
APPLICATION DETAILS

APPLICATION NO:	3/2013/0304
FULL APPLICATION DESCRIPTION:	Change of Use from dwellinghouse (Use Class C3) to childrens home (Use Class C2)
NAME OF APPLICANT:	EYES (UK) Limited
ADDRESS:	Lilac House, South View, Hunwick, Crook, County Durham, DL15 0JW
ELECTORAL DIVISION:	Willington and Hunwick
CASE OFFICER:	Joy Orr Senior Planning Officer joy.orr@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

The Site

1. The application site comprises a large five bedroom detached property with detached double garage located within the village of Hunwick. The property is set back and at a higher level from the B6286 highway it fronts onto. The site has direct vehicular access onto the B6286, which is the main highway running through Hunwick, subject to a 30mph restriction at this point. The site is bordered by other residential properties and its curtilage is enclosed by perimeter walls and planting. Hunwick is predominantly residential in nature with established local amenities including two Public Houses and a Social Club, School, Church, Post Office and playing fields.
2. The site is within the settlement limits to development as defined within the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007. The application site is also within the Hunwick Conservation Area.

The Proposal

3. Planning permission is sought for the change of use of the existing dwelling house to a children's home that would provide care for up to four children between the ages of 11 and 16 years old who have emotional and behavioural difficulties. Three places would be for children on medium and long term placements, with the fourth for short term crisis provision. The children would be placed at the home from within a 25 mile radius, but are likely to come from outside County Durham. Each child would have their own private bedroom with one bedroom for staff use in addition to use of a ground floor room as an office and staff bedroom. All other rooms would be communal. The home would be administered by non-resident care staff who would work in 12 hour shifts to provide round-the-clock care.

At staff changeover there would be two staff in and two staff leaving between 08:00 and 09:30 with a similar arrangement in the evening between 20.00 and 21.30. There would also be a manager who would be on site approximately four days a week during day time working hours. All normal domestic duties, such as cooking, cleaning and gardening, would be shared by the children and the carers to replicate a typical home environment. No staff would be employed specifically for those tasks. It is proposed to run two motor vehicles from the property and there would be parking provision for 7 vehicles within the curtilage of the property for staff and visitors, which would include regulatory visits by a social worker and family visits, although the applicant suggests social worker and family visits would more often take place off-site. Children would continue to attend their existing schools full time, transported by the carers. There are no external changes proposed to the dwelling. The area immediately to the front of the dwelling would be made level to provide an additional 2 parking spaces and allow vehicles to turn within the site.

4. The application has been referred to the Planning Committee by request from the local Councillor Olwyn Gunn because of concerns relating to traffic generation and parking.

PLANNING HISTORY

5. There have been two previous applications made on the site relating to the proposed children's home. The first was submitted in August 2012 for a proposed change of use, while the second was submitted in January 2013 for a certificate of lawfulness. Both applications were however withdrawn by the applicant before determination.

PLANNING POLICY

NATIONAL POLICY

6. On March 27th 2012 the Government published the National Planning Policy Framework (NPPF). The framework establishes a presumption in favour of sustainable development. However, the NPPF does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused, unless other material considerations indicate otherwise. Key aims relevant to this proposal include widening the choice of high quality homes; recognising that the planning system can play an important role in creating healthy, inclusive communities; ensuring highway impacts are acceptable; and conserving and enhancing the historic environment.

The above represents a summary of the NPPF considered most relevant the full text may be accessed at: <http://www.communities.gov.uk/documents/planningandbuilding/pdf/2116950.pdf>

LOCAL PLAN POLICY:

7. The following saved policies of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007 are considered to be consistent with the NPPF and can therefore be given weight in the determination of this application:

Policy GD1 – General Development Criteria. All new development and redevelopment within the district should contribute to the quality and built environment of the surrounding area and includes a number of criteria in respect of impact on the character and appearance of the surrounding area; avoiding conflict with adjoining uses; and highways impacts.

Policy H3 – Distribution of Development. New development will be redirected to those towns and villages best able to support it. Within the limits to development of towns and villages, as shown on the Proposals Map, development will be allowed provided it meets the criteria set down in Policy GD1 and conforms to other policies within the plan. Hunwick is listed as one of those villages where development will be allowed.

