

## **Application Recommended for Approval**

Rosehill with Burnley Wood Ward

**APP/2017/0296**

Full Planning Application

Proposed change of use from residential dwelling house (Use Class C3) to supported housing scheme and erection of single storey extension to the rear.

1 PARK AVENUE BURNLEY

### **Background:**

The application relates to a large end of terrace dwelling, facing Scott Park.

Objections have been received.



Application site

### **Relevant Policies:**

#### Burnley Local Plan Second Review

H3 - Quality and design in new housing development

H12 – Non-residential uses in residential areas

H13 - Extensions and conversion of existing single dwellings

#### Burnley's Local Plan – Proposed Submission Document, July 2017

HS4 – Housing Developments

HS5 – House Extensions and Alterations

SP4 – Development Strategy

SP5 – Development Quality and Sustainability

## Site History:

No applications.

## Consultation Responses:

Highway Authority – The proposal is for a rest bite residential care facility with seven bedrooms for six patients and overnight manager. This being the case the parking requirements are less than those required for the previous five bedroom house. There are no highways issues with the application and therefore I raise no objections.

Environmental Health – No objections but request the imposition of a condition restricting working times during the construction phase.

*[Comment – Given the residential setting of the property this condition would be reasonable and is included in the recommendation].*

Designing Out Crime Officer (Police) – Recommendations for general security against intruders at the residential premises.

*[Comment – copy of the comments will be forwarded to the applicant. The recommendations indicate a very rigorous approach to security that the applicant may not wish to implement]*

Neighbouring Residents – Letters from 15 neighbouring residents making objections to the proposal. The representations include reference to a range of issues reflecting perceptions and concerns about the possible adverse impact on the safety and well-being of the locality arising from the proposal. The planning considerations are summarised as follows:

1. Insufficient car parking; access may be restricted by congestion; no transport assessment submitted.  
*[Comment – No objections from LCC Highways. The applicant notes that experience on other sites is that their residents are less likely to own a car and more likely to use public transport, taxis or be transported to the facility by friends or family. The car parking is therefore only required for the on-site staff]*
2. Construction disturbance.  
*[Comment – a condition is recommended to regulate construction working hours]*
3. Future use may change/intensify.  
*[Comment – A condition is recommended to restrict the use]*
4. Loss of privacy; overlooking from the rear first floor office.  
*[Comment – A condition is recommended to require obscure glazing of the rear window]*
5. Insufficient information about ecology, including bats.  
*[Comment – The application for change of use of the dwelling would not normally be expected to include an ecology survey. No external work is*

*proposed, other than the small rear extension, and there are no alterations to the roof proposed. Bats and wildlife are also protected under other legislation]*

