

## DONCASTER METROPOLITAN BOROUGH COUNCIL

|                    |   |
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| <b>Application</b> | 4 |
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| <b>Application Number:</b> | 19/02916/FUL |
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| <b>Application Type:</b> | Full Application |
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| <b>Proposal Description:</b> | Change of use of Offices to Care Home with Nursing Support. |
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| <b>At:</b> | Auckland House 109 Thorne Road Wheatley Doncaster |
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|             |                                   |
|-------------|-----------------------------------|
| <b>For:</b> | Mr G Rhoden - Wentbridge Care Ltd |
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|                          |   |                |      |
|--------------------------|---|----------------|------|
| <b>Third Party Reps:</b> | 9 objections and 1 subsequently withdrawn | <b>Parish:</b> | None |
|                          |   | <b>Ward:</b>   | Town |

|                          |             |
|--------------------------|-------------|
| <b>Author of Report:</b> | Mark Ramsay |
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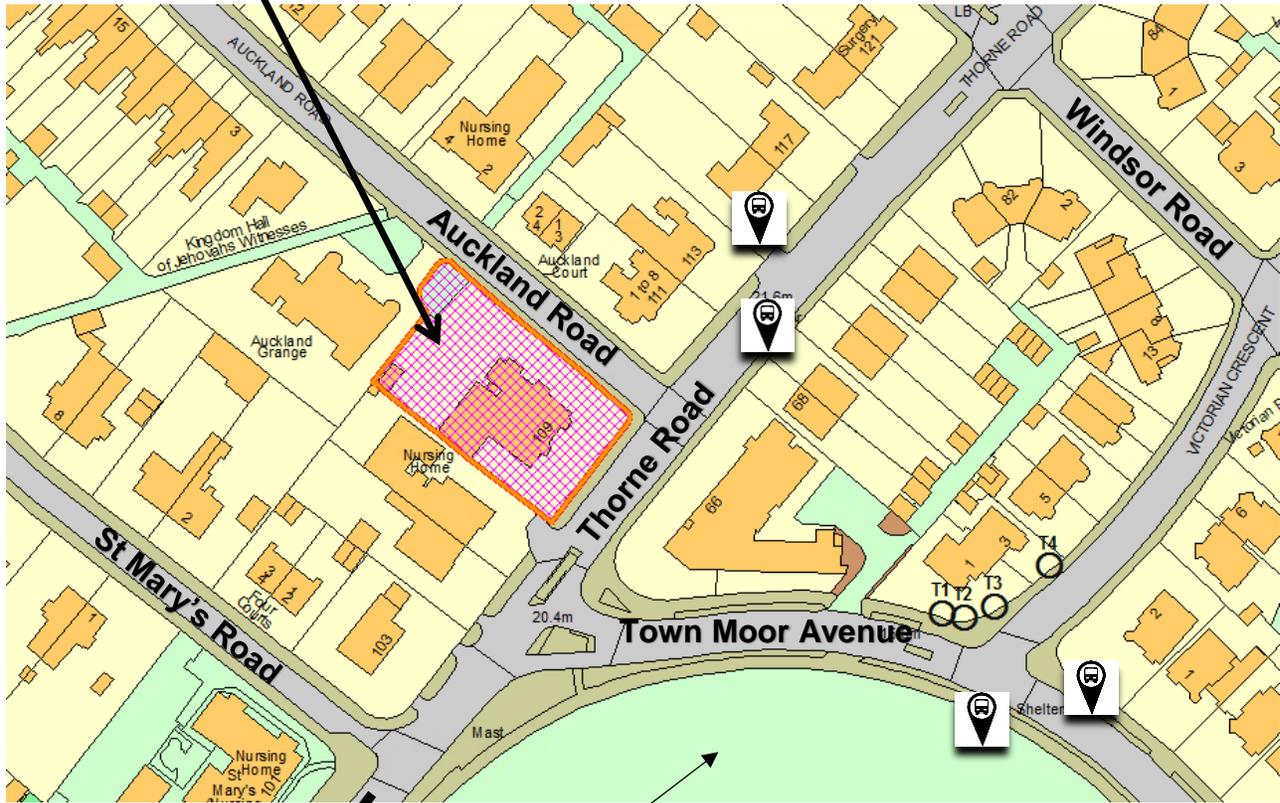
### SUMMARY

The proposal involves the conversion of the previous offices on the ground floor of a large detached building into six self-contained bedrooms. The remainder of the ground floor accommodation will be used by residents. The first floor accommodation will remain unaltered and the basement will be used for storage and recreation areas. The car park is to be reduced in size with the remainder to be turned back into a garden area. There are very limited alterations proposed to the building and externally some steps shall be introduced down into the re-instated garden area. There will be six residents who will have twenty four hour a day nursing support on a shift basis.

