

TWC/2024/0926

9 High Mount, Donnington, Telford, Shropshire, TF2 7NL

Change of use from dwellinghouse (Use Class C3) to Residential Institution (Use Class C2) ***AMENDED INFORMATION RECEIVED RE: PLANNING STATEMENT; ADDITIONAL INFORMATION RECEIVED RE: PARKING PLAN AND OPERATIONAL DETAILS***

APPLICANT

RECEIVED

16/12/2024

PARISH

Donnington and Muxton

WARD

Donnington

THIS APPLICATION IS BEING HEARD AT PLANNING COMMITTEE AS IT HAS BEEN CALLED-IN BY DONNINGTON AND MUXTON PARISH COUNCIL

Online Planning File:

<https://secure.telford.gov.uk/planning/pa-applicationssummary.aspx?applicationnumber=TWC/2024/0926>

1.0 SUMMARY RECOMMENDATION

1.1 It is recommended that **DELEGATED AUTHORITY** be granted to the Development Management Service Delivery Manager to **GRANT FULL PLANNING PERMISSION** subject to Condition(s) and Informative(s).

2.0 SITE AND SURROUNDINGS

2.1 The site lies in the Donnington area of Telford and comprises a detached two-storey dwelling with 4no. bedrooms at first floor level served by dormer windows. The property has an enclosed rear front garden and existing parking for approx. 3no. vehicles on the front drive.

2.2 The property is located within a residential area close to amenities and situated in a looped cul-de-sac containing mostly single-storey bungalows and a further pair of two-storey properties of a similar style. Central Hall Local Wildlife Site and Green Network is located to the rear of the property albeit this would not be affected by the proposals.

3.0 PROPOSAL

3.1 This application seeks Full Planning Permission for the Change-of-Use from a dwellinghouse (Use Class C3) to a residential care home (Use Class C2) – the accommodation currently comprises:

Ground Floor: Kitchen, lounge, three further rooms (not annotated on plans), WC, hall, and porch;

First Floor: 4 x bedroom, bathroom, 2no. large storage cupboards.

Through the proposal this would be amended to:

Ground Floor: Kitchen/dining/living room, therapeutic room, WC, hall and porch;

First Floor: 2 x en-suite bedroom for residents (incl. storage cupboard), 1 x staff bedroom, 1 x Manager's Room and bathroom.

No external changes are proposed to the property.

- 3.2 It is intended to house 2no. children aged between 7 and 17-years of age for residential in addition to a pair of Full Time Carers. A Manager would also be on site between 0800-1600, Monday-Friday.
- 3.3 The care facility would operate 24-hour, 7-days per week, 365 days a year, with staff coverage organised into three patterns. Staff would work a pattern of two days on and four days off to give consistency to the children in the home, this would mean that there would be three team changes per week with teams living in the home for a minimum of 48-hours at a time. Shift handovers would typically take place between 0730-0800 on changeover days.
- 3.4 Other visitors to the property would include social workers every six-weeks, healthcare professionals when required, in addition to family and friends on a pre-arranged basis.
- 3.5 No external changes are proposed to the property or grounds. Internally some minor changes are proposed including the removal of an internal wall which does not require planning permission.
- 3.6 The application is accompanied by the following supporting documents, further identifying the context and operation of the proposed care setting:
 - Planning Statement
 - Supporting Statement
 - Shift Pattern
 - Business Plan
 - Proposed Operations of Service Guide
 - Location Risk Assessment

4.0 PLANNING HISTORY

TWC/2024/0888 - Application under Section 192 for a Certificate of Lawfulness for proposed change of use from dwellinghouse (Use Class C3) to supported living dwelling (Use Class C3b) - Withdrawn 16 January 2024

5.0 RELEVANT POLICY DOCUMENTS

National Guidance:

National Planning Policy Framework 2024 (NPPF):

Local Development Plan: Telford & Wrekin Local Plan (TWLP):

SP1: Telford

SP4: Presumption in Favour of Sustainable Development

HO7: Specialist Housing Needs

C3: Implications of Development on Highways

C5: Design of Parking

BE1: Design Criteria

Donnington and Muxton Neighbourhood Development Plan

Telford & Wrekin Council Commissioning Strategy and Market Position Statement for Children's Safeguarding and Family Support 2024-2029

6.0 NEIGHBOUR REPRESENTATIONS

6.1 The application has been publicised through direct neighbour notification. Two stages of consultation have taken place, the second further to the provision of additional information explaining the shift patterns and operation of the proposed use, in addition to an amended block plan showing the proposed parking arrangement.