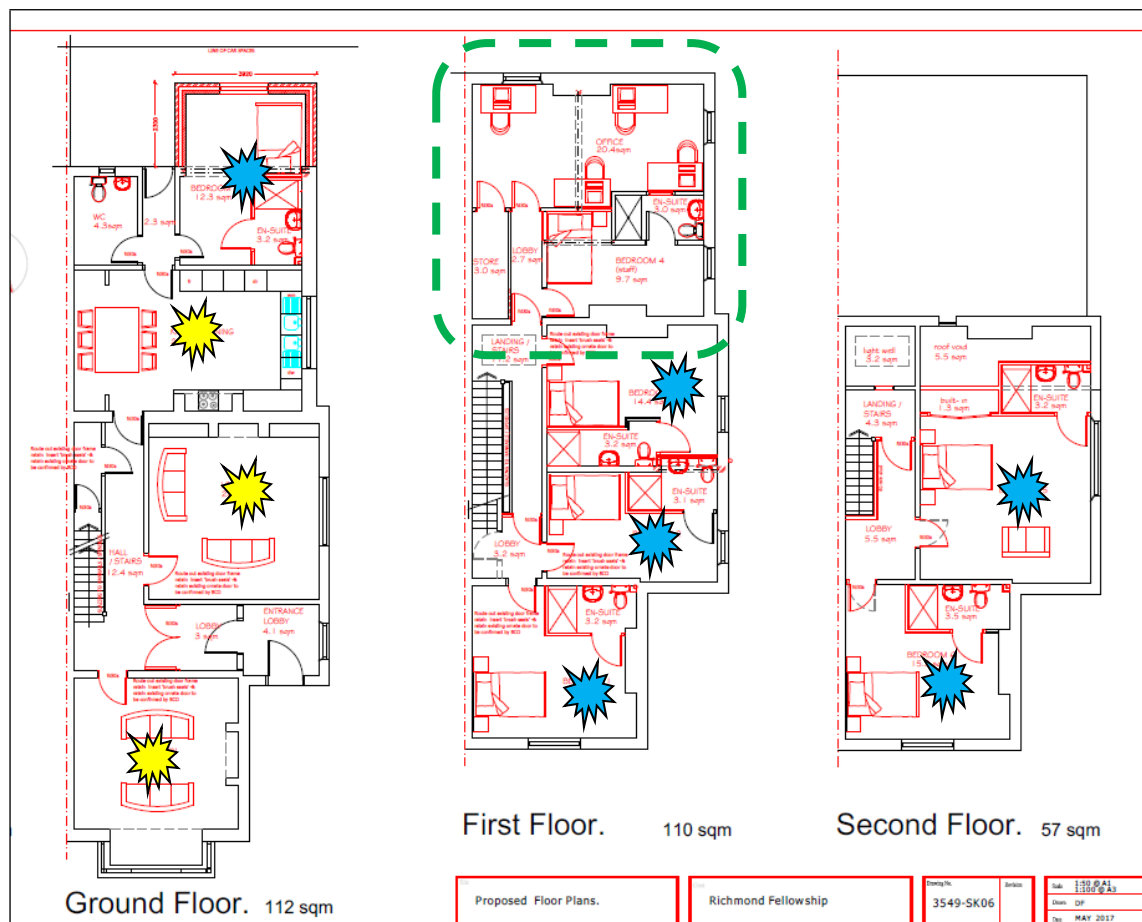
6. Loss of large house to the Boroughs housing stock.  
*[Comment – The loss of one property will have a negligible impact on the Boroughs Housing stock. The proposal will be addressing a specific housing need by providing supported housing supported by the Lancashire Care NHS Foundation Trust. However a condition is recommended requiring the house to revert to use as a dwellinghouse if/when the use ceases].*
7. Damage to heritage; the house may be harmed by alterations.  
*[Comment - The property is not listed nor is it situated in Conservation Area with Article 4 restrictions]*
8. Need for a noise assessment in relation to internal noise impact on neighbours.  
*[Comment – C2 uses are compatible within residential neighbourhoods. The rooms will be used as they are at present (bedrooms) and it is considered that the proposal will not lead to any undue disturbance. In any event the facility will be managed by staff 24/7 so any potential disturbance would be minimised]*
9. Noise and disturbance arising from the coming and going of residents and staff;  
*[Comment from Applicant - The facility would be managed by an on-site manager 24/7 with 3 staff managing the property over a 24 hour period. The admission of service users would only be between the hours of 08:00 and 22:00. Given the scale of the proposal there would not be a lot of 'comings and goings' and the property would be managed to ensure any potential disturbance is minimised]*
10. Smoking outside the building.  
*[Comment – Were this to be retained as a residential dwelling, there would be no control over smoking so this is not a planning issue]*
11. External lighting may cause glare/disturbance.  
*[Comment- There is no external lighting proposed. The LPA would have no control over the addition of security lights if this were to remain a dwelling, however nuisance caused by poorly erected lighting could be dealt with under other statutory powers]*

### **Planning and Environmental Considerations:**

The application relates to a large end of terrace dwelling house facing Scott Park. Vehicular access is from Carr Road, leading from Manchester Road. Park Avenue (a pedestrian access) runs along the front of the terrace, separating it from Scott Park.


The house has two large reception rooms, a generous dining/kitchen, utility room, cellar, seven bedrooms (one with en-suite), a bathroom, and a single stairwell.


The proposal is to use the house for the accommodation of six persons with one resident (on a rota basis) carer. This will involve using the existing rooms within the house but also the addition of a small single storey rear extension.