The report demonstrates that there are no material planning considerations that would significantly or demonstrably outweigh the social, economic or environmental benefits of the proposal in this location. The development would not cause undue harm to amenities of occupants or neighbours, the highway network or the wider character of the area.

**RECOMMENDATION: GRANT planning permission subject to conditions**

Application Site



Towards  
Town Centre

Town Fields

Bus Stop

## **1.0 Reason for Report**

- 1.1 The application has been called in by ward councillors and also a significant number of objections raised in representations.

## **2.0 Proposal**

- 2.1 The proposal involves the conversion of the previous offices on the ground floor into six self-contained bedrooms with en-suites and small kitchenettes. The remainder of the ground floor accommodation will be used by residents as sitting rooms, kitchen and dining room. The first floor accommodation will remain unaltered and will be only used by staff. The basement will also remain unchanged and will be used for storage and recreation areas. The car park is to be reduced in size with the remainder to be turned back into garden. There are no external alterations proposed save the re-instatement of an opening on the northern elevation, reinstatement of some basement windows and externally some steps down into the re-instated garden area. There will be six residents who will have twenty four hour a day nursing support on a shift basis.
- 2.2 The applicant provided an additional statement regarding the typical operation of the unit and stated that the residential home is designed for people, over the age of 18, male and female, who suffer from a Learning Disability or Autism, who need care within a community residential setting and who should not be admitted to a hospital because no suitable community services exist in their local area.
- 2.3 These residents often suffer from severely impaired learning abilities, almost always have severely impaired communication skills and need constant care by staff who are trained to assist and communicate with people who have severe autism or learning difficulties.
- 2.4 Residents would never be out of the house without being accompanied by staff who can keep them from getting anxious or distraught when faced with unfamiliar people, events or surroundings. Residents would always be accompanied by staff in the unusual event that they express a desire to leave their home and therefore their interactions with the local community are likely to be limited and always overseen by staff.

## **3.0 Site Description**

- 3.1 The building lies within Doncaster – Thorne Road Conservation Area, the character of this part derives from the Victorian/Edwardian terraced villas on the main road and adjacent streets. The area also has a mature feel due to the green character created by the gardens, shrubs and trees to the front but also from the rear gardens of the area. No. 109 was considered to be a key unlisted building and previously served as an office building for a major charity.
- 3.2 The building is a substantial villa of late Victorian age. It is red brick with stone detailing with corbeled eaves detail below Welsh slate hipped roof. There is a central door way with ends slightly projecting with bay windows to ground floor and paired sash windows above with single window above doorway. The building is set behind substantial brick walls with planting mainly to the Thorne Road frontage. There is a substantial parking area to the north accessed from Auckland Road and there are gates to the front which historically served vehicle access from Thorne Road.

## 4.0 Relevant Planning History

- 4.1 The site was previously used as offices for a charity and in 2016 was granted permission to convert to a 23 bedroom house in multiple occupation. The office use ceased but the conversion to an HMO was not implemented and the building has been vacant.

| Application Reference | Proposal                                 | Decision           |
|-----------------------|--|--------------------|
| 16/01002/COU          | Change of use of offices to HMO premises | Granted 15.07.2016 |

## 5.0 Site Allocation

- 5.1 The site is allocated in proposals maps of the Unitary Development Plan as residential policy area and within the Thorne Road Conservation Area.