Policy T1 – General Highways Policy. All developments which generate additional traffic will be required to fulfil Policy GD1 and provide adequate access to the development; not exceed the capacity of the local road network; and be capable of access by public transport works.

Policy BE5/BE6 - Conservation Areas. New Development in Conservation Areas will only be permitted if they preserve or enhance the character of the area in terms of scale, bulk, height, materials, colour and design; have appropriate materials; and satisfy the objectives of Policy GD1 of the plan.

Policy H20 – Alternative Uses within Residential Areas. Within existing residential areas various uses, which include residential institutions, may be acceptable having regards to the need to safeguard existing residential amenity; the scale and character of the use; potential for expansion; and potential traffic and parking requirements.

The above represents a summary of those policies considered most relevant in the Development Plan the full text, criteria, and justifications of each may be accessed at <http://www.cartoplus.co.uk/durham/text/00cont.htm>.

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

8. *The Highway Authority* has no objection and is of the view that there would be adequate levels of parking provision within the property, and the potential level of vehicular movements and access/egress arrangements onto the B6286 would not create highway safety concerns sufficient to sustain a highway refusal.
9. *Durham Constabulary* has expressed concerns that the proposal may lead to additional demands on the police if children go missing, and due to the strength of negative feeling within the community are of the view that the facility is likely to have a negative impact in driving up the fear of crime and consequently would undermine the concept of promoting cohesive communities.

INTERNAL CONSULTEE RESPONSES:

10. *Children and Adult Services* has objected to the proposal for a number of reasons including lack of local need for such facilities; the impact importing children from other local authority areas has on local services; potential problems with integration of the children into a neighbourhood with such a high level of objection; and concerns if such facilities are not well managed.
11. *Environmental Health* has no objection in respect of potential noise and light impacts.

PUBLIC RESPONSES:

12. The application has been publicised by site notice and neighbour letters. 79 letters of objection have been received. Because of the large number of objections and because many of the points raised have been similar, these have been grouped and

summarised below, however full records of all observations received are available on the application file and on public access:

<http://planning.wearvalley.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=7594>

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- Questions have been asked about the suitability of the location for a children's home within a small village with limited facilities to keep them occupied and near a school, nursery and old people's bungalows. There are also concerns about noise disturbance and loss of privacy for nearby neighbouring properties.
- Many concerns have been expressed that the facility would lead to an increase in crime and antisocial behaviour, or that local residents will live in constant fear of such activities, which will undermine community cohesion and impact negatively on the character of the area, including that of the Conservation Area. There is also concern about the potential effect on property values as a result.
- There are concerns about the potential difficulty of integrating the children into the local community because of the strength of negative feeling against the facility. There are also concerns that the children from the home would conflict with local children or negatively influence them into partaking in unlawful and anti-social activity.
- It is felt that the proposal would significantly increase the number of vehicle movements to/from the property compared to what might be reasonably expected as a normal dwelling, which would increase the number of dangerous manoeuvres on the highway to the detriment of the safety and convenience of users of the highway.
- The proposal is not considered to represent a sustainable form of development because of the reliance and distance of car journeys to schools, activities and family outside the local area.
- There is no need for the facility in County Durham and there is evidence that suggests such facilities place demands on the emergency services. There are also concerns about whether the facility will be properly managed and reference has been made to other legislation and controls regarding the operation of children's homes and ministerial concerns over the concept of children being placed in care outside of their local authority area.
- There are also concerns that if approved the property could change use to other more problematic types of institutions within the same use class without the need for planning permission.

13. MP Pat Glass has lodged two objection letters against the proposal. These letters raise concerns about the pressure on local services and whether such a private run facility can be effectively managed. The qualifications of the staff and general standards of care in private facilities are also questioned. Reference is made to current Government consultation on potential changes which will limit local authority placements to 20 miles of their home authority, as well as requirements to introduce a risk assessment of the area to include some of the services that the children might require. It is felt these Government proposals could potentially be problematic for Lilac House and how it intends to operate.