6.2 At the time of writing this report, the Local Planning Authority has received 12no. neighbour representations from 8no. addresses (it is noted one of these addresses is located in Lawley) objecting to the scheme. The following summarised issues were raised:

Highway Matters:

- Increase in traffic congestion;
- Increase in on-street parking;
- Disturbance to residents from more traffic movements

Drainage Matters:

- Local sewers have a history of blocking

Other Matters:

- Devaluation of property;
- Application form states owner is living there when property is empty;
- Only next door residents were directly notified of planning application;
- Planning application was submitted just before Christmas when Council offices were closed;
- Street has older occupants and is not as well suited to children;
- Two existing properties in High Mount are already used for residential care;
- Losing this bungalow would undermine the needs of current and future older people;
- Increase in bin collections

7.0 STATUTORY REPRESENTATIONS

7.1 Donnington & Muxton Parish Council: **Object**:

- located on a single track road on a bend, which unsuitable for this business and potentially dangerous;
- contravenes the Parish Council Neighbourhood Development Plan which identifies the need for bungalows as a priority for residents;
- Parish Council expects the LPA to recognise the value of bungalows in providing housing need to older people;
- Parish Council is concerned about the number of similar applications submitted to TWC that may reduce the number of bungalows available for older people wishing to downsize.

7.2 TWC Highways: **Support** subject to Condition securing the proposed parking spaces being delivered on-site.

7.3 TWC Specialist Housing Team: **Comment**:

- Discussion with Telford & Wrekin Council's Children's Safeguarding & Family Support Commissioning has confirmed that, through the Market Position Statement (MPS), there is a sufficiency need for the form of accommodation proposed. It is not clear from the submission whether the Applicant has looked at the MPS and the proposals could be strengthened if it were demonstrated that it has been taken into account. The Business Plan refers to accommodating local children, which is supported, but also leaves scope for children being accommodated from nationwide locations. It would be preferable if this was amended to focus on local children only.

It is guided that the proposed home would be regulated by Ofsted around the suitability of the provider to deliver the service in this setting and safeguarding of the children.

7.4 Shropshire Fire Service: Comment:

- Consideration should be given to Shropshire Fire and Rescue Service's 'Fire Safety Guidance for Commercial and Domestic Planning Applications' document.

8.0 APPRAISAL

8.1 Having regard to the Development Plan Policy and other material considerations including comments received during the consultation process, the planning application raises the following main issues:

- Principle of Development
- Visual Impact
- Impact on Amenity of Adjacent Properties
- Highways Impacts

8.2 Principle of Development

Section 38(6) of the Planning & Compulsory Purchase Act 2004 requires that planning applications must be determined in accordance with the adopted development plan unless material considerations indicate otherwise. The Development Plan comprises the Telford & Wrekin Local Plan (TWLP) which was adopted in January 2018. The National Planning Policy Framework (NPPF) is also a material planning consideration.

8.3 The application is located within the urban area of Telford and Wrekin Council, where the principle of new development is supported under Policy SP1, subject to the proposal in question meeting the requirements of the other relevant policies within the adopted Local Plan.

8.4 The other relevant policies in this case relate to specialist housing need, visual impact, impact on residential amenity and highways.

8.5 Specialist Housing Need

Under Policy HO7 the Council will support proposals within Use Class C2 provided that:

- The proposed development is designed to meet the specific needs of residents;
- The location of the development is close to community and support facilities, shops and services, and public transport;

- The proposed development relates well to the local context in design, scale and form.
- 8.6 The site sits in a sustainable location, located approximately 700 metres from local shops and services, less than 800 metres from ASDA and with a range of schools within walking distance. It is appropriate in design given the limited changes being made and meets the specific needs of its proposed residents and as such complies with Policy HO7 of the Telford and Wrekin Local Plan.
- 8.7 Section 7 of the Homes for All SPD sets out the type of supported and specialist housing that is required to meet identified needs within the Borough. Accommodation for vulnerable young people is an identified need and the proposal is broadly supported by the Council's Specialist Housing Team, although as identified in their comments in para 7.3, the Applicant has been asked to confirm they have taken the Council's Market Position Statement (MPS) into account. Any update on this will be reported to Members at the Planning Committee. A Ministerial Statement on planning for accommodation for looked after children, released May 2023, further supports the Council's MPS.
- 8.8 A number of objections have been received wishing to see bungalows retained for occupation by older persons, however Officers consider that this two-storey dwelling is not classed as a bungalow. It is also important to note that limited mobility or physical disabilities are not restricted to older persons and people of any age may require bungalow, or single-storey dwellings.
- 8.9 Visual Impact
- Policy BE1(i) requires new development to make a positive contribution to the built environment in which it is located. There are no external alterations proposed to this property and therefore the change upon the built environment would not be substantially any different to the existing.
- 8.10 The Local Highway Authority has requested a plan demonstrating that 3no. parking spaces can be provided on-site. It is clear from the site that 3no. vehicles can already be provided on-site with the potential for 4no, which would likely result in some of the grassed area on the front garden being converted into hardstanding. This would be the only visual change within the streetscene and it is not considered to be significant and therefore the proposal is considered to meet the requirements of Policy BE1(i).
- 8.11 Policy H2 of the Donnington and Muxton Neighbourhood Development Plan seeks for new housing to be in-keeping with the character and appearance of the area. Whilst this proposal does not propose new housing per se, as the building already exists, as the external appearance would not significantly change it is considered there would be no significant impact upon the character or appearance of the area that would conflict with Policy H2 in this respect.
- 8.12 Impact on the Amenity of Adjacent Properties

Policy BE1(xi) refers to residential amenity and requires new development to demonstrate it will not significantly adversely affect nearby properties in terms of noise, dust, odour or light pollution.

