

**13 DCNC2004/2996/F - CONVERSION TO 7 BED
RESIDENTIAL CARE HOME AT LEDWYCHE SPRINGS,
BLEATHWOOD, HEREFORDSHIRE, SY8 4LF****For: Mr J Brown of 20 The Green, Mountsorrel, Leics
LE12 7AF****Date Received:
16th August 2004****Ward:
Upton****Grid Ref:
54887, 70745****Expiry Date:
11th October 2004**

Local Member: Councillor J Stone

1. Site Description and Proposal

- 1.1 Ledwyche Springs, a recently constructed dwelling is located on the north side of the C1054, opposite its junction with the C1053. It is located in open countryside.
- 1.2 This application proposes the change of use to residential care home for adults over the age of 18 with disabilities as defined in Part 1 of the Disability Discrimination Act 1995.

2. Policies**2.1 Leominster District Local Plan (Herefordshire)**

A2 – Settlement hierarchy
A54 – Protection of residential amenity
A57 – Sub-division of houses

2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft)

H17 – Sub-division of existing housing

2.3 PPG1 – General Policy and Principles**3. Planning History**

NC2002/1108/U - Proposed used for domestic/residential purposes in breach of condition 2 of planning permission 88/0384 - agricultural occupancy tie. Certificate of Lawful Use granted 31.5.02.

4. Consultation SummaryStatutory Consultations

- 4.1 None required.

Internal Council Advice

4.2 Head of Engineering and Transport: No objection.

5. Representations

5.1 Little Hereford Parish Council: No objection.

5.2 Objections have been received from:

Mr and Mrs P Oliver, Bramlea, Whitehouse Farm, Bleathwood, Little Hereford
J B and J Harbottle, Holly Cottage, Bleathwood
Mrs G Hamer, Miss J Hamer and Miss A Hamer, Halfway House Farm, Little Hereford
W J Francis, The Hall House, Bleathwood
M Watkins, W Hayes, Woodgate Cottage, Bleathwood

The main points raised are as follows:

- a) It is adjacent to a busy, fast road where additional would cause a danger to other road users.
 - b) We are worried the residents will be allowed to wander around the village unattended.
 - c) There is a large pond to the front of the house and another nearby making it unsafe for residents.
 - d) It is 4 miles from the nearest town with no public transport. It is in an inappropriate location.
 - e) It will impact significantly on our view.
 - f) The property will be sharing access with agricultural machinery and workers.
 - g) It is off the beaten track.
 - h) Emergency services will be compromised.
- 5.3 The applicant has advised that the care home is for adults, people over the age of 18, with disabilities as defined in Part 1 of the Disability Discrimination Act 1995.
- 5.4 The full text of these letters can be inspected at Northern Planning Services, Blueschool House, Blueschool Street, Hereford, and prior to the Sub-Committee meeting.

6. Officers Appraisal

- 6.1 This application is for the change of use of a domestic dwelling to residential care home for the housing of adults over the age of 18, with disabilities as defined in Part 1 of the Disability Discrimination Act 1995.
- 6.2 Ledwyche Springs is located in open countryside and as has been commented upon by many of the objectors, there are no amenities and is served by limited public transport service, as such, Ledwyche Springs is located in an unsuitable location for

the use proposed. The occupants of Ledwyche Springs will only reside at the premises during their stay and are unlikely to leave the site. All of the facilities and services, which the occupants will require, will be provided on site by the employees and the occupants are to be transported to and from the site. Therefore, the need for the use to be located within or near to an existing town or village with basic services is not applicable.

- 6.3 It has also been suggested that the care home will result in increased traffic movements to and from the property from a minor, but busy, C class road. The Transportation Officer raises no objection to the proposal and considers that traffic movements, together with on-site parking provision, will not compromise matters of highway safety.
- 6.4 Therefore, it is not considered that the care home use would be unsustainable use in this location given the way the care home is to be managed.
- 6.5 Fears have been expressed as to the possibility of residents leaving the premises unsupervised. While, your officers can understand the concerns of local residents, much of the objection is centred on not knowing what to expect. Clearly, the fears of local residents are relevant. However, Circular 13/87, entitled Change of Use, etc, Order 1987, states that: "Normally the identity of the user or the type of person to be accommodated by reference to age or other characteristics is not a land use planning consideration."
- 6.6 The property itself is physically capable of accommodating the proposed use in terms of number of rooms, internal layout and facilities within, existing drainage facilities and the capacity of accommodating the proposed use. There is adequate parking space and the access is satisfactory. There is ample amenity space for the occupants and the care home use is unlikely to have any significant additional impact on the local community. Therefore the proposed use is considered to be acceptable in accordance with the relevant planning policies, Government guidance and Circulars, and there are no other material planning reasons to warrant refusal of this 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 - A11 (Change of use only details required of any alterations)**

Reason: To define the terms under which permission for change of use is granted.

- 3 - E10 (Use restricted to that specified in application)**

Reason: To suspend the provisions of the Town and Country Planning (Use Classes) Order currently in force, in order to safeguard the amenity of the area.

Informative:

1 - N15 - Reason(s) for the Grant of PP/LBC/CAC

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.