

Hyndburn Borough Council – Committee Report

Application Ref: 11/22/0262

Application Address: 7 Beech Crescent, Altham West, Accrington BB5 5EQ

Date Registered: 14th July 2022

Date of Site Visit: 30th August 2022

Date for Decision:

Date Report Written: 21st October 2022

Description of Development: Change of use of existing dwelling house (Use Class C3) to children's home (Class C2) to provide care for up to 4 No. children with associated facilities

HUMAN RIGHTS

The relevant provisions of the Human Rights Act 1998 and the European Convention on Human Rights have been taken into account in the preparation of this report, particularly the implications arising from the following rights:-

Article 8

The right to respect for private and family life, home and correspondence.

Article 1 of Protocol 1

The right of peaceful enjoyment of possessions and protection of property.

Site and Proposal

The application site consists of a five bedroomed detached dwelling situated at the west end of Beech Crescent, a cul-de-sac off A680 Whalley Road, with defined curtilage to its front, side and rear. No.7 Beech Crescent is a double fronted detached property of conventional design, which is characterised by a supported overhang roof on the building façade between the ground and first floor and a garage attached to the west elevation of the dwelling.

The application is bounded by curtilage of residential dwelling to the east (No.3 Beech Crescent), and rear curtilage of No. 14-18 First Avenue to the west, the rear curtilage of Kenmure to the south. Directly opposite the property to the north is the vehicle turning head at the end of Beech Crescent and No.8-14 Beech Crescent. Beech Crescent is a well-established residential street, with a mixture of detached and semi-detached bungalows, two-storey dwellings, and the curtilage of No.50

Whalley Road and Arundel at the entrance of Beech Crescent. The application site and its neighbouring area fall within the defined urban boundary of Accrington. With a good collection of community facilities in the vicinity, it is considered that the application site is located within a sustainable location, and a main bus route being sited along Whalley Road, approximately 170 metres walk from the application site.

The proposal is for the change of use of the existing dwelling (C3 use) to a children's home (C2 use) to provide care for up to 4 No. children with associated facilities. The proposed children's home will provide accommodation for a maximum of four children between the ages of 8 and 18 years with 24 hour adult support, provided on a shift basis. The proposal will involve no external changes to the property with the internal layout providing a lounge, study, office, kitchen, dining and a garage at ground floor and five bedrooms (including one staff room) and a communal bathroom on the first floor. Externally, some alterations to the existing parking layout and arrangement will be introduced to enable the provision 4 or 5 parking spaces for the use of the staff and visitors.

Consultations

Public consultation: Following the consultation and the site notice, there have been 28 individual letters of objection received. The comments can be summarised as follows:

Parking and Access

- Insufficient parking provided within the application site and the limited capacity at Beech Crescent to accommodate additional parking needs;
- Parking has always been a difficulty on the street. The application states 5 car parking spaces which is not true. The current owner has 2 cars, one is a small sports car, which do not fit on their driveway. There is a space on the street in front of the house. The cobbled areas are not suitable parking area, one is not big enough due to a tree;
- Highway safety due to increased traffic on a quiet cul-de-sac where young children play out;
- Beech Crescent is a quiet cul-de-sac off a busy main road and it already has inherent problems with parking and traffic entering and existing the junction with Whalley Road. In allowing this dwelling to change occupancy type and function as a commercial business, you will only further exacerbate the issues;
- The provision of parking on the street is already stretched prior to this planning application, which would see social workers, emergency services, and friends/family of residents all visiting a tight cul-de-sac to try and park, which might lead to the vehicle blocking the neighbouring driveways;
- Potentially, there would be more parking pressure during the staff handover time;
- It is not possible to park 5 cars outside No.7 Beech Crescent;

