

Parish: Knayton With Brawith

Ward: Bagby & Thorntons

Committee Date : 17 September 2015

Officer dealing : S Leeming

Target Date: 6 August 2015

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15/00959/FUL

**Change of use of dwelling to a care home, Class C2 (8 residents).
at Northfield Oaktree Bank Knayton North Yorkshire
for Action4Care Limited (Mr Robert Hadfield).**

1.0 SITE DESCRIPTION AND PROPOSAL

1.1 This application seeks consent to change the use of a dwellinghouse to a care home for 8 residents (Class C2 use). The dwelling is a large detached property sited between Knayton Primary School immediately to the south and Oak Tree House immediately to the north.

1.2 The property has recently been altered and extended utilising permitted development rights and is stated in the application as presently being used under Class C3b as a single household of no more than 6 people receiving care. The residents are adults with learning difficulties who also have "associated complex needs but wish to integrate with society in their rehabilitation".

1.3 The present use occupies 6 of the bedrooms and this proposal will result in an additional 2 residents being accommodated within the 2 further bedrooms. The use involves 6 staff together with additional visiting specialists and additional staff on site during change of shifts, there may be a maximum of 9 staff there at any one time. It is understood that the aim is to recruit these staff from the local area.

1.4 The proposal is for a total of 10 parking spaces on site to the front of the property. At present these are not laid out for use and the gates are kept shut which has led to concerns due to the fact that visiting medical and other professionals are parking unsafely outside on the highway (where there is a solid white line down the centre of the road). It is stated that the residents and staff who live beyond walking distance from the property are transported in a mini-bus but is now known that this is not yet in use (although one has been purchased) so individual cars are being used for the 6 residents.

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

2.1 09/00325/FUL - Two storey extension to existing dwelling to form ancillary accommodation and construction of a detached domestic garage. Granted 2009

2.2 10/01207/MMA - Minor Material Amendment to relocate garage to previously approved scheme, two storey extension to existing dwelling to form ancillary accommodation and construction of a detached domestic garage as amended by plan received by Hambleton District Council on 31 March 2009 (09/00325/FUL) Permitted 4 July 2010

2.3 13/01008/FUL - Retrospective application for a change of use of annexe into separate dwelling. Refused 2013

2.4 15/00128/CAT3 – Enforcement case relating to the siting of a store to accommodate biomass boiler. Agent advised in June that an application is required for this.

3.0 RELEVANT PLANNING POLICIES:

3.1 The relevant policy of the Development Plan and any supplementary planning policy advice are as follows;

Core Strategy Policy CP1 - Sustainable development
Core Strategy Policy CP2 - Access
Core Strategy Policy CP4 - Settlement hierarchy
Development Policies DP1 - Protecting amenity
Development Policies DP3 - Site accessibility
Development Policies DP4 - Access for all
Development Policies DP9 - Development outside Development Limits
National Planning Policy Framework

4.0 CONSULTATIONS

4.1 Parish Council - make the following observations "The site is next to Knayton School which already has traffic problems due to the large number of vehicles which park at the school. It is felt that this site on the brow of the hill will add to this congestion and whilst Northfield has parking for some vehicles at the time when staff changeover takes place or there are visitors to the premises excess vehicles will have to park on the highway."

"The documents state that the Parish Council had initially expressed concerns with regards to Northfields. This is incorrect as this is the first time that any discussion on Northfields has taken place by the Parish Council as the Council received no information on these premises prior to this documentation."

Concern is also expressed about environmental problems from the biomass boiler and its associated smoke and fumes. This is the subject of an enforcement case and requires the submission of a further planning application.

4.2 NYCC Highways "The Highway Authority has sought extra information in relation to the parking space that is available for staff and visitors which will arise as a result of the proposals. The applicant's agent has indicated that there will be no addition to the existing staff numbers as a result of the proposal or visiting professionals. The application is supported by a plan indicating 10 spaces can be accommodated within the site. On visiting the site however it was apparent that the parking is not marked and vehicles are not parked as indicated within the site. There were also some vehicles parked on the footway outside the site on the road which were associated with professional visitors to the site. There was space available within the site but the gate to the south was closed and the 3 spaces marked near the boundary with the school were empty.

Given that the site is currently operating as a care home and that it is indicated that there will be no increase in staff or visitors an objection in relation to highway safety would be difficult to sustain. It is recommended that a scheme to ensure that the space for off street parking available for staff, visitors and deliveries is submitted and approved to discipline and maximise the use of the parking spaces available."

4.3 EHO - no comments relation to the change of use, but note they will look at Biomass boiler once an application is received.

4.4 Local residents - 2 objection received stating concerns about "The house has clearly now got residents and staff in as there are regularly two cars parked on the outside of property, usually one half parked on the pavement which impedes pedestrians and the other on the road adjacent to a solid white lane which cars travelling along the busy road need to pass. These cars are parked for long periods in addition to numerous vehicles which are stored within the house boundary (usually with the gates closed).

I would encourage you to visit this house regularly to view this unsafe parking for yourself. You will appreciate that the property is very close to the school (which currently is closed) and the brow of the hill. A regular review of these parked vehicles will support our concerns re this planning application which if successful would increase the number of visiting vehicles even further."