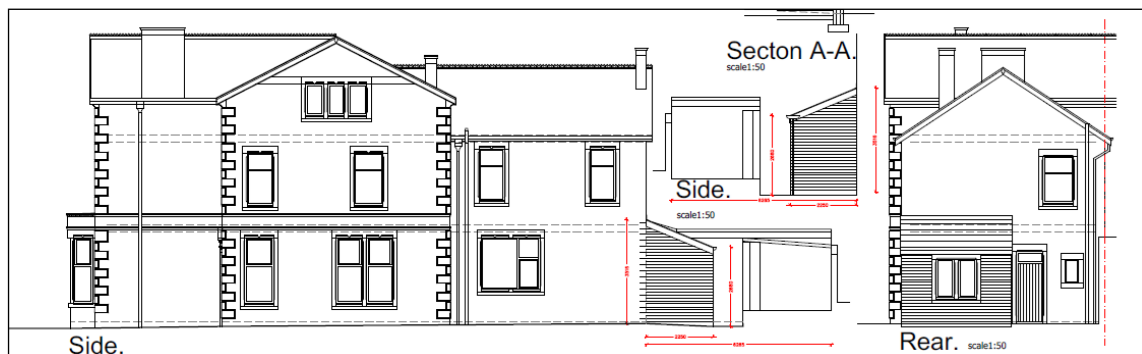


### **Proposed Layout**

Dashed green line = shows the staff area (office and bedroom facilities)

 = shows the bedrooms

 = shows the communal areas



### **Proposed elevations**

The application is accompanied by a planning statement from which the following information can be summarised:

#### **The applicant**

The Richmond Fellowship (RF) is a registered charity and provider of specialist mental health services, founded in 1959.

### *Nature of the proposed use*

The application seeks a change of use to a facility that would be operated and managed by the Fellowship.

The accommodation would comprise the following:

- Reception Room;
- Lounge;
- Kitchen/Diner;
- Ground floor WC;
- Seven bedrooms, all with en-suite shower rooms (including one bedroom for Richmond Fellowship staff);
- Bathroom;
- Office (for a Richmond Fellowship staff member).

The purpose of the accommodation would be to provide short term respite accommodation for people with mental health needs. The typical length of stay would be seven days, but occupants may occasionally ten days. RF staff would be present 24 hours a day. Occupants would arrive/depart between 8am – 10pm, apparently with the assistance of a close family member or a member of staff, and on-street parking would then be used for a limited duration.

### Policies and Assessment

When considering Local Plan Policies H3, H12 and H13, all of these policies seek to ensure, amongst other things, that proposals,

- a) Are in keeping with existing properties,
- b) Will not adversely affect residential amenity as a result of the proposed activity,
- c) Will not intensify non-residential uses within a residential area,
- d) Will not adversely affect the residential amenity of neighbouring properties through overlooking, lack of privacy or reduction in light/outlook,
- e) Will not adversely affect the visual amenity of character of an area,
- f) Will provide an adequate residential amenity for occupants,
- g) Will not lead to an unacceptable loss of private open space, and that
- h) It will not threaten highway safety.

The relevant emerging Local Plan policies from the “Proposed Submission Document, July 2017” include HS4, HS5, SP4 and SP5, although as there are outstanding objections to these policies we can only give limited weight to them. That said, these policies follow the general thread of consideration that the existing local plan policies outline (as shown above).

The applicant is a registered charity and specialist provider of mental health services. They have pioneered and practised a social inclusion and recovery approach to mental health for more than 50 years, and they offer a wide range of housing, care, employment and community support across more than 120 services providing support for 9,000 people across the UK.

The applicant clearly outlines the nature and proposed running of this proposal within the supporting Planning Statement. They provide a housing related support service to enable people with mental health problems to live independently and manage their tenancies. As part of the wide and varied support schemes offered, the applicant provides supported housing schemes which comprise shared accommodation where

people have their own private rooms but share kitchens and living rooms. This is what is proposed here. The applicant has other supported housing facilities in Lancashire, including in Blackpool, Lytham St Annes and Chorley.

The facility will provide short term accommodation, respite care and support for people with lower level mental health needs such as depression and anxiety. The respite facility is a place of sanctuary for someone experiencing mental health difficulties. The facility will provide a service for individuals who for a short period of time may need space away from their usual domestic arrangements to receive additional support with their wellbeing. The applicants approach is effective at reducing hospital admissions and is supported and sought by Lancashire County Council and commissioned by Lancashire Care Foundation Trust. This development is a key element of the NHS England “NHS Five Year Forward View for Mental Health” which sets out a new shared vision for the future of NHS based care and new models of care. It is also identified as a key element of the Plan Lancashire Action Plan for improving outcomes for people experiencing a mental health crisis.

