

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

28 SEPTEMBER 2016

**REPORT OF DIRECTOR,
ECONOMIC GROWTH AND DEVELOPMENT
SERVICES**

16/1579/COU

The Willows, Aislaby Road, Eaglescliffe

Revised application for change of use from dwelling (C3) to children's home (C2).

Expiry Date: 28 September 2016

SUMMARY

Planning permission is sought for the change of use of an existing residential property located on Aislaby Road in Eaglescliffe to a care facility (C2 Use Class). The proposed facility is aimed at providing care for up to 5 children on a permanent basis, with the children residing there as their permanent home. Staff will be at the property 24/7 to provide care/support to the children and would operate in shifts.

16 objections have been raised by local residents which mainly relate to concerns around the suitability of the site, its vulnerability to flooding; that children within the home will cause anti-social and criminal behaviour within the village, that this will change the feeling/character of the semi-rural area, that additional traffic will cause nuisance and highway safety issues. 21 letters of support were received and consider objections based on anti-social behaviour to be unsubstantiated.

The principle of providing care for the vulnerable parts of society and the economic / job creating benefits of the scheme are all considered to accord with the National Planning Policy Framework and the Core Strategy. The site is an existing property and whilst it is within a semi-rural location, it is within the limits to development and is therefore considered to be sufficiently sustainable as a result. It is also argued that the site would provide a pleasant environment in which to bring up the children and this reasoning is accepted.

Whilst the site is located within Flood Zone 3, the proposed change of use from a residential property to a residential institution would not change the classification of vulnerability for the use within the environment agencies flood risk vulnerability classification and given there is no formal development works, the use in itself would not increase the potential for flooding at the site.

The concerns over the potential for anti-social behaviour are noted, however, it is difficult for a planning decision to factor in the potential behaviour of children and it is argued that this is more of a matter for the management of the facility and others such as the police were anti-social behaviour to occur. Notwithstanding this, it is considered necessary to ensure the property remains to be a children's home of a limited scale as is being proposed in order to prevent future uncontrolled change and prevent it being used in a different manner to that which is being considered. As such, a condition is recommended which limits the age of cared for residents as 18 and which restricts the number of cared for residents to 5, which is considered to reflect in part the number of children that could be accommodated within a large family home.

It is considered that there is no undue risk to highway safety, that adequate parking can be provided and although the use of the site and comings and goings will intensify as a result of the proposal, this would not be to a degree which would substantially harm the surroundings or amenity associated with nearby properties taking into account the property being a large detached dwelling, within its own extensive grounds on the edge of the settlement.

RECOMMENDATION

That planning application 16/1579/COU be approved subject to the following conditions and informative:

Approved Plans

01 The development hereby approved shall be in accordance with the following approved plan;

Plan Reference Number	Date on Plan
SBC0001	16 June 2016

Reason: To define the consent.

Limitations of Use

02 *The use hereby approved shall be limited to serve to care for persons aged 18 and under and shall be limited to care for no more than 5 persons at any time.*

Reason: In order to ensure the facility is limited to provide care for a use which is relative to the considerations taken and ensure the facility is of a scale which is appropriate for its location.

Visibility Splay

03 *Prior to the proposed care facility being brought into use, the boundary hedge to the western side of the property access onto Aislaby Road shall be cut back to achieve a visibility splay of 155m x 2m, in accordance with a scheme to be first submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details prior to the proposed care facility being brought into use and thereafter shall operate solely in accordance with the agreed scheme for the lifetime of the development hereby approved.*

Reason: In order to achieve a satisfactory visibility splay the Interests of highway safety in accordance with the requirements of the National Planning Policy Framework.

INFORMATIVE OF REASON FOR PLANNING APPROVAL

Informative: Working Practices

The Local Planning Authority found the submitted details satisfactory subject to the imposition of appropriate planning conditions and has worked in a positive and proactive manner in dealing with the planning application.