- One major problem the local residents have is cars parking in the turnaround preventing anyone from turning;
- Considering the extra vehicles required for the staff of No.7, spaces needed for any extra personnel who need to visit, there simply will not be enough room;
- Accrington Stanley have their ground just around the corner, whenever there is a match, fans cars are simply abandoned anywhere;
- Beech Crescent is a small street with only one entry and exit point, which is not built to be able to deal with an increase in traffic flow. The road has already been reported previously to be repaired and pot holes were reviewed and repaired. Further repair is still needed;
- Parking is already an issue in this area. Some of the houses have access to off road parking however this is insufficient. Parking is much worse during the times Accrington Stanley play;
- Beech Crescent is not the standard width as a normal street, and is not of sufficient width to allow parking on both side of the street. Cars have to be parked on the pavement outside No.1, 3 and 7;
- Cars occasionally parked at the turning bay would leave no space for vehicles to manoeuvre;
- Concerned about the increased level of disturbance/activity during staff shift changes, traffic noise/ pollution and parking issues which would affect local residents day and night;
- LCC also voice concerns about the intensification of use at this site due to the lack of any off-street car parking;
- The property in question is directly within the turning point of the cul-de-sac. Vehicle parking in the turning point cause significant problems for other vehicles to turn;
- Children's homes are totally different in character and day-to-day operation to typical domestic arrangement.
- Increased traffic movement as result of the proposed development would make it more dangerous for young people to play or riding bicycle on the street;
- There are a large number of service vehicles entering the street which include parcel deliveries, supermarket deliveries and the occasional ambulance due to a few of the residents being elderly or infirm, the proposed development would impact on those vehicles;
- Impact on the emergency service vehicle access and manoeuvrability;
- Entry and egress from Beech Crescent onto Whalley Road is already difficult due to parking vehicles obscuring visibility. Additional vehicles needing to park on Beech Crescent is only going to increase that problem;
- The increased traffic movements as result of the proposed development would deteriorate the condition of the road condition;
- The increased traffic movements as result of the proposed development would deteriorate the condition of the road condition;
- At staff changeover, will one member move from their space to allow the next member to park or will they just leave their car wherever they find a space for the whole of their shift?

Amenity Impact

- Noise levels would increase dramatically, above that expected a typical family home due to the volume of children and nature of their complex needs;
- The children placed will have complex social and emotional needs with 1:1 support which suggests they will also have challenging and anti-social behaviours. This would put the children and facilities who reside on Beech Crescent as well as those who attend the child minders at risk of verbal and emotional abuse themselves;
- Crime rates are likely to increase;
- Concerns on impact of anti-social behaviour and bad language associated with the future residents of the proposed children's home on local childcare facility, elderly and disabled local residents;
- The existing boundary between the No.7 Beech Crescent and the neighbouring properties might not be sufficient to protect the amenity and privacy of the neighbouring residents;
- There have been many reports about this type of establishment, and it is a common theme that the crime, noise, anti-social behaviour and frequent visits by the police are commonplace;
- Reading newspaper reports for the same type establishment in other areas describe them as 'magnets for anti-social behaviour' with police being called many time to deal with report of missing persons, criminal damage, theft and disturbances;
- This area already has significant issues with anti-social behaviour, petty crime, and sexual assaults, and this type of establishment will only further worsen this and also be a detriment to the children that is supposed to be safeguarding;
- Noise levels would increase with the volume of new traffic on the street increasing and also from the nature of the young people with their complex needs;
- Concerns about the possibility of anti-social behaviour and noise disturbance, due to the age range of the proposed home and the proximity of the gardens;
- Beech Crescent is short cul-de-sac consisting of 11 dwellings and the proposed change of use to a children's care home will like have an adverse impact on all residents;
- According to many reports of similar property projects, this type of privately run establishment would bring with it an increased level of antisocial behaviour and noise nuisance and ever-present police attendance;
- Concerns about the proposed development may lead to the removal of any trees overlooking the neighbouring properties at First Avenue currently acting as a barrier to block out a certain amount of sun during the day;

Other issues

- Impact of the proposed children's home on the property resale value;
- Uses established by certificate of lawfulness are not subject to the Council's control in terms of occupancy, operator can elect to accommodate children/young people placed by other local authorities;
- Local schools are not of sufficient capacity to make specialist provision for children in need of care;