The scheme involves little alteration to the dwelling, other than the modest single storey extension proposed at ground floor level measuring 2.3m deep and 3.9m wide. These alterations are acceptable.

The applicant advises that the typical length of stay will be seven days, but occupants may occasionally stay 10 days. The premises will be staffed 24 hours a day, with occupants arriving and departing from the premises between 8am – 10pm, and there would therefore be no late admittance. They would generally make their own way to the facility via assistance from a close relative; or a member of staff, therefore vehicular movements will be limited.

The property is currently being used as a dwelling house (Use Class C3), and the application proposes to change the use of the property to a supported housing scheme falling under C2 use. Both the existing and proposed uses are “C” class uses; uses which are considered compatible within a residential locality.

### Representations

A number of representations have been received in relation to this proposal and these have been considered by the Local Planning Authority. The use is considered acceptable in principle however there are elements of the proposal that will require additional control. These can be dealt with specifically worded conditions.

### Conclusion

The adopted policies of the Burnley Local Plan and national planning guidance encourage the provision of development proposals which improve the physical and mental health and wellbeing of the public. The application seeks the change of use of no.1 Park Avenue to a supported housing scheme for people with mental health needs and the erection of a single storey extension. The facility will be operated and managed by the applicant who is a registered provider and are experienced in providing specialist housing and support services for people with mental health needs. As the scheme will be registered with the Care Quality Commission they will also have a role in overseeing the quality of the service provided.

The property and its location are considered appropriate to the proposed use which provides short-term, respite care for people experiencing mental health difficulties. The perceived potential disturbance to residential amenity and privacy has been considered however given the small number of bedrooms to be used and that the facility will be managed 24/7 by the applicant, there are no objections to the proposal. On this basis, the application is recommended accordingly.

### **Recommendation:**

That planning permission be Granted subject to the following conditions:

### **Condition**

1. The development must be begun within three years of the date of this decision.
2. The development shall be carried out in accordance with the application drawings, namely: 1:1250 location plan, plan drawings 3549-02, 3549-03 and 3549-SK06 received 13<sup>th</sup> June 2017.
3. The premises shall be used for supported housing (as described in Section 4, paragraphs 4.1 to 4.5, of the submitted Planning Statement) and for no other purpose including any purpose within Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any Statutory Instrument revoking or re-enacting that Order with or without modification, and otherwise the building shall revert to use as a single dwelling house.
4. There shall be no more than 6 service users/occupants (see paragraph 4.4 of the Planning Statement) residing at the property at any one time. For the avoidance of doubt this does not include staff members.
5. There shall be no arriving or departing of service users/occupants between the hours of 2200hrs and 0800hrs.
6. No construction work shall take place on the development hereby approved outside the hours of 8am to 6pm Monday to Friday, 8am to 1pm on Saturday and not at any time on Sundays and Bank Holidays. Where permission is sought for works to be carried out outside the hours stated, applications in writing must be made with at least seven days' notice to the Local Planning Authority.
7. Prior to the commencement of the use, the first floor, office window in the rear elevation of the property facing the rear of no's 281/283 Rosehill Mount shall be replaced with opaque glass, or another suitable alternative agreed with the Local Planning Authority. This shall be retained in this window at all times while the property is being used for the use proposed, unless otherwise agreed in writing with the Local Planning Authority.

### **Reasons**

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

2. To ensure that the development remains in accordance with the development plan.
3. To enable the local planning authority to consider any future change having regard to policy H12 of the Burnley Local Plan, Second Review and any other material considerations.
4. To prevent an intensification of the use hereby approved without proper due consideration by the Local Planning Authority, and to protect the amenities of nearby residents, in accordance with policies H3, H12 and H13 of the Burnley Local Plan, Second Review.
5. To protect the amenities of nearby residents, in accordance with policies H3, H12 and H13 of the Burnley Local Plan, Second Review.
6. To protect the amenities of nearby residents, in accordance with policies H3, H12 and H13 of the Burnley Local Plan, Second Review.
7. To protect the privacy of occupiers of the proposed dwellings adjacent, in accordance with policy H13 of the Burnley Local Plan, Second Review.

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