Informative 2: Effective Management

The operator is advised to work alongside Cleveland Police and other safeguarding partners and to comply with the requirements of the multi-agency protocol on runaways and children missing from home or care. Effective management, staffing and procedural arrangements should be in place to prepare for potential missing episodes and management should take all possible measures to protect those at risk and work with the police to ensure a quality early risk assessment takes place.

The operator should also work with the police and their residents on effective interventions to prevent children repeatedly going missing from care.

Informative 3: Flood Risk Measures

The applicant should consider measures to limit the effects of any future flooding of the property to make the building more flood resilient and to minimise any disruption. An action plan should be in place with regular testing of the plan to move the residents in the event of a flood, and the operator should sign up to the environment agencies flood warning service, so that they can receive early flood warnings and activate the flood action plan.

BACKGROUND

1. **16/0631/COU** Application for change of use from dwelling house (C3) to children's home (C2) Withdrawn 11th April 2016
- 06/0979/FUL** Erection of two storey extensions to both sides of property and two storey extension to front Approved 23rd May 2006
- 03/1739/P** Erection of conservatory to rear Approved 7th August 2003
- 95/1570/P** Erection of 4 bedroom detached dormer bungalow Approved 3rd November 1995
- 94/0009/P** First floor extension to side to create linked annexe for additional family accommodation Approved 18th February 1994
- 93/0764/P** Erection of detached dwelling and attached garage Approved 21 June 1993
- 92/1858/P** Erection of detached house with detached garage Withdrawn 5th November 1994
- 90/1734/P** Outline application for erection of two dwellings Refused 2nd November 1990

SITE AND SURROUNDINGS

2. The application site is a large detached residential dwelling set in substantial grounds and located on Aislaby Road in Eaglescliffe. To the north of the site is a dwelling house, Willow View, to the east separated by an access lane are the properties of Burdon View and to the west are open fields. Nelly Burdon's Beck forms the western boundary, which is the also the boundary for the limits to development.
3. The property has a gated vehicular access directly onto the adjacent highway, which is a 2 way road leading into and out of the Eaglescliffe. The property's access lies just inside of the 30mph zone on entering the residential area from the west.

PROPOSAL

4. The application seeks planning consent to change the use of the existing residential dwelling (C3) to a residential institution (C2) in the form of a children's care home.
5. The care facility would accommodate up to five children up to and including the age of 18. The facility would be staffed at all times and would employ 17 employees in total. Staff would work across an overlapping shift pattern of four staff working from 7:30 to 15:30; four

staff working from 14:30 to 22:00 and two staff working from 21:00 to 08:00. The applicant has detailed that the home would cater for children with Autistic Spectrum Disorder.

It is indicated that the home would not receive commercial deliveries and that items such as food and cleaning products would be collected by staff. Mail and refuse would be dealt with as it would at any other dwelling. There will be two allocated vehicles to take the children to and from school.

CONSULTATIONS

Consultees were notified and comments received are summarised below:-

Highways Transport & Environment Team

General Summary

Subject to the comments below Highways, Transport & Environment raise no objections.

Highway Comments

The site is served by an existing gated vehicle access within a 30mph zone. An objector has had a speed survey undertaken which indicates vehicles speeds of 44mph therefore, in accordance with the Design Manual for Roads and Bridges, the site access would require a visibility splay of 160m from a point 2m back from the edge of carriageway. A driver exiting the site, from a point 2m back from the edge of carriageway, would be able to see to the bend on Aislaby Road when looking to the right (west) which equates to a visibility splay of approximately 155m (as measured on site). As this is within 5m of the required splay this is considered to be acceptable. The only constraint to achieving this at present is the hedge line along the frontage of the property which is at present overgrown and should be cut back. This could be conditioned as a part of any decision notice issued to ensure that adequate visibility is maintained. There have been no recorded injury accidents in the vicinity of the access in the last 5 years and it can therefore be considered to be operating safely. The gate is set back sufficiently to allow a car to pull clear of the carriageway while the gate is opened. The proposed change of use would not result in a significant material intensification of use of the existing access.

