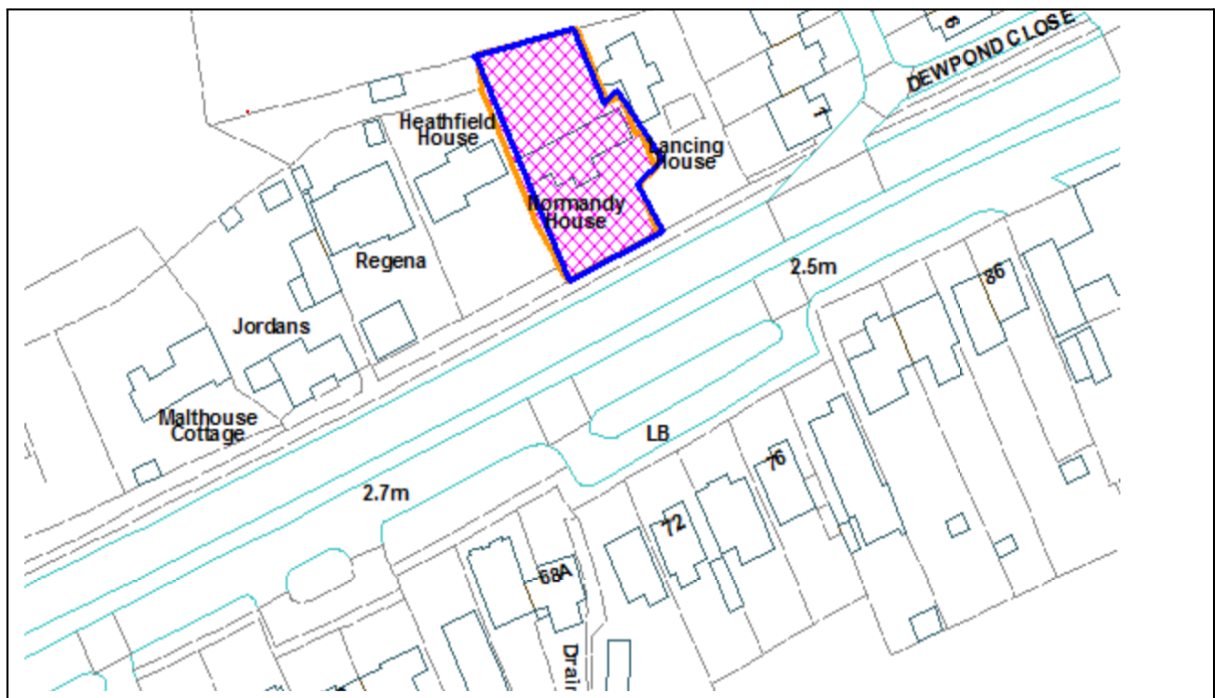


Application Number:	AWDM/0766/23	Recommendation - APPROVE
Site:	Normandy House, Old Shoreham Road, Lancing, West Sussex	
Proposal:	Change of use from residential dwelling (C3a) to a children's home (C2) for a maximum of five children with four carers.	
Applicant:	Mr Ashley Davis	Ward: Manor
Agent:	Adrian Rose	
Case Officer:	Hannah Barker	



Not to Scale

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Proposal, Site and Surroundings

The application site is an existing dwelling house to the north of Old Shoreham Road near Lancing Manor roundabout consisting of a detached, two storey building with rooms in the roof. It is set back from the highway on elevated ground level, with parking and turning space to the frontage and an enclosed rear garden. Consent was recently granted for extensions and alterations to the dwelling under AWDM/1141/21 and AWDM/1217/21 for a loft conversion and first floor extension. Works have been completed and the outcome is a five bedroom detached house with annex internally linked, there is parking for six vehicles to the front cycle and refuse storage. There is fencing to the front of the site with an open vehicular access

onto the highway, the dual carriageway to the south.

Consent is sought for the change of use of the building from a residential dwelling house to a children's home. The building will remain unchanged externally and internally with use made of the existing building, layout and curtilage. The ground floor annex will provide accommodation for staff and one of the bedrooms on the first floor is shown as a games room. The applicant's agent has submitted a supporting statement which gives details of the proposed use.

