate-practice>

6. Please be advised that Building Regulations may be required for this development. Please contact WCC Building Control Department for more information (T: 01962 848176, E: buildingcontrol@winchester.gov.uk)