In accordance with SPD3: Parking Provision for Developments 2011, a children's home should provide 1 in-curtilage car parking space per full time staff member (maximum on site at any given time) plus 1 space per 5 residents plus 1 professional visitor space (an ambulance can access the property as it would any other dwelling therefore the requisite ambulance space is replaced by a professional visitor space). Therefore with 5 residents and a maximum of 8 staff on site, 10 spaces should be provided. The requisite spaces and turning can be accommodated within the site. Taking into account the above it is considered that the existing site access arrangements, in relation to the proposed change of use, do not present a highway safety issue.

Flood Risk

Environment Agency flood mapping confirms that the proposed site is located within Flood Zone 3, this is the highest classification of flood risk and probability of flooding from the sea or river is, (1 in 100 year, which is a 1% chance in any given year).

The Flood Risk team are satisfied that the proposed change use will not increase the existing flood risk, and the proposal will not increase the flood risk outside the site boundary. Therefore the flood risk team have no objections to the proposed change of use.

Advisory

Due to the high flood risk at this location and the fact that the site has an history of internal flooding, the flood risk team would encourage the applicant to consider measures that can be taken to limit the effects of any future flooding of the property, careful consideration should be given to make sure the building is able to recover quickly and keep any disruption to a minimum

A full and detailed action plan should be in place before the building is occupied, regular testing of the plan should be undertaken, full debrief should be undertaken and any lessons learnt should be recorded and the plan amended if necessary. Arrangement should be in place to re-locate the residents in the event of a flood, (a building can be unsuitable for occupation for up to 3 to 6 months following a flooding incident).

The action plan should include a decision making matrix that clearly sets out each stage of a controlled evacuation, the plan should be sufficiently robust to ensure that the emergency services are not required to undertake an emergency evacuation.

Finally the property must sign up to the environment agencies flood warning service, so that it can receive early flood warnings and activate the flood action plan.

Environmental Health Unit

I have checked the documentation provided, have found no grounds for objection in principle to the development and do not think that conditions need to be imposed from an Environmental Health perspective.

The property of the proposed development is detached and a suitable distance from other local residential properties. I therefore do not envisage noise from the occupants within the property to cause a disturbance to local residents; however if complaints were received the management of the premises would be responsible for ensuring a Statutory Nuisance does not exist.

Cleveland Police

Whilst Cleveland Police recognises that well run children's homes are necessary and provide a valuable resource for vulnerable members of society and the applicant appears to making an effort to provide such a service.

Cleveland Police has experience of new children's homes being associated with reports of anti-social behaviour from local residents. The force would seek assurance from the provider that effective management, staffing and procedural arrangements are in place at all times to ensure that residents at the home are effectively supported and that effective early interventions take place for any reported issues affecting the local community or individual residents.

Cleveland Police, along with other safeguarding partners, require the providers of the Children's Home to comply with the requirements of the multi-agency protocol on runaways and missing from home or care. Effective management, staffing and procedural arrangements must be in place to prepare for potential missing episodes, take all possible measures to protect those at risk and work with the police to ensure a quality early risk assessment takes place. The home must also work with the police and their residents on effective interventions to prevent children repeatedly going missing from care.

Children, Education And Social Care

No comments received.

Councillors

No comments received.

PUBLICITY

Neighbours were notified. A total of 16 objections were submitted and 20 comments of support and were received.

Comments of objection were received and the names and addresses are detailed below.