"The proposed children's home seeks to replicate as closely as possible a normal family environment. This type of provision is to help children who often have not had good parenting in their early years. These are not children with special needs."

"The proposal is to register the property as a children's home for a maximum of five children aged from 8 to 18 years. They would be looked after by four carers, two of whom will sleep overnight, working on a rota basis."

"The children's home model is to create a warm and nurturing family style environment for the medium to long term care of a small number of children. This type of provision is operated in the same manner as a regular family home with two primary carers, to provide consistency and stability to the children who live there (similar to a fostering model.) Care is provided in small sized family units where residential carers help to develop the social and life skills needed when the children no longer live within an institution. Without such homes and positive interventions, these children when they leave the controlled environments of care homes will often end up in adult institutions, suffering from long term health problems."

The application has been called into committee by Cllr Carson Albury.

Consultations

South Downs National Park Authority: - No comment

West Sussex County Council: The Highway Authority has the following comments: The site is located on Old Shoreham Road (A27) which is maintained by National Highways. Therefore, as Local Highway Authority (LHA) National Highways should be consulted for formal comment on this application.

The site exhibits a suitable amount of vehicular parking for the proposed use, including the secure storage of cycles. On site turning appears achievable allowing cars to exit the site in a forward gear.

The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore it is not contrary to the National Planning Policy Framework (paragraph 111) and that there are no transport grounds to resist the proposal.

Highways England: - Original Comments: - Recommend that planning permission not be granted for a specified period. The submitted application includes empirical evidence in relation to the trip generation for the proposed development. The proposed methodology is not agreed as the existing use as a single dwelling is indicated as generating more daily trips than a children's home of 5 children and 4 staff.

Concern has been raised regarding visibility to the west due to the proximity of the tall fence which seems to have been erected without consultation with National Highways. Visibility splays for the access should therefore be provided in line with DMRB standards which will subsequently be conditioned to be maintained free of all obstructions greater than 0.6m in height

Latest Comments: - Recommend that conditions be attached to any planning permission granted. Concern was raised regarding visibility to the west due to the proximity of the tall fence which seems to have been erected without consultation with NH. Visibility splays for the access have now been provided in line with DMRB standards which will subsequently be conditioned to be maintained free of all obstructions greater than 0.6 m in height.

1. Visibility splays shown in drawing 156934-001 should be maintained clear of all vegetation and obstruction greater than 0.6m in height.
Reason: - In the interest of the safety of users of the footpath

Adur & Worthing Councils: Environmental Health

Private Sector Housing: - No objections.

Public Health: - Original Comment: - This proposed development falls within an area identified by DEFRA as significantly affected by road traffic noise. As such we will need to see a noise assessment and a noise mitigation scheme to protect future occupants from noise before it is occupied. Given it is most likely that windows will need to remain closed, the overall scheme shall identify how the property will be ventilated and prevented from overheating in the summer months.

Latest Comment: - The initial response was submitted given that the property is within an area highlighted by DEFRA as an area of increased road noise at night. In cases where there are alterations to the footprint/glazing of the property, this condition is in place in order to improve the amenity of the future occupiers. Having discussed this application with my colleagues, as there are no alterations to the building and it is a change of use, this condition would not have to be applied

Environment Agency: Original Comment: - In the absence of a Flood Risk Assessment (FRA) we object to this application and recommend that planning permission is refused.

Latest Comment: - Following the submission of a revised Flood Risk Assessment we are satisfied that our previous objection can be removed and we have no further comments on the proposal.

Lancing Parish Council: - It was resolved to object to this application due to the location of it on the busy road.

Representations

2 objections from occupiers of Dewpond Close

3 objections with no address given.