APPLICANTS STATEMENT:

14. The NPPF places a duty on the Council to meet the housing, business and other development needs of an area. Children in care are a hidden and often neglected sector of our society and our future.

15. The child protection system is in crisis and often fails to meet the needs of these children. Currently, there is a national shortage of approximately 10,000 placements for children who are known to the authorities and are without a safe place to live.

16. Eyes (UK) Ltd has over 21 years of social work experience, a financially viable business plan and an exceptional care plan which will allow us to provide a healthy, caring and stable environment for up to four children at any one time.
17. The housing needs of this sector are equally as important as making provision for market housing, affordable housing and housing for the elderly. The NPPF recognises that healthy vibrant communities which meet the needs of present and future generations are a key component of our social wellbeing and sustainable development.
18. The residential care home will be in keeping with the surrounding residential area in terms of character and there will be no change in the appearance of the house. The business will operate along the lines of a family home and will not disturb or conflict with its surroundings. There is a safe access directly onto the B6286 and ample parking on site hence no highway objection has been raised.
19. The Local Plan, the starting point for decision making, aims to maintain and improve the health, community and social service provision in the district. It follows this facility will be a valuable local asset offering quality of care to children in need.
20. The objections lodged indicate that some people have not properly understood the nature of the scheme. The Applicants acknowledge that some facilities are poorly run and can cause problems within the community. But it is the applicants desire to bring quality to this sector which is one of the driving forces behind this scheme.
21. Many of the objectors have raised the fear of increased crime and anti-social behaviour in the area. This is capable of being a material planning consideration but only if it is objectively likely to occur. The Chief Inspector Partnerships has confirmed that he is not aware of any analysis linking facilities such as this one with increased anti-social behaviour and crime (letter 9 April 2013).
22. There are similar facilities in the County in locations such as Toft Hill, Cockfield, Staindrop and Wolsingham which provide good quality service to children who are at risk. The placement of children in rural areas is a positive element of their care programme and in land use planning terms is not controversial.
23. The day to day management of the facility will be overseen by Ofsted and is not a planning matter.

The above represents a summary of the comments received on this application. The full written text is available for inspection on the application file.

PLANNING CONSIDERATIONS AND ASSESSMENT

24. Having regard to the requirements of section 38(6) of the Planning and Compulsory Purchase Act 2004 development plan policies and relevant guidance, and all other material planning considerations, including representations received, it is considered that the main planning issues in this instance relate to the principle of development; impact on the character and appearance of the area; impact on the amenity of neighbours; and highway safety.

Principle of development

25. Lilac House is a substantial 5 bedroom detached house located within the development limits of Hunwick. Its lawful use is as a dwellinghouse as defined in Class C3 of the Use Classes Order.
26. The proposed occupation by 4 children with up to 3 staff present for most of the time would equate reasonably with the potential size of household that could currently occupy the dwelling and there are many similarities in how such children's homes operate to a normal family home in that children have private bedrooms, continue to go to full time education at their existing school and partake in group activities within and outside the home. However, the case of *North Devon DC v FSS and Southern Childcare Ltd* [2003] EWHC 157 Admin provides authority for the view that use as a care home for children, where carers are non-resident, falls within Class C2, hence the need to apply for a change of use of the property from a dwellinghouse to a children's home.
27. The proposal involves reuse of an existing residential property within the development limits of Hunwick. The site would have had vehicle movements associated with the residential use of the property. The lack of facilities in the area, recreational or otherwise, is a difficulty faced by anyone in Hunwick and while a larger settlement would have more flexibility in terms of access to services and contact with the local community, Hunwick is listed in Wear Valley Local Plan Policy H3 as being a suitable location for new development. Hunwick has its own playing fields, with children's play area, and it lies on a regular bus service between Durham and Bishop Auckland, which could be used by staff or to access facilities further afield if needed. With the small scale of the proposal, limited staff numbers and allowance within the development plan for development in Hunwick, the proposal is not sufficiently in conflict with the locational aims of the NPPF to warrant refusal on sustainability grounds.
28. In addition, Policy H20 of the Wear Valley District Local Plan states that residential institutions (Class C2) may be acceptable within existing residential areas where they fulfil criteria which safeguard the amenities and general living environment of the existing residents within the area, and are appropriate in their scale and traffic/parking impacts. The scale of the proposal, being similar to the size of household that could be accommodated at the dwelling, is considered to be appropriate to the site and locality and given the location of the proposal accords with Wear Valley Local Plan Policy H3 and the locational aims of the NPPF, the merits of the proposal turn principally on the detailed issues of impact on the surrounding area, amenity and highway safety.
29. Representations, including from the Council's Children's and Adult's Services and MP Pat Glass, have questioned the need for the facility and raised concerns about the potential problems of taking placements from outside the local authority area; concerns for the safety of the children and their integration into the community; the standards of care in privately run facilities; as well as potential government proposals for changes to the child care and protection system. However, and notwithstanding the expertise behind some of these views, these are matters governing the regulation and licensing of children's care homes, which are outside the control of the planning system, subject to separate legislation and regulation, and therefore not material planning considerations which should be afforded any weight in the determination of the application.