### **National Planning Policy Framework (NPPF 2019)**

- 5.2 The National Planning Policy Framework 2019 (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. Planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in planning decisions and the relevant sections are outlined below:
- 5.3 Paragraphs 7 – 11 establish that all decisions should be based on the principles of a presumption of sustainable development.
- 5.4 Paragraph 48 of the NPPF states that local planning authorities may give weight to relevant policies in emerging plans according to:
- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
  - b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
  - c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).
- 5.5 Paragraph 117 states Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.
- 5.6 Paragraph 124 of the NPPF states the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for

achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

- 5.7 Paragraph 127 states planning decisions should ensure developments will function well and add to the overall quality of the area, are visually attractive and optimise the potential of the site.
- 5.8 Paragraph 184 Heritage assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.
- 5.9 Paragraph 192. In determining applications, local planning authorities should take account of:
  - a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
  - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
  - c) the desirability of new development making a positive contribution to local character and distinctiveness.
- 5.10 Paragraph 193 of the NPPF states when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

#### Core Strategy 2011 – 2028

- 5.11 To the extent that development plan policies are material to an application for planning permission the decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (see section 70(2) of the Town and Country Planning Act 1990 (as amended) and section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended)).
- 5.12 In May of 2012 the Local Development Framework Core Strategy was adopted and this replaced many of the policies of the Unitary Development Plan (UDP); some UDP policies remain in force (for example those relating to the Countryside Policy Area) and will continue to sit alongside Core Strategy Policies until such time as the Local Plan is adopted. Core Strategy policies relevant to this proposal are:
- 5.13 Policy CS14 of the Core Strategy require development to be of a high quality design that contributes to local distinctiveness and that integrates well with its immediate surroundings.
- 5.14 Policy CS15 of the Core Strategy seeks to preserve, protect or enhance Doncaster's historic Environment.

#### **Saved Unitary Development Plan (UDP) Policies (Adopted 1998)**

- 5.15 Policy PH11 states that within residential policy areas development for housing will normally be permitted except where:-

- A) the development would be at a density or of a form which would be detrimental to the character of the surrounding area or would result in an over-intensive development of the site;
- B) the effect of the development on the amenities of occupiers of nearby properties would be unacceptable;
- C) tandem or backland development would result in an unsatisfactory access, overlooking or over-intensive development;
- D) the development would result in the loss of social, community and recreational or other local facilities for which there is a demonstrated need.

- 5.16 ENV25 states that within conservation areas, as defined on the proposals map, new development including alterations and extensions to, and changes of use of, existing buildings will be expected to preserve or enhance the character or appearance of the area. Development will not be permitted if it would detract from the character or appearance of the area by virtue of its nature, height, density, form, scale, materials or design or by the removal of trees or other important landscape features. The desirability of preserving or enhancing the character or appearance of a conservation area will be a material consideration when dealing with proposals for new development outside a conservation area which would affect its setting or views into or out of the area.
- 5.17 ENV54 states that alterations and extensions to existing buildings should be sympathetic in scale, materials, layout and general design to the existing building. All features which contribute to the character of the building or surrounding area should be retained.

### **Doncaster Local Plan**

- 5.18 Paragraph 48 of the NPPF allows LPA's to give weight to relevant policies in emerging plans depending on the stage of preparation, the extent to which there are any unresolved issues and the degree of consistency with the NPPF. The Local Plan has been formally submitted for examination on 4th March 2020 and an Inspector has been appointed therefore the Local Plan is now under examination. Paragraph 48 of the NPPF states that the LPA may give weight depending on the stage of the Local Plan and the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given). Taking into account the remaining stages of the local plan process, it is considered the following levels of weight are appropriate between now and adoption dependant on the level of unresolved objections:
- Substantial
  - Moderate
  - Limited

The Council is aiming to adopt the Local Plan by winter 2020 and the following policies would be appropriate for each policy the level of outstanding objections has been assessed and the resulting appropriate weight noted against each policy:

- 5.19 Policy 1 reinforces the guidance within the NPPF in that there should be a presumption in favour of sustainable development. This policy is considered to carry limited weight at this time.
- 5.20 Policy 11 deals specifically with developments in residential policy areas. Substantial weight can be given to this policy.

