

DELEGATED

**AGENDA NO 4
PLANNING COMMITTEE
18 JUNE 2014
REPORT OF CORPORATE DIRECTOR,
DEVELOPMENT AND NEIGHBOURHOOD
SERVICES**

14/1211/COU

Red Plains, 118 Darlington Road, Stockton-on-Tees

Change of use from dwelling house (Use Class C3) to a children's home (Use Class C2)

Expiry Date: 4 July 2014

UPDATE REPORT

This report is provided as an update to the details within the main report. It includes additional consultation responses received and additional considerations to those detailed within the main report.

Residents

Additional objections have been received from:

Mr & Mrs McArthur 4 Grinton Road,
Alexander Nicol 27 Branksome Grove,
Andy Pearson 15 Woodside Grove,
Miss S K Steiner 114 Darlington Road.

Additional letter of support has been received from:

Miss Brenda Kirby, 5 Branksome Grove, Stockton

Additional comments of support consider that this is a good use for a large property in this location, that it will add to the diversity of Hartburn, contribute to a mixed tenure area and that it should not cause any problems.

Additional comments of objection relate to a planning application that was refused by the council for 4 new dwellings off a new access onto Darlington Road just to the west of this application site.

Residents have also highlighted NPPF guidance 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,
- that applicants will be expected to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community.
- the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities.
- Local planning authorities should create a shared vision with communities of the residential environment and facilities they wish to see.
- To support this, local planning authorities should aim to involve all sections of the community in the development of Local Plans and in planning decisions, and should facilitate neighbourhood planning.
- Planning policies and decisions, in turn, should aim to achieve places which promote:

Residents consider that approving this scheme would be contrary to this guidance.

SBC – Children, Education & Social Care.

In the year 2013-14, from a cohort of 381 children, 17 young people committed a total of 33 offences.

Of these:

- o 7 were placed out of borough*
- o 6 were placed at Princess Avenue*
- o 2 were placed in a children's home within the Borough similar to the type of home which is the subject of this application*
- o 1 was living at home with parents*
- o 1 was living with foster carers*

Therefore, for the last financial year, out of 381 children, there were only 2 children that offended whilst living in a care home similar to the Spark of Genius model.

SBC – Head of Technical Services

97/1091/P was an outline application for 4 dwellings on land adjacent to 124 Darlington Road which included a new access onto Darlington Road. The highway objection was to the new access in that location. This objection was later over ruled by the planning inspectorate who concluded that suitable visibility could be provided and the access would not adversely affect highway safety.

14/1211/COU utilises the existing vehicle accesses associated with 118 Darlington Road and provides a loop drive which will enable drivers to enter the highway in a forward gear. Therefore the Head of Technical Services considers the proposed COU to be acceptable in highway terms.

Deputy Chief Constable of Cleveland Police

Comments appended in full to this update report.

Material Planning Considerations

The main part of additional comments raised are already dealt with in the main report.

With regard to the council's refusal of permission for a nearby site, it was an application for 4 dwellings on land to the side of 124 Darlington Road with a single point of vehicular access off Darlington Road. The council refused the application, partly on highways grounds. However, this reason was not supported by the planning inspectorate who concluded that suitable visibility splays were achievable and the access would not be harmful to highway safety or the free flow of traffic.

Comments from the Deputy Chief Constable (appendix. 1) have been made to clarify the position of the police and highlight that the police had no intentions of raising any objections to the application on the basis that the local authority shared the details of how they intend to operate the home and the care that would be taken in selecting people to reside at the premises. The comments advise that it is important to recognise that the proposal will provide long term care and that the council already have 4 long term care homes within the Borough, at which, police attendance is infrequent and significantly less than some of the shorter term intake units. The Deputy Chief Constable has indicated that with continued good management and proper risk assessment of individuals being placed in the home, Cleveland Police can foresee no reason why these facilities, or their residents should adversely affect levels of crime and disorder in the locality.

The additional comments from CESC reflect matters relating to offences being committed by looked after children that Stockton Council is responsible for. These are considered to portray that offences by children from a similar type of home to that being proposed are limited. The points raised by both the police and CESC are considered to be informative.

Concern from residents that the proposal is contrary to the NPPF in terms of engaging with the community, shared vision and safe and accessible environments are all noted. Notwithstanding these matters however, the application has been submitted and needs to be considered. Although the manner of the submission may be at odds with some areas of guidance, these are considered to carry insufficient weight to warrant refusal of the application.