Concerns have also been raised about the biomass boiler and about external lighting which is on 24 hours a day positioned around the external exits which are very bright. Also

concerns that the alterations carried out have been extensive and have changed this from a 4 bed dwelling with annexe to the 8 bed property it now has become and it has a "utilitarian appearance" with the front garden all replaced by block paving and 5 bins together with a large medical waste bin outside.

There is concern that this property is no longer used like a "normal" dwellinghouse where there would be absences during the day, but is instead occupied by up to 14 people all day including weekends. The property now clearly looks like a care home rather than a dwelling. The neighbours have not been informed by the applicants at all. There are some screaming and loud arguments coming from the property also.

5.0 OBSERVATIONS

5.1 The main issues for consideration in this case relate to the principle of allowing the use proposed in this location, together with the impact the proposal may have upon neighbours' amenities and highway safety.

5.2 The number of staff working at the property has not been clarified but it has been confirmed that at any one time there are generally 6 carers of the residents at the home with 9 "for a matter of minutes while shifts change". Doctors or other specialists also visit and most staff and visitors travel by car. The Agent has stated that the staff numbers will not change as a result of the proposed change of use as it is already operating under Class 3(b) use as a home for 6 residents and no additional staff will be required to care for the additional 2 residents.

5.3 The property is located outside of any defined settlement limits and as such the principle of allowing such a use in this location must be carefully considered. The property does not form part of the main community but is positioned away from the main village (albeit adjacent to the school and 2 other dwellings). However it is within walking distance of the village amenities of Borrowby and Knayton and the staffing is stated to be from the local area. The development would therefore contribute to the local economy, however the size of the benefit of the 8 person facility over the existing 6 person care establishment is not quantified or made clear, especially as no additional staff are to be employed.

5.4 As the property is adjacent to the village Primary School this site is not visually isolated, it is however relatively isolated from the services available in the market town of Thirsk (6km) and Northallerton (7km) that are relatively distant.

5.5 There have been concerns expressed by local residents regarding the parking of staff vehicles outside this site on the road and it is noted that the Highways Authority have commented that this is occurring and has been witnessed by the Highways Officer who was able to determine that it was a visiting social worker and similar professional parking outside. Recommendations have been made to ensure the parking area are laid out and used as required which will enable there to be sufficient on site parking. It must be noted that the site is adjacent to the school where traffic is obviously worse at the start and end of the school day. There is no evidence to show that the proposal would give rise to a loss of highway safety.

5.6 There have been a number of concerns expressed by local residents about the use itself, the emergency lighting, the alterations and extensions carried out to the property, the front garden now paved over to form a large parking area, and 5 waste bins including a medical waste bin on view outside. There is the concern that this is no longer a "normal" residence within a residential area as there are potentially 14 residents occupying the property including weekends (whereas normally a house would be vacant parts of through the day). The overall change in its character and appearance is of concern but is not significant to the appearance of the property in the streetscene to the passer-by. As it is sited adjacent to the school with only a few other dwellings it cannot be argued that it is within a solely residential area. It is suggested that conditions could be imposed to control

the hours the external lighting is in use and also a landscaping condition to help to screen the property and the waste bins in order to reduce its visual impact and impact upon the neighbours. It is also important to impose a condition relating to the number of residents and carers at the property to prevent the scale of operation increasing to an unacceptable level.

5.7 The planning balance in this case requires consideration of the social impacts of the formation of a care establishment together with the economic impacts of new employment opportunities and the environmental consideration of a care facility in a rural village. It is acknowledged that small care establishments fulfil a need for housing of those who are unable to live independently and is a social benefit. The creation of job opportunities is an economic benefit that has the potential to benefit the local economy. The location of the property relatively distant from a service centre is not ideal however the scheme re-uses an existing large home and measures are proposed to provide transport for those staff and residents to avoid isolation to provide access to a range of services. Accordingly the overall balance rests in support of the application.

6.0 RECOMMENDATION:

6.1 That subject to any outstanding consultations the application be **GRANTED**

1. The development hereby permitted shall be begun within three years of the date of this permission.
2. The use shall not be commenced until full details of a parking scheme to maximise the use of the space available within the site has been submitted to and approved in writing by the Local Planning Authority. Once agreed the scheme shall be laid out and implemented and retained for its intended purposes at all times
3. The use shall not be commenced until a detailed landscaping scheme indicating the type, height, species and location of all new trees and shrubs, has been submitted to and approved by the Local Planning Authority. No part of the development shall be used after the end of the first planting and seeding seasons following the approval of the landscaping scheme, unless the approved scheme has been completed. Any trees or plants which within a period of 5 years of planting die, are removed, or become seriously damaged or diseased, shall be replaced with others of similar size and species.
4. Prior to the commencement of use details of the locations and hours of use of all external illumination at the property shall be submitted to and approved in writing by the Local Planning Authority. The approved methods shall thereafter be retained.
5. The property shall only be used as a Class C2 residential care home for adults with special needs and at no time shall be occupied by more than 8 residents.

The reasons for the above conditions are:-

1. To ensure compliance with Sections 91 and 92 of the Town and Country Planning Act 1990 and where appropriate as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To ensure appropriate on-site vehicle parking facilities and manoeuvring areas, in the interests of highway safety and the general amenity of the development.

3. In order to soften the visual appearance of the development and provide any appropriate screening to adjoining properties.
4. In order to protect the amenities of residential property in the locality.
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