- The health needs of the children will put a strain on the local health services;
- The current school system to support these type of children are already oversubscribed within the area, this will further add pressure to the system;
- There are currently lots of applications, for the proposed use of houses as children's residential and supported accommodation for children and young people being submitted to Hyndburn Council. Mainly, due to the availability of relatively large properties within the borough at reasonable price being a key driver behind this;
- Vulnerable children with complex needs are brought into the borough placing additional strain on already pressurised local public services, and Hyndburn Borough Council see no financial benefit for placing additional emotional stress on its long standing residents;
- Very little information in respect of children who would live in the property, such as age, back ground of the children, whether they have mental health problems or are care leavers, and whether an on-site manager would be in the property to monitor the children;
- Only one resident on the street has received a letter from Hyndburn Borough Council informing them of this major issue in our area;
- Resale values of the properties will diminish with the establishment of a home for 'young people with an extensive range of needs';
- This property is not fit for the intended purpose;
- In the event of an emergency or other issue, policy access via phone is limited due to extended response times and the availability of officers;
- Furthermore, the transient nature of child care is start contrast to a typical family home.

LCC Highways: Following the receipt of initial consultation response from LCC Highways, the parking layout of the proposed development has been amended accordingly. Subsequently, the LCC Highways have provided the following comments:

The revised plans propose two additional off-street car parking spaces at the dwelling, accessed from the turning head on Beech Crescent via a new vehicle crossing which will be constructed under agreement with Lancashire County Council (see informative note).

The driveway spaces will be paved in a porous bound material and made available prior to the first use of the development hereby permitted.

Although we don't condone car parking on the footway and on the sub-standard sized driveway area or cobbled area on the south-west side of the turning head, these car parking spaces are established will continue to be available for parking associated with the development, should they be required.

The site is located close to a mainline bus route which does support sustainable travel, the additional off-street parking and the established car parking spaces on Beech Crescent will accommodate the four staff members without detriment to highway safety or neighbour amenity.

There is no objection to the proposal subject to the following conditions.

1. The two driveway spaces shall be constructed in a porous bound material prior to the first use of the development hereby permitted and the vehicle dropped crossing across the adopted highway of Beech Crescent (see in informative note).

Informative note

This consent requires the construction, improvement or alteration of an access to the public highway. All newly requested vehicle crossings will be approved by Lancashire County Council through the application process. A list of approved contractors will be supplied to applicants with an approved vehicle crossing application. Approved contractors will be under agreement with Lancashire County Council to ensure the use of appropriate materials and workmanship, the safety of any walking surfaces and the protection of pipes and cables under the footway from damage. This will be under a section 171 license which your contractor will need to apply for when they are ready to carry out the works. Applications are made online:- www.lancashire.gov.uk/roads-parking-and-travel/roads/vehicle-crossings/ or customers can email – lhsvehiclecrossing@lancashire.gov.uk for a paper copy of the application form.

Environmental Health: No comments

Relevant Planning History

There is no other recent planning record associated with the application site.

Relevant Policies

Development Management DPD:

Policy GC1: Presumption in favour of sustainable development

Policy DM26: Design Quality and Materials

Policy DM29: Environmental Amenity

Guidance Note GN8: Car parkin, access standards and transport assessment/travel plan threshold

Hyndburn Core Strategy:

Policy BD1: The Balanced Development Strategy

Policy Env6: High Quality Design

Policy Env7: Environmental Amenity

National Planning Policy Framework

Observations

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Hyndburn comprises of Core Strategy (2012), Development Management DPD (2018), the Accrington Area Action Plan.

Given the location of the application site and the nature of the proposed change of use, the key issues associated with this proposal are the principle of the development, the impact on the neighbouring amenity, character and appearance, highway safety and other issues.

Assessment

Principle of the Development

The NPPF states that, where a planning application conflicts with an up-to-date development plan, permission should not usually be granted (para 12). In determining planning applications due weight should be given to local planning policies in accordance with their consistency with the revised Framework, with greater weight given to those policies which are closer to those in the Framework (para 213). As a starting point, the proposal should be assessed against policies set out in the Development Plan.

