

**2022/0719**

Mrs Jan Jones

Variation of condition 3 of planning permission 2021/0930 (Change of use of residential dwelling (C3) to care home (C2)) to allow for care for 2 children

4C Cliff Lane, Brierley, Barnsley, S72 9HR

### **Planning History**

2021/0930 - Change of use of dwelling house (use class C3) into Care Home (use class C2) – Approved subject to the following condition:-

The premises shall be used as a residential care home for 1no. child and for no other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 2015, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: The site consists of a property adjacent to residential dwellings with limited parking provision and the Local Planning Authority considered it is proper and reasonable to limit the use in the interests of residential amenity in accordance with Local Plan Policy GD1.

### **Description**

The property is a two storey, stone built detached, 4 bedroom property and is set within the Brierley Conservation Area, within a predominantly a residential area. The site is accessed off Cliff Lane, which is a cul de sac with Cliff Close leading off the lane. The property has an integral garage with a driveway for parking. There are no parking restrictions along Cliff Lane.

The property fronts Cliff Lane with an access to the land at the rear of numbers 6 and 8 Cliff Lane, which is located to the southern boundary. To the east is a row of residential properties which front onto Cliff Lane, with parking to the front.

The property has planning approval to be used as a children's care home (C2 use) for 1 child however the agent has confirmed that the use has not yet commenced.



### **Proposed Development**

The applicant seeks permission for the variation of condition 3 of planning permission 2021/0930 (Change of use of residential dwelling (C3) to care home (C2)) to allow for care for 2 Children.

The covering letter submitted with the application states:-

'The applicant wishes to provide care for 2 children with two staff and a manager. The age of the children would be between 8-18 years old with 2 sleep-in carers operating a 48-hour rota system, on site at any one time plus a manager. They would live as a single household providing care for the children. There would be limited visitors to the site as most professional meetings are held in a neutral environment off-site. Whilst the traffic movements to and from the site would be no greater than an average 4bedroomed dwelling house or the previously approved planning permission due to the fact that the number of staff will not be increased and the same level of traffic movements would be generated.'

### **Policy Context**

The site is allocated as Urban Fabric within the Local Plan Proposals Maps and therefore the following policies are relevant:

Policy T3 New Development and Sustainable Travel  
Policy T4 New development and Transport Safety  
Policy GD1 General Development  
Policy D1 High Quality Design and Place Making.  
Policy HE1 The Historic Environment  
Policy H6 Housing Mix and Efficient Use of Land  
Policy Poll1 Pollution Control and Protection  
Policy H9 Protection of existing larger dwellings

SPD's

Those of relevance to this application are as follows:

- House extensions and other domestic alterations
- Parking

Other

South Yorkshire Residential Design Guide

NPPF

The NPPF sets out the Government's planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise. Where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole; or where specific policies in the Framework indicate development should be restricted or unless material considerations indicate otherwise.

### **Consultations**

Ward Councillors – No comments received  
Highways – No objections  
Drainage – Details to be checked by Building Control  
Yorkshire Water – No comments received  
Conservation Officer – No objections

### **Representations**

Neighbouring properties have been notified by letter and a site notice has been posted adjacent to the site. No comments have been received as a result.

## **Assessment**

### Principle of Development

Within the supporting text of Local Plan Policy H6 'housing Mix and Efficient Use of Land' it states that various house types capable accommodating a range of needs are required across the borough. Supported housing is required for vulnerable households, including young people with support needs. Proposals will be supported where they are consistent with policy H6 and other policies within the Development Plan.

Local Plan policy GD1 'General Development' states that development should not result in a significant adverse effect on the living conditions and residential amenity of existing and future residents. The site already has planning permission to be used as a care home but this proposal now involves the care of 2 children within the home rather than a single child. The impacts of this are assessed further below:-

### Residential Amenity

No objections have been received to the proposal. The addition of an extra child would not be significant in terms of number of movements or disturbance created and the agent has confirmed that no additional staff would be required. The proposal would be compatible with the surrounding area and would have similar levels of activity/movements as a typical residential C3 use. The proposal would not cause a significant increase in noise or disturbance in compliance with policy GD1 of the Local Plan.

A condition will be recommended to limit the use of the property within use class C2 to that described within this application and for 2 children only, so that additional children or further uses which fall within that category, which may not be as compatible with the adjacent land uses, are not carried out without due consideration.

### Visual Amenity

No internal or external alterations are proposed, as such, visual amenity would be maintained in accordance with Local Plan Policy D1. In addition, there would be no significant impact upon the Conservation Area in accordance with policy HE1 of the Local Plan.

### Highway Safety

The Highways Section have no objections to the proposal. The supporting information includes a breakdown of staffing levels and the daily vehicular movements anticipated to be generated by the use of the property as a care home. The submitted covering letter explains that there would be no increase in the number of staff required to look after an additional child and as such there would be no increase in vehicular movements or an increase in demand for parking as a result of this proposed variation of condition.

Based on the submitted information being an accurate account of the situation, the proposed variation of condition 3 to allow for the care of two children is considered acceptable. The vehicular movements would not be significantly different from those generated by a 4 bedroom house and would be compatible with the immediate area in accordance with policy T4 of the local Plan.

### Summary

Taking into account the relevant development plan policies and other material considerations, it is not considered that there are any significant and demonstrable adverse impacts that would outweigh the benefits associated with the granting of planning permission for the scheme. The proposal therefore complies with the development plan as a whole and the advice in the NPPF.

As such the scheme is considered to accord with policies and guidelines and is recommended for approval.

Recommendation

Grant subject to conditions