Mrs Rachel Anderson, 21 Carr Bridge Close Eaglescliffe
Mr Peter Close, 18 Carr Bridge Close Eaglescliffe
Mrs Lynn Dobson, 9 Burdon View Eaglescliffe
Mrs Carolyn Warnock, Bellmount House Aislaby Road
Mr Richard Vaux, 3 Burdon View Eaglescliffe
Mr Nigel Vaughan, 4 Burdon View Eaglescliffe
Gordon Belshaw, 1 Burdon View Eaglescliffe
Mr Stewart McKenzie, 17 Carr Bridge Close Eaglescliffe
Dr Gill Owens, Aspen Lodge Aislaby Road
Prism Planning on behalf of Mr Brian O'Donnell & Miss Lisa Smitheringale, Willow View
Mr Jerome Dobson, 9 Burdon View Eaglescliffe
Mrs Emma McAskill, 12 Carr Bridge Close Eaglescliffe
James Shearer, Highfield Manor Aislaby Road
Nigel Ibbetson 5, Burdon View Aislaby Road
Mr Neil Parker, Loxley Chase Aislaby Road
Mr Andrew Gibson, 8 Black Bull Wynd Aislaby

Comments of support were received and the names and addresses are detailed below.

Mrs Kate Alewood, 39 Rook Lane Norton
Mrs Coralie Millen, 20 Beverley Road Holmwood
Mrs Jackie Buckley, 9 Blankney close Guisborough
Mrs Janine Wilkinson, 3 Coleton Gardens Ingleby Barwick
Mrs Alyssa Dale, 62 Castlemartin Ingleby Barwick
Mrs Jenny Holmes, 118 - 120 The Meadowings Yarm
Ms Sandra Mcleavy, 32 Carew Close Yarm
Mrs Amanda Jackson, 43 Seymour Drive Eaglescliffe
Mrs Helen Jaques, 7 Bankside Yarm
Mrs Penny Brown, 15 The Slayde Yarm
Mr Ben McBean, 8 Abbotsford Court Ingleby Barwick
Mrs Sarah Britton, 17 Richardson Road Stockton-on-Tees
Mrs Carolyn Casey, 9 Kingsdale Close Yarm
Mr Andrew Wilkinson, 24 St Andrew's Close Eaglescliffe
Ms Christine Franklin, 21 Hird Road Yarm
Mrs Donna Arkley, 1 Wear Crescent Eaglescliffe
Mrs Gloria Clemmons, 1 Green Lane Stockton-on-Tees
Mrs Louise Ingledew, 12 Clapham Road Yarm
Mr Richard Brown, 15 The Slayde Yarm
Mr Frederick Holmes, 118 The Meadowings Yarm

Comments received are summarised as follows;

Development not suitable for residential area

Residents have raised concerns that the introduction of a care facility would represent a commercial operation within the residential setting and would be out of character with the surrounding area and introduce issues of noise and disturbance at all times of the day and night and would result in an intrusion into residents' privacy. Residents have also questioned whether the type of care that the facility would provide would be for Autistic Children.

Highway Safety and sustainability concerns

Residents have expressed concerns that the proposed use would generate a greater amount of traffic than suggested within the application submission and could lead to issues concerning on street parking, of which there is little scope for along Aislaby road. Aislaby Road is narrow and any parking would restrict the safe movement of vehicles on the public highway. Residents also note that the road is regularly trafficked by heavy duty farming vehicles. Despite being within the 30 mph zone, a speed survey carried out has detailed that speeds along the road were at an average speeds of approximately 42 Mph. Consequently, the visibility splay required for safe access/egress from the site onto Aislaby Road for traffic traveling in excess of 40 mph would significantly higher than the visibility required for traffic travelling at 30 mph.

Comments received consider the site is not a sustainable location, as it is not situated on a major public bus route or would it be safely accessible by foot or by bicycle and the site does not benefit from adequate street lighting.

Flood Risk

Objections received consider the property to be unsuitable for the proposed use given the sites vulnerability to flooding. The site falls within flood zone 3 and comments received are concerned at placing vulnerable children within an environment where a flooding event could occur and create a stressful experience for vulnerable children that as a consequence may lead to Children becoming displaced should there be a need for repair works at the premises. Comments received suggest that the application should be subject to a sequential study and exemptions test and approving the site would conflict with paragraph 100 of the National Planning Policy Framework.