Impact on the character and appearance of the area

30. The property lies within the Hunwick Conservation Area and therefore regard has to be paid to section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires the local planning authority to pay special attention to the desirability of preserving or enhancing the character or appearance of the Hunwick Conservation Area.
31. The existing character is residential in nature and the property fronts onto the main road passing through the village. The majority of objections received relate to concerns about the potential effect of the proposed use on this general residential character of Hunwick Village, particularly in respect of the level of vehicular activity and perceived potential for the use to increase levels of crime and anti-social behaviour, or the fear of such activity in the area, which it is claimed would fundamentally change the character of the area.
32. It is noted that there would be no signage or external alterations to the dwelling and only minor works would be required to level an area of hardstanding to the front of the dwelling to provide 2 additional parking spaces and to enable vehicles to turn within the property. The works would not have a detrimental visual impact on the surrounding area. The presence of up to 7 cars within the property at times would be more than would normally be expected at a residential property, but their presence would not be prominent when viewed from outside the site.
33. As there would be no physical changes to the outside of the property, which would materially distinguish it from other houses within the area, and having regard to section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, it is considered that the proposal would preserve the character and appearance of the Hunwick Conservation Area in this respect.
34. In land use terms, one of the most likely differences between the proposed use and a dwellinghouse would be an increase in the number of comings to and goings from the property. The figures produced by the applicant suggest around 16 vehicle movements a day, while those produced by objectors suggest up to 36 a day.
35. Predicting the number of vehicle trips is not an exact science and there is a margin of error involved. In the Highway Authority's view the applicant's figures are a better balanced assessment of the range of potential reasons for vehicle movements from the site, particularly having regard to the potential for shared trips. Around 16 trips in one day would be above normal day-to-day usage of an average dwellinghouse, which might be approximately 10. However, Lilac House is larger than an average dwellinghouse with ample parking and garaging space. It is also located on the main road through the village where the majority of traffic movements are experienced. As a dwelling, it could attract a family with a high-level of car ownership and usage. It is considered that for such a property to be in use as a children's home attracting around 16 vehicle movements a day from the main road in the village, or even allowing for an increase to around 20 vehicle movements a day, it would not be likely to have any materially harmful effect upon the character of this specific property or the area when spread over the course of the day. Nevertheless, a condition restricting the use and numbers of children to only that proposed and no other use within the same C2 use class (schools, hospitals, nursing homes) would be appropriate in this case, as other institutional uses may have a different character and vehicle movements requiring further planning consideration.
36. Most objectors have raised concerns about the integration of the proposal into the community and that the proposal could lead to increased crime and anti-social

behaviour, placing a strain on police and other local services as a result. It is notable that Durham Constabulary and the Council's Children's and Adult Services have also made comments reflecting some of these concerns. There are however, many assumptions made in these comments which are based on a view that the children will not be properly managed. The management and regulation of children's homes and child protection is a matter for Ofsted and other government legislation under The Children Act. These are not land use considerations and therefore any comments made on the basis of a service not operating properly should not be afforded any weight in the determination of the application.