Conclusion

There are no new matters raised which are considered sufficient to affect the considerations and recommendations within the main report.

Recommendation

That the application be determined in accordance with the recommendation within the main report.

**Corporate Director of Development and Neighbourhood Services
Contact Officer Mr Andrew Glossop Telephone No 01642 527796**

WARD AND WARD COUNCILLORS

Ward : Hartburn,
Ward Councillors Councillor Laing, Councillor K.A. Lupton

Appendix. 1. Confirmation letter from Cleveland Police detailing the Force's considerations to the proposal.



Iain Spittal
Deputy Chief Constable

Postal Reply to: Shared Service Centre
Ash House
III Acres
Princeton Drive
Thornaby
Stockton on Tees
TS17 6AJ

13th June 2014

Mr Neil Schneider
Chief Executive
Stockton Borough Council
Municipal Buildings
Church Road
Stockton-on-Tees
TS16 1LD

Dear *Neil,*

Re planning applications Hartburn and Stillington

Following our conversation earlier today I thought it appropriate to clearly lay out my understanding of the consultation between Cleveland Police and Stockton-on-Tees Borough Council, regarding the proposal to establish several Children's Residential Homes in the Stockton Borough Council area, and to specifically confirm the force position regarding the proposals at Hartburn and Stillington.

During July 2013 a number of senior officers within Cleveland Police were involved in discussions with members of your team who were progressing your proposals to establish Children's Residential Homes in the Stockton area. As a result of these discussions Cleveland Police confirmed that it had no intentions of raising any objections to the proposals outlined by your team. This was on the basis that the local authority shared the details of how they intended to operate the residential homes and the care that would be taken in selecting young people to reside at these premises.

Sadly, the consultation undertaken in July 2013 was not considered as part of Cleveland Police's response to the planning applications that related to proposed residential homes at Hartburn and Stillington. One of Cleveland Police's Architectural Liaison Officers (ALO) provided a brief, but factual response without consideration of the specific proposals that led to the stated position of the force last year.

Had the ALO been made fully aware of the outcome of the consultation in July 2013 a fuller response would have been provided. The response would have indicated that: Stockton Borough Council has submitted planning applications for the development of a number of large dwelling houses into residential homes for local children in the long term care of the Local Authority. This has understandably raised some concerns within the communities in the vicinity of these proposed homes, with some residents expressing

HEADQUARTERS

Ladgate Lane,
Middlesbrough.
TS8 9EH.
Sat Nav Code: TS5 7YZ.

Telephone: 01642 301213

Facsimile: 01642 301462

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concern for the safety of their own children, along with a fear that this will lead to a significant increase in crime and anti-social behaviour. Whilst Cleveland Police understands these concerns, it also recognises that the Local Authority, and indeed society in general, has a duty to safeguard children and young people in the 'looked after' system. In many cases these children end up in care through no fault of their own, leaving them even more vulnerable than their peers and counterparts.

It is important to recognise that the intention of Stockton Borough Council is to utilise these properties for children in long term care and they already operate four other long term units within the Borough and police attendance at these homes is infrequent. It is certainly significantly less than at some of the shorter term 'intake units', where police officers regularly visit in the course of their duties.

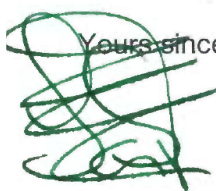
The Local Authority have explained to Cleveland Police that the children they are planning to accommodate at these homes are not involved in anti-social behaviour and do not have criminal records. They are working to ensure they achieve an appropriate mix of young people in each home, with no more than five children in each, ranging from 8 years upwards.

With continued good management and proper risk assessment of individuals housed there, Cleveland Police can foresee no reason why these facilities, or their residents, should adversely affect levels of crime and disorder in the locality surrounding them. For these reasons Cleveland Police, as previously indicated, will not be raising objections to the proposed plans.

You indicated at our meeting your desire to ensure that the children that reside in these homes are seen as good neighbours, and will seek to ensure that managers of the homes regularly engage with the local neighbourhood police teams and the community in order to understand and manage any ongoing concerns. I am supportive of this approach and will ensure our local neighbourhood police teams actively contribute to these arrangements.

I trust that this clarifies the position of Cleveland Police.

Yours sincerely



Iain Spittal
Deputy Chief Constable