Anti-Social behaviour/Crime

Residents have raised concerns that the proposed care facility would generate an increase in anti-social behaviour and crime and would result in frequent call outs of emergency services. Residents have cited existing anti-social behaviour activity adjacent to the site in the nearby layby and playing field beyond. Comments also considered that placing vulnerable children close to an area experiencing anti-social behavioural problems as being unsuitable for vulnerable children's well-being.

Other Matters

Residents consider that having a residential institution in the village will devalue their properties.

Support comments

Comments of support largely welcome a facility that would cater for children with learning difficulties and children with Autism Spectrum Disorder. Comments also consider objections based on anti-social behaviour to be unsubstantiated.

PLANNING POLICY

Where an adopted or approved development plan contains relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permissions shall be determined in accordance with the Development Plan(s) for the area, unless material considerations indicate otherwise. In this case the relevant Development Plan is the Core Strategy Development Plan Document and saved policies of the Stockton on Tees Local Plan.

Section 143 of the Localism Act came into force on the 15 Jan 2012 and requires the Local Planning Authority to take local finance considerations into account, this section s70(2) Town and Country Planning Act 1990 as amended requires in dealing with such an application [planning application] the authority shall have regard to a) the provisions of the development plan, so far as material to the application, b) any local finance considerations, so far as material to the application and c) any other material considerations

The following planning policies are considered to be relevant to the consideration of this application:-

National Planning Policy Framework

Paragraph 14. At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking;

For decision-taking this means:

approving development proposals that accord with the development without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

-any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or-
-specific policies in this Framework indicate development should be restricted.

Core Strategy Objectives

Objective 1 of the Core Strategy is to enable all of Stockton Borough's residents to live in prosperous, cohesive, and sustainable communities.

Objective 6 of the Core Strategy seeks to provide high quality services and facilities to meet the needs of the Boroughs growing and ageing population.

Objective 7 of the Core Strategy seeks to; promote equality, diversity and strengthen community cohesion.

Objective 11 of the Core Strategy seeks to provide a safe, healthy and attractive environment, indicating that Stockton Borough will be a safe place with crime rates remaining below the national average.

Core Strategy Development Plan Policy CS8 – Housing mix and affordable housing provision

10. The Council will support proposals that address the requirements of vulnerable and special needs groups consistent with the spatial strategy.

MATERIAL PLANNING CONSIDERATIONS

6. The main planning considerations of this application relate to the principle of development, the social and amenity impacts on the surrounding area and occupiers, flood risk considerations and issues concerning highway safety. These are considered as follows;

Principle of development

7. The application is for a change of use from a residential dwelling currently falling within Use Class C3 to a residential care facility falling within C2 Use Class. The applicant has submitted a supporting statement detailing that the facility would be used for children with Autistic Spectrum Disorder. Whilst the applicant has detailed the specific intended use within the C2 use classification, it is considered unreasonable to restrict the use to a children's home for autistic children only without significant justification indicating that a general C2 use would be unacceptable. The application has therefore been assessed based on the proposed change of use to a general C2 Use Class.
8. The application site is located on Aislaby Road, Eaglescliffe, which is located within the limits to development and lies approximately 700 metres from Yarm District Centre. A number of objections received relate to the unsustainable nature of the application site, due to the lack of a regular bus service, the poor footpaths and cycle routes and there being a high reliance on the private motor car for existing residents and the proposed use. Objectors consider that this proposal is not in line with council objectives to locate uses within sustainable locations.
9. Whilst the site is on the edge of the settlement, it provides a large residential property within substantial grounds making it suitable for conversion for a small scale residential care facility. Being within the limits of development, whilst it may not have the easiest connections to Yarm centre, it is nonetheless part of the urban area. Furthermore, the property is already a large residential property and many of the movements required for the children's home would already be a requirement for the dwelling. It is therefore considered that the location is sufficiently sustainable to justify the proposed use and any associated intensification.
10. Core Strategy Development Plan Policy CS8(10) supports proposals that address the requirements of vulnerable and special needs groups and it is considered that the principle of the proposed change of use is generally in accordance with Policy CS8.
11. Section 8 of the National Planning Policy Framework encourages the promotion of healthy communities, indicating that planning decisions should aim to achieve places which promote '*safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion*'. Whilst this section of the NPPF is aimed more at the provision of facilities such as open space and recreation, shops and other services, it is considered that the proposed change of use could be viewed as a service and that this statement within the NPPF could therefore be relevant to the consideration of this application.