- 5.21 Policy 38 deals specifically with proposals directly affecting the setting of or within conservation areas and seeks to safeguard the heritage significance of the conservation area. Moderate weight can be attached to this policy.
- 5.22 Policy 43 deals with the need for good urban design. Moderate weight can be attached to this policy

#### Other material planning considerations

- 5.23 These include;
- Development Requirements and Guidance Supplementary Planning Document (SPD) (2015)
  - South Yorkshire Residential Design Guide (SPD) (2015)
  - National Planning Policy Guidance
  - Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act (1990)

### **6.0 Representations**

- 6.1 This application has been advertised in accordance with Article 15 of the Town and Country Planning Development Management Procedure (England) Order 2015 by means of site notice, council website, press advertisement and neighbour notification.
- 6.2 9 representations in total were received (one was subsequently withdrawn) including objections raising the following concerns;

Antisocial behaviour

Concerns that it was a dumping ground for vulnerable people

Impact to the conservation area

The rooms of occupants would have external doors

The negative effect on the local community

The site was close to a primary school

### **7.0 Parish Council**

- 7.1 This part of the borough is not covered by a parish council

### **8.0 Relevant Consultations**

#### Conservation Officer

- 8.1 The Conservation Officer does not raise objections to the conversion and welcomes the reinstatement of the garden area. The external alterations proposed are minor and the doorways to the bedrooms that will be created are either existing or involve the reinstatement of a doorway that was previously bricked up. The alterations to the rear to integrate the building to the reinstatement of a garden area is not objected to. The Conservation Officer flagged up that it is further proposed to re-open the basement windows on the frontage. However, only the lintels of those windows are visible from the frontage so would not have any impact on the conservation area or character and appearance of the building.

### Environmental Health

- 8.2 No objections as they assess no loss of amenity to neighbouring land uses.

### Stronger Communities Manager

- 8.3 The location of the property is close to an area associated with sex work and there is regular joint work with commissioned partners and police colleagues in order to reduce the numbers of individuals involved. It is also within a small distance of a number of bail hostels, probation related accommodation as well as a large proportion of HMO's with an extremely transient population. Concerns are raised about the risk around coercion and risk of financial abuse of already potentially vulnerable individuals. However as the residents will be accompanied when out in the local area, as long as the measures proposed are put in place then no objections are raised.

### Architectural Liaison Officer – South Yorkshire Police

- 8.4 After a meeting with the applicants, it was concluded that if all the measures outlined were put in place (including staffing numbers) and that ALL trips outside the building are in the daytime and supervised, then the original police objections were addressed and the objection was removed.

### Commissioning Manager – Doncaster Council

- 8.5 The potential risk of criminal and sexual exploitation of vulnerable children and young people (in the case of SEND, up to the age of 25) is acknowledged in this area, however it would appear that the risks are mitigated by a high level of supervision, limited numbers of residents and the security of the premises.

## **9.0 Assessment**

- 9.1 The principle issues for consideration under this application are as follows:

- Principle of development;
- Impact on amenity;
- Impact on the character and appearance of the area;
- Impact on heritage assets;
- Highway safety and traffic;
- Overall planning balance.

- 9.2 For the purposes of considering the balance in this application the following planning weight is referred to in this report using the following scale:

- Substantial
- Considerable
- Significant
- Moderate
- Modest
- Limited
- Little or no

### Principle of Development

- 9.3 The proposal is within a Residential Policy area, and as such the use of the building for accommodation of individuals that require care, subject to the impact it has on the character and appearance of the area (including its heritage value within the Conservation Area) and the amenities of adjacent land uses and occupiers. Therefore, substantial weight is afforded to the principle of residential use of the site.

### Sustainability

- 9.4 The NPPF sets out at paragraph 7 that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs
- 9.5 There are three strands to sustainability, social, environmental and economic. Paragraph 10 of the NPPF states that in order sustainable development is pursued in a positive way, at the heart of the NPPF is a presumption in favour of sustainable development.

## **ENVIRONMENTAL AND SOCIAL SUSTAINABILITY**

### Character and Appearance of the Area

- 9.6 As previously described, Auckland House will see very minor changes externally to the structure and the main changes will be internally on the ground floor to accommodate the living accommodation for 6 individuals.
- 9.7 Saved Unitary Development Plan Policy (UDP) ENV54 requires that the character of the original building is respected and alterations and extensions to existing buildings should be sympathetic in scale, materials, layout and general design to the existing building. Core Strategy Policy CS15 seeks to preserve or enhance the character of the Conservation Area. The character of the building will be largely unchanged although its setting improved by the replacement of some of the very expansive parking area that has developed across the north of the site, due to its previous use as an office car park, and the changes are welcomed by the Conservation Officer.

