

5 DCSE2004/2752/F - CHANGE OF USE FROM RESIDENTIAL C3 TO RESIDENTIAL CARE HOME C2 FOR ADULTS WITH LEARNING DIFFICULTIES AT DOWARD HOTEL, WHITCHURCH, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6DW

For: Voyage Care Services per Homewood Design Unit, 9 Tamworth Enterprise Park, Mariner, Tamworth B79 7UL

Date Received: 26th July, 2004 Ward: Kerne Bridge Grid Ref: 53915, 16645

Expiry Date: 20th September, 2004

Local Member: Councillor Mrs. R.F. Lincoln

1. Site Description and Proposal

- 1.1 The site is located on the east side of the Class III road at Crockers Ash, which comprises a collection of dwellings about 1 mile south of Whitchurch. Doward Hotel, which is in residential use and no longer a hotel, is approached by a short drive that also serves two recently constructed houses. There is also an access onto the lane at the rear that serves the Doward.
- 1.2 The building is a Listed Building and dates from 1800 but has been much altered more recently. It is of two stories with rendered walls and a tile roof. Its rear abuts the road that serves the Doward. The site is on rising ground and is visible for some distance from the south. It is within the AONB and AGLV. The curtilage that includes the whole of the drive extends to some 0.4 ha.
- 1.3 The proposal is to change the use to care home for adults with learning disabilities, which is a change in Use Class from C3 to C2. No external alterations are proposed.

2. Policies

1.1 Planning Policy Guidance/Statements

PPG1	-	General Policy and Principles
PPG3	-	Housing
PPS7	-	Sustainable Development in Rural Areas
PPG15	-	Planning and the Historic Environment

1.2 Hereford and Worcester Structure Plan

Policy CTC1	-	Areas of Outstanding Natural Beauty
Policy CTC2	-	Areas of Great Landscape Value
Policy CTC9	-	Development Requirements
Policy CTC13	-	Conversion of Buildings

1.3 South Herefordshire District Local Plan

Policy GD.1	-	General Development Criteria
Policy C.1	-	Development within Open Countryside
Policy C.5	-	Development within Area of Outstanding Natural Beauty
Policy C.8	-	Development within Area of Great Landscape Value
Policy C27A	-	Change of Use to a Listed Building
Policy CF.4	-	Residential Homes
Policy T.3	-	Highway Safety Requirements
Policy T.1A	-	Environmental Sustainability and Transport

1.4 Unitary Development Plan

Policy S.1	-	Sustainable Development
Policy S.2	-	Development Requirements
Policy DR.2	-	Land Use and Activity
Policy LA.1	-	Areas of Outstanding Natural Beauty
Policy LA.2	-	Landscape Character and Areas Least Resilient to Change
Policy HBA3	-	Change of Use of Listed Buildings
Policy CF.7	-	Residential Nursing and Care Homes

3. Planning History

3.1	SH030100LA	Repairs and maintenance to halt further deterioration.	-	Approved 18/3/93
	SH940013PF	Conversion of hotel into 6 apartments and 2 detached houses.	-	Not determined
	SH971030PF	Hotel conversion to 6 flats plus two cottage style dwellings.	-	Approved 30/3/98
	SH971031LA	Hotel conversion to 6 flats plus two cottage style dwellings.	-	Approved 30/3/98
	SE1999/1468/F	Proposed manager's dwelling.	-	Withdrawn
	SE1999/2102/F	Managers house.	-	Withdrawn

4. Consultation SummaryStatutory Consultations

4.1 No statutory or non-statutory consultations required.

Internal Council Advice

4.2 Head of Engineering and Transportation has no objection subject to conditions.

5. Representations

5.1 In support of the proposal it is stated:

“Voyage Limited provides specialist residential homes for people with a learning disability and complex needs. Our services and support aim to help individuals develop and progress within an extended family model, in this case for 10 individuals, two of who will be supported in self-contained apartments to assist in building their

independence. The residents will be supported to access normal community facilities in adjoining towns and villages.

Given the special needs of the people we support, we provide a high ratio of staff to residents, a minimum of 1 staff member to two residents during waking hours but in approximately 30% of cases staffing levels are higher. We would estimate that there would be 6 or 7 support staff on duty during waking hours. At night time there would be a minimum of one staff member on waking duty supported by a member of staff on sleep-in duty.”

- 5.2 Ganarew Parish Council's response is awaited
- 5.3 Commission for Social Care Inspection have no observations
- 5.4 Herefordshire Primary Care Trust response is awaited
- 5.5 West Mercia Constabulary response is awaited
- 5.6 Letters of objection have been received from Well Vale Farm, Crockers Ash House, 2 Fernbank Cottages and Falcon Dene. The reasons are:-
 - the plans are incorrect and do not show two new houses which are close to the site
 - the property is not a hotel but in residential use
 - that there is no community into which the residents can be reintroduced/integrated
 - there is nothing to do in the area
 - residents will get lost in the woods or fall in the river
 - there is no garden
 - it is close to a busy road
 - the application is for profit
 - there will be trespass onto farmland
 - there is no guarantee for the personal security/protection of local children and other homes have recently shut due to incompetent running
 - the use will not conform to planning policies C.1, GD.1, CF.4
 - it will generate noise, general activity and traffic which will be detrimental and unsafe in the area
 - it is suggested that access is limited to the side access and that other works such as speed limits and pavements are provided on the public highway
 - there is lack of facilities and public transport in the area
 - it is concluded that the proposal is ill thought out and not in the interests of proposed or local residents

The full text of these letters can be inspected at Southern Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

6. Officers Appraisal

- 6.1 The starting point for the determination of the application is the policies of the development plan. In this case the primary issue is the suitability of the site for such a use. Local Plan Policy CF.4 deals with residential homes and states that permission will be granted for such uses subject to the meeting of certain criteria. In addition, Unitary Development Plan Policy CF.7 deals with residential nursing and care homes and, subject to meeting certain criteria, states that such uses will be permitted in areas

where new residential development is acceptable or where they involve the environmentally acceptable conversion of buildings.