Policy BD1 of the Hyndburn Core Strategy sets out 9 key principles which underpin the Local Development Framework for Hyndburn and other elements of the LDF. Criterion (i) of this policy states that the LDF will promote balanced communities where everyone has easy access to a range of services and facilities. Policy GC1 of the Hyndburn Development Management DPD largely echoes the paragraph 12 of the NPPF. Due to the lacking of relevant policy in relation to the provision for children care facilities within the Hyndburn Development Plan documents, Policy DM14 (Housing with care for older people and people with disabilities) sets out some guidance and criteria for the development of general care facilities, which could be used to assess other type of care facility proposals. This policy notes that proposals for the development of housing with care will be supported subject to the following criteria:

- a. They are located within the urban area, including town centre or local centre locations;
- b. They are located in accessible locations that enable residents to access local shops and services including health, community and transport;
- c. They provide sufficient car parking in line with the requirements of the car parking and access standards (see Development Management Guidance Note 8); and
- d. Adequate provision is made for open space /grounds that can be used by the residents for sitting, relaxation and gentle exercise.

This planning application is for the change of use of No.7 Beech Crescent from a residential dwelling (Class C3a) to a residential care home for up to 4 children aged 8-18 years (Class C2). The application site is located within an established residential area of West Altham. The site is considered to be within a sustainable location given the availability of the existing community facilities in the vicinity, and the main bus routes being sited along Whalley Road approximately 170m walks from the application site.

It is acknowledged that the proposed change of use would result in the loss of a residential dwelling (class C3) within an established residential area of West Altham. Although there is no particular policies within the Hyndburn Development Plan documents resisting the loss of housing stock as result new development, officers still of the view that such loss should be of a notable weight in the overall planning balance.

The proposed development would result in the net gain of a children's home to provide care for up to 4 No. children with associated facilities. The supporting letter provided by the LCC Senior Commissioning Manager notes that 'there is high demand for this type of provision locally. Smaller children's home provision can be very challenging to source and, due to lack of availability and high demand, it can at times mean that we are left with no choice but to have to place our young people at distance from their local community or in other less suitable provision.' Evidence has also been presented to demonstrate that 'In total, Lancashire children were placed in 108 different agency Ofsted registered children's homes in March 2022, with 44 homes outside of Lancashire's boundaries: 34 home in other North West local authorities; 1 home in a neighbouring Yorkshire town, and 9 homes at a distance (in West Yorkshire, North Yorkshire, East Riding of Yorkshire, Staffordshire, Gloucestershire and Wales).The rise in placement at a distance is likely a direct result of current, very challenging children's home market conditions.

Criterion (i) of the Hyndburn Core Strategy Policy BD1 states that the LDF will promote balanced communities where everyone has easy access to a range of services and facilities. The supporting information provided by the LCC Senior Commissioning Manager has demonstrated the high demand for children's care facilities within the County to enable the vulnerable children and young people to be placed within the local community. As such, officers consider that the proposed development would clearly comply with Policy BD1 Criterion (1) of the Hyndburn Core Strategy, and its planning benefit would outweigh the harm associated with the loss of a single dwelling. The proposed small scale children's home would provide a living environment that mirrors the traditional family home environment to ensure that children cared for would have the same opportunities and are not significantly disadvantaged to that of their peers, which, in the officers' view, should be weighed significantly in the overall planning balance. Overall, the proposal is considered to be

located within a sustainable location, and the harm of the loss of a single dwelling would be outweighed by the benefits of delivering a much needed children's care facility. The proposal therefore is in accordance Policy BD1 of the Core Strategy and Policy GC1 and Criterion a) and b) of Policy DM14 of the Hyndburn Development Management DPD.

Character and Appearance

Hyndburn Core Strategy Policy Env6 and Policy DM26 of the Hyndburn Development Management DPD seek to ensure that the character and quality of Hyndburn's urban and rural environments will be conserved and enhanced through high quality design.

As illustrated in the proposed plans, the proposed change of use will not result in external alterations to the property. The site boundary fence to west will be altered to enable the provision of new parking spaces. As such, it is considered that the proposed development would not have a material impact on the character and appearance of the host building or street scene. As such, the proposed change of use is in accordance with Core Strategy Policy Env6 and Policy DM26 of the Hyndburn Development Management DPD.