- 8.13 The proposed development is unlikely to result in any of these forms of pollutions, let alone to a degree that would be considered to represent a significant adverse effect.
- 8.14 The planning 'fall-back' position must be considered. As a C3 residential dwelling with 4no. bedrooms available as an open market property, this dwelling could be realistically moved into and occupied by a family of five people, based on 2no. people occupying the main bedroom and 1no. child occupying each of the remaining 3no. bedrooms. There would be no restriction on the number of occupants, and additional children, relatives or friends could share bedrooms if circumstances required.
- 8.15 For these reasons, it is reasonable to consider that this property could be occupied by at least 5no. people as a C3 dwelling.
- 8.16 The proposal involves 2no. children as resident with 2no. full-time sleep-in carers, so there would be 4no. people at the property at any one time. A Manager would be present during weekday office hours, increasing the number of people attending the house to 5no. from Monday-Friday. This scale of usage is commensurate with what could be expected from the property's use if it were to be retained as a C3 dwelling. In other words, the proposal is not significant different from the existing planning fall-back position.
- 8.17 For these reasons, the proposal is considered to meet the requirements of Policy BE1(xi) of the Local Plan.

8.18 Highway Impacts

Policy C3 refers to the impact of development on highways and requires new development to mitigate site specific highway issues. Policy C5 refers to the design of parking and requires, inter alia, for the new development to ensure that the location, quantity and quality of car parking should reflect the density, nature, character and context of the development as well as its intended usage and relationship with the surrounding area including any foreseeable parking issues in the local area.

- 8.19 The Local Highways Authority requires 3no. parking spaces to provided on-site to ensure this development mitigates the impact of potential off-site parking on the highways. The Applicant has submitted a plan demonstrating that 4no. parking spaces can be provided and the Council's Highways Officer supports this, requesting a Condition to secure delivery of the parking spaces.
- 8.20 A number of objections have been received raising concerns about the potential highways impacts of this proposal. As discussed in para. 8.14, the planning fall-back must be considered and, if this dwelling were to remain as

C3 use, there would be no restriction on the number of cars that the occupants could purchase and parking on the drive or on the street.

8.21 There are likely to be between 2no. and 4no. staff or visitors at any one time attending the property. Each of these may have travelled by car, although public transport is also a possibility in this location depending on where the visitor is travelling from. Therefore, it is possible that between 2-3no. vehicles will be attending the property for staff purposes and occasionally 1no. additional one for healthcare professional or family members, etc. Having approximately 4no. vehicles at the property is not considered excessive or to endanger other highway users, especially given the fall-back position explained in the paragraph above.

8.22 The likely number of traffic movements associated with a Manager (Monday-Friday) and 2no. members of staff on a 48-hour shift pattern are unlikely to result in any greater level of traffic movement than would be experienced at a C3 dwelling.

8.23 Other Matters

All other matters raised in the consultation process have been taken into account where they represent material planning considerations.

8.24 Potential devaluation of property is not a material planning consideration and therefore cannot be taken into account.

8.25 The Application Form does not state the owner lives at the property, however it does state they own it - this is not material to the determination of the planning application.

8.26 Bin collections are unlikely to materially increase over and above a typical C3 residential use, as the number of occupants would not be materially different to the planning 'fall-back' position.

8.27 The Council has undertaken in full consultation with the Development Management Procedure Order.

9.0 CONCLUSION

9.1 It is considered that the proposal is compliant with Policies SP1, SP4, HO7, BE1, C3 and C5 of the Telford & Wrekin Local Plan 2011-2031.

9.2 The proposal represents a sustainable form of development that falls within the 'Built Up' area of Telford with a sufficient need demonstrated through the Council's Market Provision Statement. The proposal is considered to be acceptable in regards to scale and design, with no external changes thus remaining in-keeping with the character and appearance of the immediate area, and accords with policy around the amenity of neighbouring residential properties. Concerns raised over parking have been addressed through the

provision of 4no. additional parking spaces within the site boundary. As such, there are considered to be no principle or technical reasons to warrant refusal of this application and appropriate Condition(s) imposed to control its future use and management.

9.3 The proposal is therefore deemed to be compliant with the Telford & Wrekin Local Plan 2011-2031 and the guidance contained within the NPPF.

10.0 DETAILED RECOMMENDATION

10.1 Based on the conclusion above, the recommendation to the Planning Committee on this application is that **DELEGATED AUTHORITY** be granted to the Development Management Service Delivery Manager to **GRANT PLANNING PERMISSION** (with the authority to finalise any matter including conditions, legal agreement terms, or any later variations) subject to the following:

A) The following conditions (with authority to finalise conditions and reasons for approval to be delegated to Development Management Service Delivery Manager):

Condition(s):

Time Limit Full

Details of Surfacing Materials

Delivery of Parking

Development in Accordance with Operational Management Plan

Restrict Use and Number of Children in Care (2)

Development in Accordance with Plans