37. It is accepted that fear of increased crime is capable of being a material planning consideration in determining the planning merits of a scheme, as is clear from the West Midlands Probation Committee -v- SSE appeal case, which concerned a bail and probation hostel for criminals where numerous visits by the police and fear of crime was held to diminish the amenity of the area. In addition, paragraph 58 of the NPPF states that *"planning policies and decisions should aim to ensure that developments create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion"*.
38. Lilac House would not however be a home for criminals, nor would it be for persons with drug/alcohol problems, mental disorders, or any other secure residential institution falling under the separate Use Class C2a.
39. Objections have referred to data obtained from Greater Manchester and Durham relating to the frequency of police call-outs to residential institutions, however the nature of the institutions the data refers to and the type of incidents involved is not clear and cannot therefore be directly linked to the application proposal as an objective assessment or qualified piece of research. The data cannot therefore be given any significant weight in concluding that this proposal will lead directly to increases in recorded crime attributable directly to the operation of a children's home at Lilac House.
40. The comments received directly from Durham Constabulary on this subject should carry far greater weight and are particularly relevant to considering the land use merits of the proposal.
41. In this respect, while Durham Constabulary have raised concerns about the impact of this proposal on community cohesion, notably in their comments they have also said that while some children's homes generate some demand on their service there are others that have no incidents at all and therefore it would be wrong to say that all children's homes generate significant demand. In their experience it is the individual child rather than the home which is the key and most of the incidents that are reported are said to be centred on a relatively small number of individuals. Further, it is said that whilst there are reports of anti-social behaviour most of the incidents are actually missing from home reports. In addition, in their comments made during the previous application for a certificate of lawfulness at Lilac House, Durham Constabulary stated they were not aware of any analysis having been carried out that could support an absolute assertion that change of use of Lilac House to a children's home would generate crime and anti-social behaviour and increase fear of crime.
42. It is therefore an acknowledgment by Durham Constabulary that children's homes by their nature should not inherently lead to increased crime and disorder. It is also considered relevant that Durham Constabulary had no objection to an application in Cockfield in 2010 for a larger children's home of 8 resident children, which is further

indication that there is no default position that it is an inherent character of a children's care home to generate crime and anti-social behaviour and place unacceptable burdens on the police service.

43. Accordingly, having assessed all of the relevant factors, it is considered that the fears expressed by objectors are attributable to concerns about individual behaviour, possibly linked to management/supervision issues (not material planning considerations which should be afforded any weight in the determination of the application). The likelihood of regular police visits to the property, particularly in respect of crime and disorder, is considered to be low. It would also not be possible, as feared by some objectors, for the use to change to any kind of secure residential institution (prisons, detention centres, young offenders, secure hospitals) without the need for planning permission as those institutions fall within a separate C2a use class. Concerns expressed in the objections about potential impacts on property values are not material planning considerations. Accordingly, notwithstanding NPPF paragraph 58, it is considered that because there is no established evidence of any link between children's care homes and increased crime/anti-social behaviour, the fears of crime expressed in this application are based on something that is objectively less likely to occur, and therefore the fear of crime in this case is a material consideration which does not carry any weight.
44. Taking all these matters into account, it is considered that the change of use of Lilac House to a children's care home for 4 children would not have an adverse impact on the character and general amenity of the area, and would preserve the character and appearance of the conservation area. The proposal therefore accords with Wear Valley Local Plan policies GD1, H20, BE5 and BE6.

Residential Amenity

45. A number of objections have been received in relation to potential increased noise, disturbance and loss of privacy to neighbouring properties.
46. Lilac House is a detached house set in enclosed grounds. The main amenity area is to the rear (north). There are neighbouring residential properties to the east and west. The properties to the west are at a slightly higher level.
47. Apart from additional vehicle movements, it is considered that the proposed use of the property would not be materially different to its use as a dwellinghouse. Window relationships already exist and there would be no differences in how the concealed rear amenity area could be used as a dwellinghouse. It is also not uncommon for one room in a dwellinghouse to be used as an office/study and, bearing in mind the size of this particular property, the use of one room as an office would be most unlikely to have any material effect upon its character or effect on neighbours.
48. While the number of vehicle movements would be greater than normal, a property of this size could attract a family with a high level of car ownership. The timing of the majority of vehicle movements would coincide with normal daily activity related to work and school journeys, as well as leisure and shopping trips in the afternoon and evening. The evening staff changeover would occur between the hours of 20.00-21.30, but would only involve two vehicles in and two vehicles out spread over this time. The timing of the evening changeover could be controlled by a condition to ensure it takes place as stated and no later. The Highway Authority considers the parking and manoeuvring arrangements within the site to be acceptable and it is unlikely that manoeuvring will create nuisance through shunting of vehicles. Therefore, the number and timing of vehicle movements is considered acceptable in respect of the impact on the amenity of neighbours.