Impact on the Neighbouring Amenity

Policy DM29 (Environmental Amenity) of the Hyndburn Development Management DPD states that development will be required to protect, and where possible to improve, the amenity of surrounding areas for existing and future residents. The Council will require that new development: a. does not result in the loss of privacy or unacceptable increase in the sense of enclosure; b. does not result in the unacceptable loss of outlook; c. benefits from adequate level of daylight and sunlight; and d. does not create an unacceptable level of noise, vibration, artificial light, odour, fumes of dust pollution during construction and over the life of the development. Policy Env7 of the Hyndburn Core Strategy requires that proposal for new development will be permitted only if it is demonstrated that the material impact arising by reason of traffic, visual impact, noise, dust, emissions, pollution, odour, over-looking or loss of light, or other nuisance will not give risk to unacceptable adverse impacts or loss of local amenity and can be properly controlled in accordance with best practice and recognised standards.

This current planning application involves a change between two different residential uses, from a single family dwellinghouse (Class C3a) to a residential care home for up to 4 children aged between 8 and 18 years. Planning permission is required as the care that is provided means that the intended use would not operate as a single

household and a change of use from Class C3a to C2 would occur as result of the proposed development.

Objection comments have been raised regarding the potential noise, disturbance and anti-social behaviour generated from up to 4 children being accommodated within the house to the neighbouring properties at Beech Crescent and intensification of the use. Some third party comments also highlighted that Children's homes are totally different in character and day-to-day operation to typical domestic arrangement.

Whilst those comments and objections are noted, the information submitted with this application and the supporting letter from the LCC Senior Commissioning Manager has demonstrated that the proposed children's home will provide a high level of support and supervision with 24 hour care provided to future residents by trained staff. Offering a further level of protection outside the planning system, the home would be subject to inspection and regulation by Ofsted. Ofsted also stipulate the level of training that future staff will be required to have. This would ensure the behaviours and activities of future young residents would be under the supervision of trained responsible adults to minimise any unnecessary noise and occurrence of anti-social behaviour and the disturbance.

In terms of choice of location, the explanatory note of Policy DM14 of the Hyndburn Development Management DPD states that there are more flexible care accommodation options. These options are required to meet a range of 'care needs' and a movement away from an over reliance on residential and care homes to more independent living backed up with onsite care and support. In light of this, the principle for care provision within the local community is largely the same across the whole care sector. The proposed development would deviate from the traditional institutionalised care facilities, and provide a small scale children's care that mirror the traditional family home environment in a sustainably located residential area. Whilst concerns expressed through the consultation process and quotes from some media reports are noted, each application should be considered on their own merits. In this instance, with the small number of children accommodated, the care and support that is provided as part of the use, and the independent inspection under separate legislation, the proposed use is considered acceptable in relation to neighbour amenity.

It is also noted that some local residents are concerned about the existing boundary between the No.7 Beech Crescent and the neighbouring properties might not be sufficient to protect the amenity and privacy of the neighbouring residents; and the proposed development may lead to the removal of any trees overlooking the neighbouring properties at First Avenue currently acting as a barrier to block out a certain amount of sun during the day. In order to protect the privacy and amenity of the neighbouring residents, should the planning permission be granted a detailed

landscaping strategy and landscaping management plan should be submitted and approved by the local planning authority prior to the commencement of development in order to protect the amenity of the neighbouring residents.

Subject to the aforementioned conditions, it is considered that the proposed development is acceptable in terms of residential amenity in accordance with Policy Evn7 of the Hyndburn Core Strategy and Policy DM14 and Policy DM29 of the Hyndburn Development Management DPD and the advice contained within the NPPF.

Parking and Highway Safety

Policies in relation to highway safety are Policy DM32 of the Hyndburn Development Management DPD and Paragraph 110 of the Framework.

Beech Crescent is a cul-de-sac off Whalley Road. It services a total of 11 of detached and semi-detached properties. No.7 Beech Crescent is the last property on the southern side of Beech Crescent, situated immediately adjacent to the vehicle turning head. Currently, No.7 Beech Crescent has 2 parking spaces on its driveway, an informal parking on the northwest side of the turning heading, and one additional on-street parking in front of the house.

The proposal would involve a maximum of four staff at the property (including a house manager) at any time with staff working on 24 hour shift rotas. The updated plans propose the provision of two off-street car parking spaces, accessed from the vehicle turning head on Beech Crescent via a new vehicle crossing which will be constructed under agreement with Lancashire County Council. The existing two informal parking at the footway and cobbled area on the northwest side of the turning head would also be retained. Together with the existing on-street parking bay in front of the property, the application site has the potential to accommodate up to five vehicles.