### Impact on Neighbouring Land Uses

- 9.8 The application proposes the conversion of ground floor rooms and part of the car parking area to a garden for the residents to use. The first floor is not to be altered and will be used to provide office accommodation for staff running the site. The basement shall be used for amenity space for residents. This will, therefore not introduce any new opportunities for overlooking or loss of privacy. The building sits parallel to the adjacent nursing home to the west and has generous separation distance from the flats to the north and on the opposite corner of the junction.
- 9.9 While there are concerns about the impact on amenity of neighbouring residents and also the vulnerability of residents that will be accommodated within the site, the site does lend itself to providing such accommodation being enclosed by substantial boundary treatment and therefore being self-contained within detached

premises. The external doors are to provide access to the garden area that is to be created and the site will still be surrounded by the existing wall and gates.

- 9.10 The site does not involve the care of children and is limited to looking after, no more than, 6 individuals who will be continually supervised. Due to the nature of the care being offered, the residents will likely not want to venture beyond the extent of the premises so are unlikely to be put at risk in terms of the social issues in the locality.
- 9.11 Following a meeting with the police, the applicants clarified the operation of the building and confirmed that there will be a minimum of 6 staff employed on site throughout the day and a minimum of 4 staff each night. There will be operated over two 12 hour shifts and there will be a registered nurse on site at all times.
- 9.12 A comprehensive CCTV system will be in operation at all times and these will be monitored 24/7 both internally and by staff at Cheswold Park Hospital. Additional external cameras will be installed following a site inspection and consultation with the police consultant. Site security will also be available on a 24 hour call out emergency
- 9.13 The premises are walled and gated and already have a well-lit external area dating from its use as offices, which can be enhanced further, if necessary, following consultations with the police as part of an overall CCTV security package.
- 9.14 Patients will only leave the premises with supervision and accompanied on any trips/days out/outings by a member of staff or family member. This will generally be during day light hours.

#### Impact upon Highway Safety

- 9.15 The proposal is to use the existing access and provide sufficient off street parking for staff that will use the facility while allowing part of the site to be restored to garden for the residents. The proposal seeks to retain 9 spaces which is sufficient to accommodate the number of staff required, including the short time when shifts change over (6 daytime 3 at night). At other times the remaining spaces will be available for visitors and additional on street parking is available on Auckland Road, which is not restricted alongside the property. The site is also close to bus stops on Thorne Road and Town Moor Avenue with regular services to the Town Centre and is within walking distance of local shops and facilities (Hospital , GP's, Chemist, Dentist, open space etc.) so making the site sustainable. The proposal meets the standards for turning and manoeuvring within the site so that vehicles are not forced to leave in reverse gear.

#### Conclusion on Environmental and Social Issues

- 9.16 Taking the above matters into consideration, it is concluded that, subject to the imposition of suitably worded conditions that any materials used in alterations match the existing building and a landscaping scheme the development would not have a significant adverse effect on local amenity and respects the character and appearance of its surroundings including the Conservation Area.
- 9.17 The occupants of the building are relatively few in number when considered against the scale of the site and due to the distance between the building and adjacent dwellings will not present harm to amenities of occupants of adjacent occupiers.

Therefore, little or no weight can be given to the potential harm to amenities of nearby occupants.

- 9.18 While concerns have been raised about the locale of the site in terms of the risks to residents, these are mitigated by a high level of supervision, low numbers of occupants and the security of the premises. Therefore, only limited weight can be given to the concerns regarding amenities of potential occupants. The proposal has been considered on the basis of it only being occupied by 6 residents so a condition restricting the number of residents to that number would ensure the Local Planning Authority would have scrutiny over any potential intensification of the use of the building.

### **ECONOMIC SUSTAINABILITY**

- 9.19 There is some economic benefit to the development of the site through the building work involved in converting the site and bringing a redundant building back into use, especially as the property has heritage value. It would also provide employment opportunities for people engaged in social care.
- 9.20 Para 8 a) of the NPPF sets out that in order to be economically sustainable developments should help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.
- 9.21 The provision of this accommodation adds to the accommodation mix in the area and gives the opportunity for people with specific needs to remain in their locality that they are familiar with and close to visiting relatives. It would also provide employment opportunities for people engaged in social care.