49. The fact that the carers would not be permanently resident may have some effect on the way they relate to the children in their care and their ability to control the actions of those children. However, as in the preceding section, the occasional actions of some individuals and effectiveness of management arrangements are not material planning considerations which should be afforded any weight in the determination of the application, and the facility would not house criminals, or children with mental disorders that would be more difficult to manage. The Council's environmental Health Section has not raised any concerns about noise impact and officers are satisfied that there would be no unacceptable impact on the amenity of surrounding properties due to noise from the proposed development.
50. It is therefore considered that the proposal is compatible within this residential area and would not have an unacceptable impact on the living conditions of neighbours in respect of loss of privacy, noise or general disturbance. The proposal accords with Wear Valley Local Plan Policies GD1 and H20.

Highway Safety

51. The Highway Authority has considered in detail highways submissions from the applicant and objectors.
52. In the objections it is suggested that parking at the property will be inadequate and would lead to parking on the highway, to the detriment of highway safety. The Highway Authority has advised that they have contacted Traffic & Community Engagement colleagues in DCC Neighbourhood Services to ascertain if highway or parking issues have been brought to their attention in the operation of children's homes in the district. They have confirmed they are not aware of such issues arising. The Highway Authority has also visited locations of comparable children's home sites but have not observed parking problems attributable to the operation of the homes.
53. An amended plan now depicts five parking spaces within the curtilage of the property and a further two in the detached garage. The consensus from all parties is that the likely maximum parking demand on-site is five vehicles. As the proposal exceeds the parking provision to meet the maximum predicted parking demand it cannot therefore be concluded that the proposal would create associated parking demand on the B6286 highway. A condition to ensure the garage and hardstanding areas are used for no other purpose would be appropriate in this respect.
54. In respect of vehicle manoeuvres onto the B6286, objections have expressed concern that some vehicles may be reversed from the property to the detriment of highway safety. This can however occur at the site currently and such potential exists at other properties on the B6286, and many properties elsewhere. This is an important factor in considering whether the cumulative impact of the proposal would be severe in comparison to the existing situation. There would however be provision made for vehicles to turn within the site and exit the site in forward gear, which would alleviate the need to reverse onto the B6286. The Highways Authority advise that the B6286 two way average annual daily traffic flow is in the region of 4000 vehicles and that this is not a high flow in relative terms for a B class road. 'Manual for Streets' research indicates that direct driveways leading from roads with flows of up to 10,000 vehicles has not created highway issues. The B6286 road through Hunwick has a traffic flow less than half that figure so it follows that vehicle manoeuvres onto the B6286 and the number of vehicle movements from the proposed use should not create severe highway issues or exceed highway capacity.

55. Notwithstanding the level of vehicle flows on the B6286, it is acknowledged that there are longstanding local concerns about vehicle speed through the village predating submission of this application, hence the traffic calming measures that have been introduced. The recorded 85th percentile vehicle speeds are slightly above the 30mph speed limit, but the Highway Authority advise that these results are not untypical of classified roads through small settlements in rural parts of the County and indeed speeds can be higher elsewhere, which suggests the traffic calming measures have some effect. It is the Highway Authority's view that recorded traffic speeds on the adjacent B6286 road could not be expected to materially alter as a result of the proposed change of use of a single dwelling. Traffic speeds are naturally a legitimate concern in any community and such issues can be, and are, dealt with separately by the Council's Traffic and Community Engagement Manager, outside of the planning process. In any event, the fact there have only been 3 personal injury accident records in the 5 year period ending August 2013, the closest being approximately 300m south west of the application site with the others further away, at approximately 330m and 390m, and none in the vicinity of the site, suggest this is not a high risk area. Traffic speeds and accidents on this stretch of the B6286 are not therefore matters that carry any weight in consideration of the planning application and are not material to the amount of movements and manoeuvres into and out of the site.
56. Based on the assessment of vehicle movements, parking provision, traffic flows and vehicle speeds, and that the Highway Authority have no objection to the proposal, it is considered that the proposal would not lead to a severe cumulative residual impact on highway safety. The proposal therefore accords with Wear Valley Local Plan Policies GD1 and H20 and the advice of the NPPF in this respect.