Objection comments have been raised regarding the parking and access issues at Beech Crescent, particularly regarding insufficient parking provided within the application site, the limited capacity at Beech Crescent to accommodate additional parking needs, and highway safety due to increased traffic on a quiet cul-de-sac where young children play out.

In the consultation response, the LCC Highway Officers have assessed the proposal and commented that the proposed two new parking spaces are in accordance with relevant highway standards, and states that although the highway authority don't condone car parking on the footway and on the sub-standard sized driveway area or cobbled area on the south-west side of the turning head, these car parking spaces

are established and will continue to be available for parking associated with development, should they be required. The Highway officers also noted that the site is located close to a mainline bus route which does support sustainable travel. As such, the LCC Highways has raised no objection to the proposal based upon the conclusion that the existing 4+bedroom dwelling would require 3 off-street car parking spaces when applied to parking standards and this change of use proposal will increase this marginally. Notwithstanding that the site does support sustainable travel the additional off-street parking and the established car parking spaces on Beech Crescent will accommodate the four staff members without detriment to highway safety or neighbour amenity.

Understanding some local residents have raised concerned on the additional traffic movement and the associated parking pressure at the staff change-over time and visits from other professionals to the property, the applicant has confirmed that staff change-over time will be scheduled at off-peak hours, and the majority of the professional visits are expected pre-planned with the home and likely be undertaken during the working hours. This would enable the home manager to make relevant arrangements on parking and staff car-share to minimise any potential impact on the local traffic condition. Should the planning permission to be granted, the local planning authority would require the submission and approval of a Green Travel Plan and the subsequent annual monitoring and review reports.

Paragraph 111 of the NPPF notes that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. In this instance, there is no clear evidence to demonstrate sever and unacceptable impact of the proposed development on highway safety. In light of the above, it is considered that subject to the relevant conditions recommended by the LCC Highways and the HBC, the proposed development would not result in undue impact on the parking and highway safety at Beech Crescent to warrant a refusal.

Other issues

Comments have been received stating that very little information in respect of children who would live in the property, such as age group of the children, whether they have mental health problems or are care leavers, and whether an on-site manager would be in the property to monitor the children. The background of the children who will be accommodated within the property is not a material planning consideration in terms of the assessment of the change of use of the building.

Some consultation responses have highlighted that there are currently lots of applications, for the proposed use of houses as children's residential and supported accommodation for children and young people being submitted to Hyndburn Council. Mainly, due to the availability of relatively large properties within the borough at

reasonable price being a key driver behind this. Officers acknowledges such concern, each planning application should be considered on its own particular planning merits and will not create a precedent for any future applications.

Comments have received stating that vulnerable children with complex needs are brought into the Borough placing additional strain on already pressurised local public services, and Hyndburn Borough Council see no financial benefit for placing additional emotional stress on its long standing residents. There is no evidence to indicate that a total of 4 vulnerable children to be accommodated at No.7 Beech Crescent would result in significant pressure or burden to already over used local public services.

Objection comments have been received that the change of use will devalue the neighbouring properties. These points are noted but are not material planning considerations which can be assessed as part of the planning application.

Comments have been made that the change of use will destroy the community atmosphere which makes Beech Crescent and the transient nature of child care is in stark contrast to a typical family home. The proposed change of use will provide accommodation for up to four children within the property which would be comparable with a standard family home and as such is considered not to have a detrimental impact on the community.

Concerns have been raised that the proposed development would put the children and facilities who reside on Beech Crescent as well as those who attend the child minders at risk of verbal and emotional abuse themselves. The planning permission material considerations for assessing the change of use is separate to the process for registering and monitoring the care home facilities, however the supporting letter provided by the LCC Social Commissioning Manager has confirmed they have had a positive working experiences with the applicant previously through his foster care provision which had a strong focus on providing local homes for local children.