6.2 The Doward Hotel was previously a hotel but the building fell into disrepair. Following the permission in 1998 it was converted into the six flats as approved but only one of these has been occupied. This proposal therefore effectively seeks the re-use of a rural building that was previously in a commercial use.

6.3 From the policy context the following two broad issues can be identified –

- whether this is a suitable location for a residential institution, and
- the impact of the use on the amenities of nearby properties

6.4 Whether this is a suitable location for a residential institution

The site is within open countryside where planning permission would not normally be granted for new development. This proposal is however for the change in use of an existing building. Local Plan Policy CF.4 does not include a locational constraint, as such, for residential homes and neither does UDP Policy CF.7, in terms of the conversion of an existing building.

Crockers Ash is essentially a collection of dwellings alongside the Class III road. It contains no local services or facilities. The nearest facilities are located nearby in Whitchurch. The full range of community services and facilities are located either in Ross on Wye or Monmouth. It is clear therefore that the occupants, as currently do all the existing local residents, will have to travel to obtain all the basic services and facilities. However, there are throughout the county a number of other similar establishments that are in the more rural areas with similar travel distances for access to services. It is considered that the use in this location would not be so disadvantaged in terms of access to these services such that it is unacceptable.

With regard to accessibility and traffic issues, the site is close to the A40 that provides a good link to the nearest towns. The access to the site from the public highway is a recently surfaced driveway that also serves two other houses. The occupancy in terms of numbers of people is not considered to be excessive for the size of the property. It is considered that the traffic generated by the use will not be at a level such that there would be an unacceptable increase on the road network resulting in an adverse impact on highway safety. Within the site itself there is an acceptable provision for car parking. Of the two access points it would be preferable for vehicles to use the access direct to the Class III road rather than onto the narrow lane at the side. However it is not considered necessary to close the secondary access. The Head of Engineering and Transportation has no objection subject to conditions requiring the car parking area to being resurfaced.

In conclusion on this issue it is considered that the site is a suitable location.

6.5 The impact of the use on the amenities of nearby properties

It is likely that the residents of the home will require continuing professional care and support. The application makes it clear that there will be care staff present at all times. Local Plan Policy CF.4 and UDP Policy CF.7 seek to ensure that residential care homes do not adversely affect the amenities of neighbouring properties. This is an issue of concern to local residents and it has been raised during the consideration of other similar proposals both in the county and nationally. It has been confirmed that a

fear of the behaviour from the occupants of residential care homes can be a material planning consideration. However in order to carry significant, and determining, weight such concerns need to be accompanied by convincing evidence that the assertions made will result.

Firstly it is considered that from the level of occupation intended the operation of the use within the site itself, in terms particularly of noise and disturbance, is unlikely to have an unacceptable impact on the amenities of nearby dwellings. Additionally it is unlikely that any additional traffic generated would cause unacceptable harm to residential amenity.

With regard to the broader issue the expressed fears (in the representations) are that the use may give rise to danger to local children and that there is no local community into which the occupants can integrate.

It is accepted that the residents are likely to be in a different environment to that which they are used to. The regulatory body for the use is the Commission for Social Care Inspection who has no observations. It is necessary to also be mindful of the advice in PPG.3 that promotes the concept of mixed and inclusive communities, including meeting the housing needs of specific groups.

In conclusion on this issue it is considered that the proposal would not result in an unacceptable impact on the amenities of residential property in the area.

- 6.5 The site is within the Wye Valley Area of Outstanding Natural Beauty and the Area of Great Landscape Value. It is considered that the nature of the proposal is such that harm will not be caused to the landscape character of the area.
- 6.6 The property is a Listed Building. No physical alterations are proposed but should any be necessary, such as to enable compliance with Fire Regulations, these would need to be the subject of a separate application. The proposed car parking is shown to be to the front of the property on the existing gravelled area. It would be preferable, in the interests of preserving/improving the setting of the building if it were relocated to the side of the building. This can be reserved by condition.
- 6.7 Conclusion

The introduction of such uses into any location is usually accompanied by concerns from the local community. In this case having regard to the policies of the development plan it is considered that the proposal is acceptable. With regard to other material considerations, whilst the concerns of the local community are understood they do not represent, in planning terms, a clear justification to refuse the application.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1 A01 (Time limit for commencement (full permission))**

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

- 2 The occupation of the property shall be limited to a maximum number of ten adults.

Reason: In order to define the terms under which this permission is granted.

- 3 At all times when adults are present in the property a minimum of one care staff shall also be present.

Reason: In order to ensure that continued residential care is available.

- 4 H16 (Parking/unloading provision - submission of details)

Reason: To minimise the likelihood of indiscriminate parking in the interests of highway safety.

Informative:

- 1 N15 - Reason(s) for the Grant of Planning Permission

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.