CONCLUSION

57. The proposal is for the reuse of an existing dwelling located within the development limits of Hunwick and therefore accords with Wear Valley Local Plan Policy H3 and the locational aims of the NPPF.
58. The proposal has raised emotive issues and a range of views have been received from within the community. Despite many concerns expressed about the proposal increasing fear of crime and affecting community cohesion, there is no evidence to suggest that the proposal should inherently lead to increased crime and disorder. Despite the strength of such feelings, these fears are therefore a material consideration which should not carry any weight in the consideration of this proposal. Views on the need for the facility, placement arrangements, qualifications of staff, standard of care, child safety and potential changes in other government legislation are not material planning considerations which should be afforded any weight in the determination of the application.
59. There would be no physical changes to the property to differentiate it from other residential properties and the scale of the proposal, its character, and associated vehicle movements would not unacceptably harm the character or appearance of the surrounding area and Hunwick Conservation Area, nor would they have an unacceptable impact on the residential amenity of neighbours.
60. The Highway Authority considers the proposed parking arrangements within the site, predicted numbers of vehicle movements and manoeuvring onto the B6286 to be acceptable and it is considered that the proposal would not lead to a severe cumulative residual impact on highway safety.

61. Subject to the suggested conditions, the proposed use is considered to be compatible with the surrounding area and in accordance with Wear Valley Local Plan policies H3, GD1, T1, BE5, BE6 and H20.

62. All representations have been considered, however, on balance, the issues raised are not considered to be sufficient to warrant refusal of the application and it is felt that the proposal is acceptable in planning terms.

RECOMMENDATION

That the application be **APPROVED** subject to the following conditions:

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

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing No:	Description:	Date Received:
	Site location plan	19 August 2013
	Floor plans	19 August 2013
TSC217/01	Car parking layout	25 November 2013

Reason: To define the consent and ensure that a satisfactory form of development is obtained.

3. Notwithstanding the provisions of the Town and Country Planning (Use Classes Order) 1987 (as amended) the use hereby approved shall be restricted to that of a children's care home for children between the age of 11 and 17 and no other purpose within Use Class C2.

Reason: In the interests of residential amenity and highway safety. In accordance with policies GD1, T1 and H20 of the Wear Valley Local Plan.

4. The maximum number of children living within the site at any one time shall not exceed 4.

Reason: In the interests of residential amenity and highway safety. In accordance with policies GD1 and H20 of the Wear Valley Local Plan.

5. There shall be no vehicle movements associated with staff changeover before 07.30 and after 22.00 on any day.

Reason: In the interests of residential amenity. In accordance with policies GD1 and H20 of the Wear Valley Local Plan.

6. Before the use hereby approved is commenced the works to provide 2 parking spaces to the front of the dwelling, as detailed in plan TSC217/01 shall be completed and thereafter the garaging and hardstanding within the property shall be available at all times for the parking of 7 motor vehicles.