### **Conclusion on Economic Issues**

- 9.22 The proposal would result in some economic benefit in the creation of construction jobs and the employment of care staff at the site. However, the jobs created in terms of construction would be small in scale and short term for the length of the building work, and the number of care staff is also modest in scale. This is, therefore, given moderate weight in the determination of this planning application.

## **10.0 PLANNING BALANCE & CONCLUSION**

- 10.1 In accordance with Paragraph 11 of the NPPF (2019), the proposal is considered in the context of the presumption in favour of sustainable development. The site is a key building in the conservation area and its re-use within a residential area is appropriate and is a positive alternative to the previous approval of the conversion to a House in Multiple Occupation. It adds to the mix of accommodation available in the area and its development does not adversely detract from the conservation area or the amenities of neighbouring land uses. The re-instatement of some of the garden area is a welcome contribution to the character of the conservation area.
- 10.2 The access has been assessed as being suitable and retains sufficient off street parking to meet the standards for parking set out in planning guidance.
- 10.3 The comments from consultees and from correspondents have been noted in terms of amenity of neighbours and potential occupants. The objections raised have

been addressed in the report and consultees have either not raised objections or acknowledged that risks will be overcome in terms of the way the site will be operated.

- 10.4 On balance, the benefits of the proposal are afforded greater weight than that afforded to the concerns regarding amenity of potential occupants and is, therefore, viewed favourably and recommended to be granted.

## **11.0 RECOMMENDATION**

### **11.1 GRANT planning permission subject to conditions**

01. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.  
REASON  
Condition required to be imposed by Section 91(as amended) of the Town and Country Planning Act 1990.
02. The development hereby permitted must be carried out and completed entirely in accordance with the terms of this permission and the details shown on the approved plans listed below:  
122/19/1B Planning Floor Plans Revision B  
122/19/2 Rear Elevations  
unlabelled Lower Ground Floor - Floor Plans Revision A  
Unlabelled site plan  
REASON  
To ensure that the development is carried out in accordance with the application as approved.
03. The building shall provide living accommodation solely for care home residents and no more than 6 persons shall reside at the premises at any one time.  
REASON  
In the interests of the amenity of occupants of adjacent land uses
04. The external materials and finishes shall match the existing property.  
REASON  
To ensure the satisfactory appearance of the development in accordance with policy ENV54 of the Doncaster Unitary Development Plan.
05. Prior to the commencement of the development hereby granted full details of the proposed landscaping and natural ground treatments shall be submitted to and approved by the Local Planning Authority. These details should include plans and specifications of layout, drainage, soils, grass seed mixes, turfing, tree and/or shrub planting together with proposals for maintenance and other horticultural operations necessary to implement the development and in particular of any area to be retained for indigenous ecological conservation purposes.  
REASON

In order that the Council may be satisfied as to the details of the proposal.

**Reasons(s) for Granting Planning Permission:**

**STATEMENT OF COMPLIANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY DEVELOPMENT MANAGEMENT PROCEDURE ORDER 2015**