Social impacts on the surrounding area

12. As can be appreciated by the consultation responses, the main basis of objection to the application relates to resident's concerns about the actions and behaviour of the children

residing at the property. Residents have cited existing anti-social behaviour activity adjacent to the site in the nearby layby and playing field beyond.

13. Matters of existing anti-social behaviour in the existing area are not related to the proposed use and therefore cannot be addressed in dealing with this current application. With regards to the concerns from residents in respect to anti-social and criminal behaviour associated with the proposed use, it is particularly difficult for planning considerations to give any significant weight to the 'potential' behaviour of individuals. The use could generate significant anti-social behaviour, as could any residential property and likewise, it could generate limited or no anti-social behaviour like many residential properties do. It is anticipated that the potential for anti-social behaviour would be mainly related to the nature of the children residing at the site (which is not fixed) and the success of its management. Were permission to be granted, the planning permission and any associated conditions could not reasonably control the nature of the children and the day to day management of the use. Instead, were permission to be granted and anti-social behaviour to occur, this would be a matter for the staff / management of the facility and any others responsible for dealing with the nature of the behaviour such as the police. The Police advised of the need for the operator to work with the police and other relevant agencies and to ensure the site is properly managed. An informative is recommended to relay this to the operator as the implementation of a continual management plan relating to management is considered to be unjustified in planning terms.
14. In terms of noise generation from the proposed use, the Environmental Health Unit has been consulted and has no objections to the proposed care facility. Given the site is already a residential site and would remain to be residential and given the property being set within extensive grounds, there are no operations of such a use which would specifically result in noise generation more than may exist at any residential property. In view of these matters, it is considered there would be no undue impacts of noise on surrounding residents and their associated amenity.
15. As with any development or use, it needs to be of a scale which is representative of the settlement and surroundings which it is within and the use should in no way dominate the surrounding character which in this instance is that of dwellings on the edge of the settlement. With this in mind it is considered appropriate to condition the extent of the use to care for no more than 5 individuals. Whilst this is an arbitrary figure, it represents the circumstances of a large family which may otherwise reside in such a property and it is considered that beyond this, the use would start to represent a larger facility which may no longer fit with the character of its surroundings.
16. Consideration is given to whether there is a need to control the age limit for children intended to be housed at the site. It is understood that the property is not being used for transitional accommodation and as such, this will be home for the children who could spend a number of years at the property. With this in mind it seems inappropriate for a planning control to prevent a child to leave what has become their home once they get to a certain age, however, it is also understood that the business provides accommodation for children up to 18. Beyond 18 and the individuals would no longer be considered to be children. In view of these matters, and to prevent ambiguity it is considered necessary to prevent care being given to people over 18 at this property. This would allow the use to provide care within the bounds of which consideration has been given to the proposal.

Flood Risk

17. Whilst the site is located within Flood Zone 3, the proposed change of use from a residential property to a residential institution would not change the classification of vulnerability for the use within the environment agencies flood risk vulnerability

classification and given there is no formal development works, the use in itself would not increase the potential for flooding at the site.

18. The Council's flood risk officers have considered the scheme and have no objections to the proposed change of use. The Council's flood risk team encourage the applicant to consider measures to limit the effects of any future flooding of the property to make the building more flood resilient and to minimise any disruption. An Informative is recommended that the operator puts in place an appropriate flood evacuation plan and suggests the operator signs up to the environment agencies flood warning service, so that early flood warnings can be received and the flood action plan activated.