Conclusion

The proposal has been considered against national and local policy. It is considered that the proposed use is acceptable in this area of West Altham and the loss of a single dwellinghouse will not have a significant impact on the Council's Housing Delivery Strategy. The proposal is in accordance Policy BD1 of the Core Strategy and Policy GC1 and Criterion a) and b) of Policy DM14 of the Hyndburn Development Management DPD. It is considered that the level of the intended use as a up to four person occupancy children home and the fact there will be no external alterations to the property means the proposed change of use will have no significant impact on the character and appearance of the area or the amenity of the

neighbouring properties and accords with the Core Strategy Policy Env6 and Policy DM26 of the Hyndburn Development Management DPD.

Furthermore, the development would have no impact visually, or cause any loss of amenity to neighbouring properties nor would any detrimental highways impact occur. The proposal is acceptable with regard to the relevant provisions of the Development Plan, the NPPF and all other material considerations. A recommendation of approval of the application is therefore made on this basis.

Recommendation

Approve with conditions.

Conditions

- 1) The development hereby approved shall be commenced before the expiration of three years from the date of this permission.

Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions and to comply with Section 91 (as amended) of the Town & Country Planning Act 1990.

- 2) The development shall be carried out in accordance with the following documents unless otherwise required by the conditions below:

- (a) The planning application form and additional information dated 20th July 2022

- (b) Drawings: Revised plans received on 06th October 2022

GL448F/00 – Local Plans
GL448F/11 – Existing Plans
GL448F/12 – Existing Plans
GL448F/61 – Proposed Plans
GL448F/62 – Proposed Plans

- (c) Planning Supporting Statement received 16th September 2022

Reason: For the avoidance of doubt and to enable Hyndburn Borough Council to adequately control the development and to minimise its impact on the amenities of the local area and to conform with Policies Env6 of the Hyndburn Core Strategy, DM26 of Development Management DPD.

- 3) The two driveway spaces shall be constructed in a porous bound material prior to the first use of the development hereby permitted and the vehicle dropped crossing across the adopted highway of Beech Crescent (see in informative note).

Reason: to ensure that satisfactory parking is provided before the children's home hereby permitted becomes operative in order to conform to Policy DM32 and GN8 of the Hyndburn Development Management DPD and Paragraph 110 of the Framework.

- 4) The development hereby permitted shall not be occupied until there has been submitted to and approved in writing by the Local Planning Authority a Green Travel Plan for the site which shall include proposals for minimising car-borne travel and encouraging walking, cycling and the use of public transport. The Travel Plan shall include details of funding, implementation, monitoring and review. The approved Travel Plan shall be implemented and monitored in accordance with the approved scheme.

Reason: In order to encourage the use of sustainable transport and reduce the impact on the local highway condition in accordance with DM32 of the Hyndburn Development Management DPD and Paragraph 110 of the Framework.

- 5) Prior to commencement of development, a detailed landscaping strategy shall be submitted and approved in writing by the Local Planning Authority. The submitted scheme shall include the following:

- a. Details of boundary treatments and landscaping that shall take place around the curtilage of the No. 7 Beech Crescent and its future management.

The approved landscaping strategy and tree planting details shall be fully implemented prior to the occupation of approved children's home. Any trees or plants, or grassed areas which within a period of 5 years from the date of planting die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size, species and quality unless the Local Planning Authority gives written consent to the variation.

Reason: In the interest of residential amenity in accordance with the provision of Core Strategy Policy ENV7 and Development Management DPD Policy DM29.

Informative

- 1) 13a
- 2) 14
- 3) 15
- 4) 16
- 5) 17
- 6) 18
- 7) This consent requires the construction, improvement or alteration of an access to the public highway. All newly requested vehicle crossings will be approved by Lancashire County Council through the application process. A list of approved contractors will be supplied to applicants with an approved vehicle crossing application. Approved contractors will be under agreement with Lancashire County Council to ensure the use of appropriate materials and workmanship, the safety of any walking

surfaces and the protection of pipes and cables under the footway from damage. This will be under a section 171 license which your contractor will need to apply for when they are ready to carry out the works. Applications are made online:-
www.lancashire.gov.uk/roads-parking-and-travel/roads/vehicle-crossings/
or customers can email – lhsvehiclecrossing@lancashire.gov.uk for a paper copy of the application form.