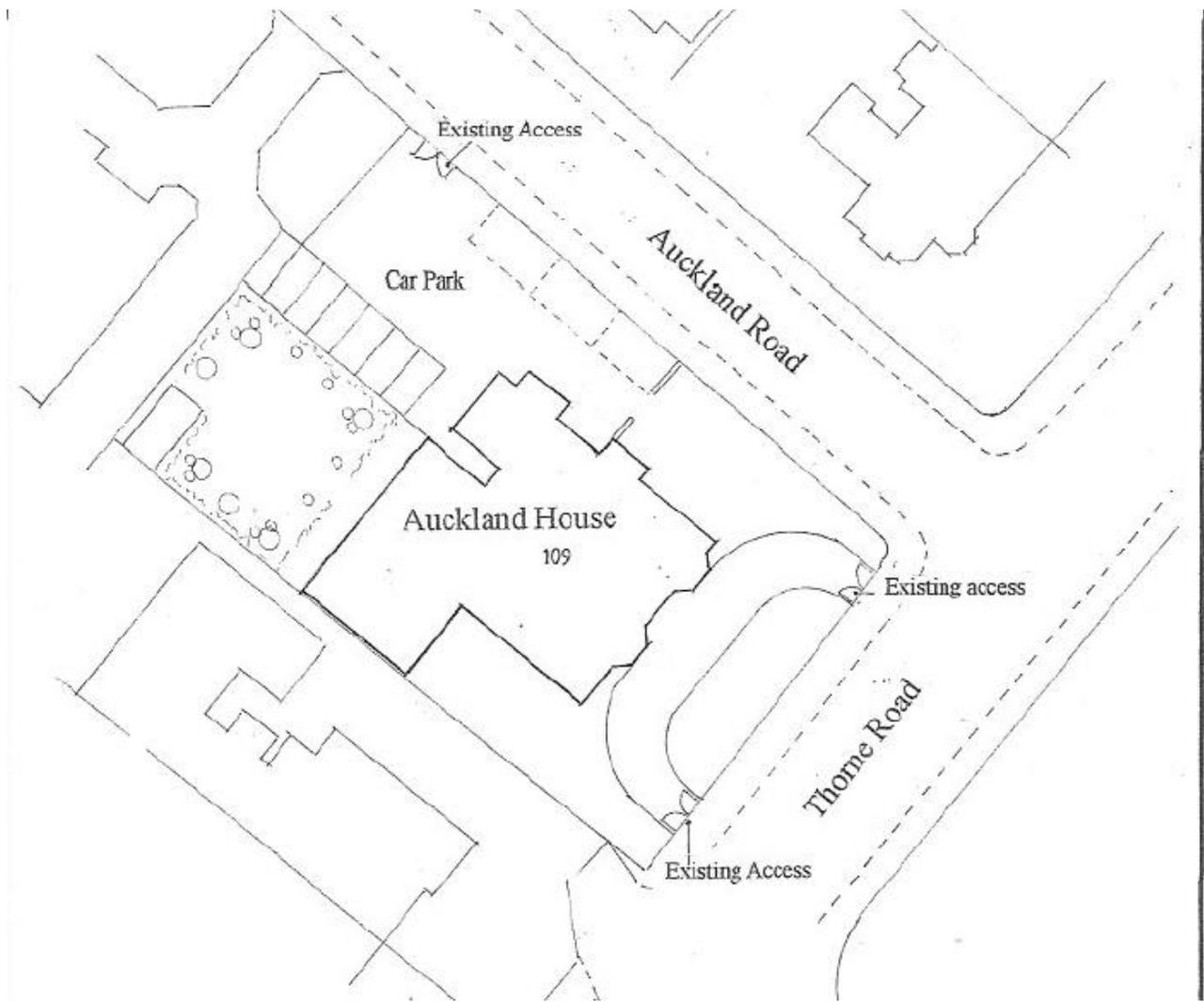
In dealing with the application, the Local Planning Authority has worked with the applicant to find solutions to the following issues that arose whilst dealing with the planning application:

Amended floor plan requested by applicant

Details of operation of the building to overcome Police and Communities concerns

**Due regard has been given to Article 8 and Protocol 1 of Article 1 of the European Convention for Human Rights Act 1998 when considering objections, the determination of the application and the resulting recommendation. It is considered that the recommendation will not interfere with the applicant's and/or any objector's right to respect for his private and family life, his home and his correspondence.**

# Appendix 1: Site Plan

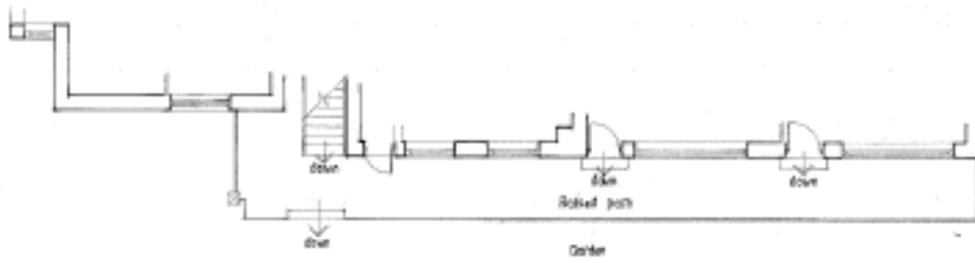


## Appendix 2 Rear Elevation

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Proposed rear elevation



# Appendix 3 – Floor Plan

Proposed

Ground floor

## Addressable Fire Alarm System