Highway and traffic related considerations

19. The site lies within a 30mph speed zone and is served by an existing gated vehicular access which is set back from the highway. An objection received has submitted a speed survey detailing the average speeds traveling at 44mph. Taking into account the speed survey carried out, the Highways Transport and Environment Team consider that the site access would require a visibility splay of 160m from a point 2m back from the edge of carriageway. Having visited the site, the Highways Transport and Environment Team consider that a visibility splay of approximately 155m can be achieved, which is within 5m of the required splay. Having considered the limited intensification of the proposed use and subject to a condition to cut back existing vegetation which would in itself improve the current situation, the Highways Transport and Environment Team consider the proposed access to be acceptable in terms of highway safety.

Objectors consider that a greater level of parking would be required for such a use and may lead to on-street parking along Aislaby Road which has limited ability for passing in such instances. Whilst this is noted, officers have no reason to anticipate this facility to generate notable demands for more parking and as such no more than 10 spaces are required at the site. The Highways Transport and Environment Team consider that the site can achieve the requisite spaces and manoeuvrability to allow vehicles to enter and leave the site in a forward gear. As such, the proposal is considered acceptable in terms of car parking provision and manoeuvrability.

CONCLUSION

20. The principle of providing care for the vulnerable parts of society and the economic / job creating benefits of the scheme are all considered to accord with the National Planning Policy Framework and the Core Strategy.
21. The residents' concerns over the potential for anti-social behaviour are noted, however, it is difficult for a planning decision to factor in the potential behaviour of children and it is argued that this is more of a matter for the management of the facility and others such as the police, were it to occur. Notwithstanding this, it is considered necessary to ensure the property remains to be a children's home of a limited scale as is being proposed in order to prevent future uncontrolled change. As such, a condition is recommended which limits the age to which cared for residents can be and which restricts the number of cared for residents to 5, which is considered to reflect in part the number of children that could be accommodated within a large family home.
22. The proposed change of use to a residential institution would not increase the environment agencies classification of vulnerability and given there is no formal development works, the use would not increase the potential for flooding at the site.

23. It is considered that there is no undue risk to highway safety, that adequate parking can be provided and although the use of the site and comings and goings will almost certainly intensify as a result of the proposal, this would not be to a degree which would substantially harm the surroundings or amenity of nearby residents taking into account the property being a large detached bungalow, within its own relatively extensive grounds.

In view of all of the above, it is considered that the proposal is in accordance with the Development Plan and the National Planning Policy framework and there are no material planning considerations which indicate otherwise. It is recommended that conditional planning permission be granted.

Director of Economic Growth and Development Services
Contact Officer Mr Kieran Campbell Telephone No 01642 528551

WARD AND WARD COUNCILLORS

Ward	Eaglescliffe
Ward Councillors	Councillor Phillip Dennis
Ward Councillors	Councillor Stefan Houghton
Ward Councillors	Councillor Laura Tunney

IMPLICATIONS

Financial Implications:

There are no known financial implications in determining this application.

Environmental Implications:

The site is an existing dwelling with gardens and will remain to be a residential dwelling with gardens, albeit with different occupiers and as such, there are no notable environmental implications known to be a result of this proposal.

Human Rights Implications:

The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report. Comments received have been considered in reaching the recommendation.

Community Safety Implications:

The provisions of Section 17 of the Crime and Disorder Act 1998 have been taken into account in the preparation of this report. The proposal will result in a slight intensification of the access and adequate regard has been taken to ensure no notable risk to highway safety. Issues of anti social behaviour have been considered.

Background Papers

The Town and Country Planning Act 1990.

National Planning Policy Framework

Stockton on Tees Local Plan Adopted Version June 1997

Core Strategy Development Plan Document March 2010

Supplementary Planning Document 3: Parking Provision for New Developments (2011)