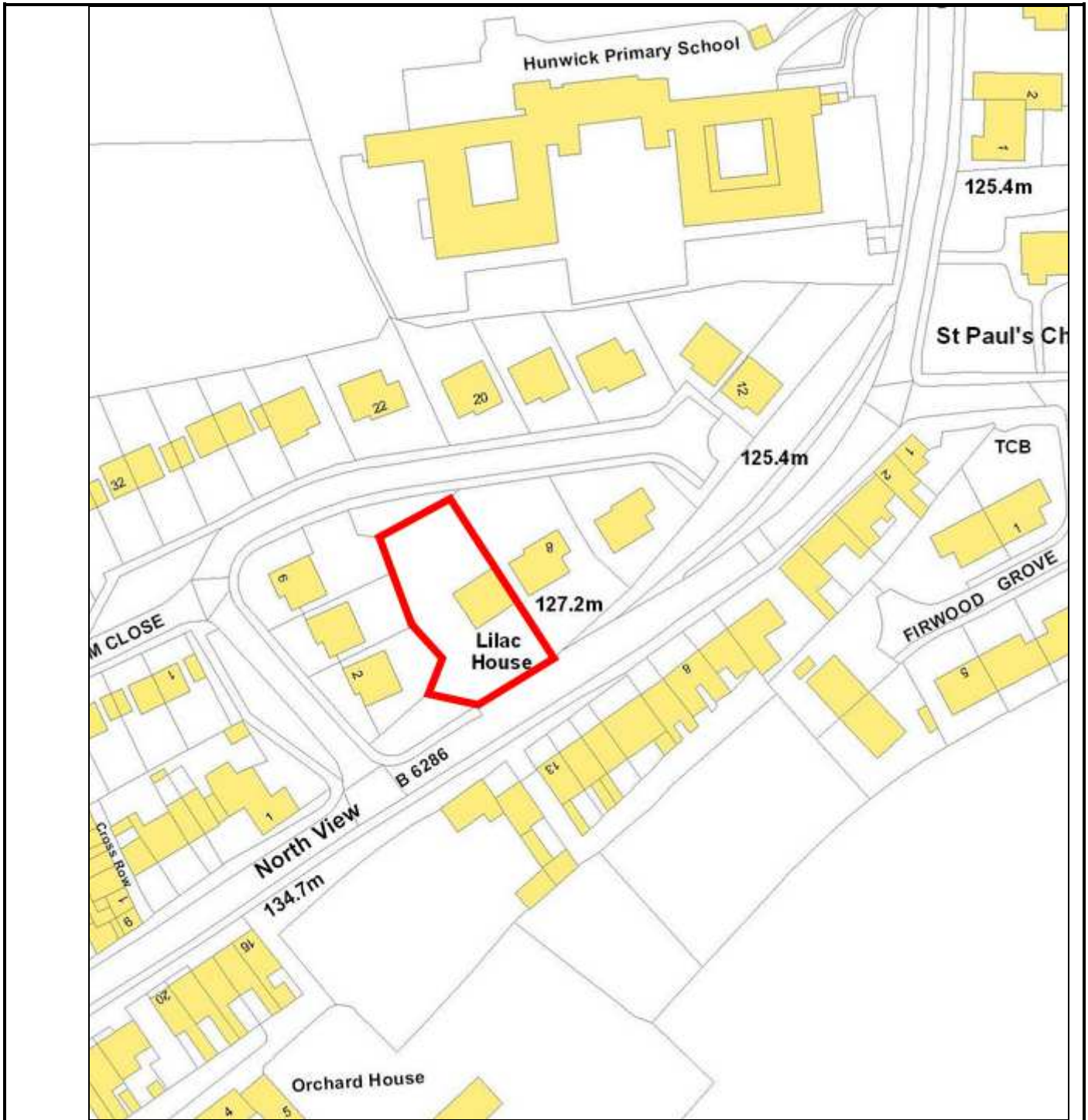
Reason: To ensure that adequate parking provision is made within the site for vehicles in the interests of highway safety. In accordance with policies GD1 and H20 of the Wear Valley Local Plan.

STATEMENT OF POSITIVE AND PROACTIVE WORKING

In arriving at the recommendation to approve the application the Local Planning Authority has assessed the proposal against the NPPF and the Development Plan in the most efficient way to ensure a positive outcome through appropriate and proportionate engagement with the applicant and carefully weighing up the representations received.

BACKGROUND PAPERS

- Submitted Application Forms, Plans and Statements
- National Planning Policy Framework
- Consultee comments
- Public Consultation Responses



Change of Use from dwellinghouse (Use Class C3) to childrens home (Use Class C2)

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Lilac House, South View,
Hunwick, County Durham