- Police and social workers, friends and family to the home could park in our private road and visitors spaces.
- General comings and goings of teenagers and staff.
- Unsustainability and danger of a children's home on a busy dual carriageway.
- Inappropriate location, dangerous, unsuitable location.
- Constant traffic, busy dual carriageway with potential for accidents.
- Tight turn, increased comings and goings.
- Gradient and layout of the property are not suitable.
- Adjacent windows overlook neighbours.
- Issue of increased noise due to use.
- The former applications to increase the building were not made with the indication of the proposed intentions here.
- No consideration for those living nearby.
- Shops and amenities are not nearby or accessible.
- Children may take the risk to run across the dual carriageway.
- Visibility is limited.
- Overlooking.
- Not a suitable location for children to grow, thrive and be safe.

Relevant Planning Policies and Guidance

Adur Local Plan 2017 15, 33 28

Sustainable Energy SPD (August 2019)

Adur Planning and Climate Change Checklist (June 2021)

WSSC Guidance on Parking at New Developments (Sept 2020).

National Planning Policy Framework (July 2021)

Relevant Legislation

The Committee should consider the planning application in accordance with:

Section 70 of the Town and Country Planning Act 1990 (as amended) provides that the application may be granted either unconditionally or subject to relevant conditions, or refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material considerations; and

Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.

Planning Assessment

Principle

The proposed change of use to children's home would make provision for a needed facility within the district meeting the needs set out in the Adur Local Plan. Policy 33 refers to Planning for Sustainable Communities. The considerations are set out below. There is a balance between the need for the proposed use and the loss of residential in this case. There is scope for the building to return to a residential use in the future as the building will not require any significant changes or adaptations. It is considered that the loss of residential accommodation can be justified in this case subject to the assessment below.

Need for proposed use

The applicant's agent provides the following information in their Design and Access Statement which refers to the need for such accommodation provision.

“Under Section 22G of the Children Act 1989, local authorities have a statutory responsibility to take steps, as reasonably practicable, that ensure children in care are provided with accommodation that (a) is within the authority's area; and (b) meets the needs of those children. Three reports were published in 2020 by the Children's commissioner: 'The Children who no-one knows what to do with'; 'Private provision in children's social care' and 'Stability index 2020' which point out the failings of local government to meet this responsibility.”

“The papers summarise the findings of three years of work by both the Children's Commissioner's office and explain the failure of both national and local government to adequately meet the needs of these children. The report states: 'Local authorities are highly reliant on the independent sector, particularly for children's residential care. Costs are increasing but it's unclear why. Given this reliance, it is imperative the market works well and that commissioning and procurement are improved to ensure no child is placed in unsuitable care settings. The Government should consider the barriers to creating more residential care placements to increase supply.’”

The agent has advised that the applicant has had regular discussions with the local social services department who have confirmed the urgent local need for such care homes.

Suitability of site

The dwelling is large and detached on a generous plot. It has recently been upgraded and refurbished. There is separate access, parking and turning space. Refuse and cycle storage. The layout of the dwelling allows for space for staff, childrens bedrooms and shared spaces within the building.

Visual amenity

There are no changes proposed to the building internally or externally. Changes to the front fence adjacent to the vehicular access have been made to improve visibility splays to satisfy Highways England, comments as set out above.

The building will appear as a residential dwelling house, the character will remain unchanged.

Residential amenity of current and future occupiers

The applicant's agent has set out the future activity associated with the proposed use. It is considered that there will be no more trips to and from the site than would be the case with a large family household residing in a six bedroom house, as existing. Therefore there would be no adverse impact upon the adjacent occupiers in terms of activity to and from the site. Parking is on site and although concerns are set out above from objectors there would be no need for anyone visiting the site to park anywhere other than within the property curtilage.

It is possible that there may be some anti-social behaviour and noise as an outcome of the proposed use. This could be the case and staff would work to limit any such problems. However it is not considered that this would warrant a refusal in this case. It is noted that within residential areas there are different demographics and households which could have a similar impact.

Environmental Health has withdrawn their requirement for a noise assessment and noise mitigation scheme as it was considered that the dwelling currently is exposed to road noise and it would be unjustified to impose such a condition in this case for a similar use when no changes to the building are being carried out.

Accessibility and parking

The applicant's agent has provided details of the proposed activity in relation to the proposed use. A table is contained in the Design and Access Statement.

There will be a staff change over once a day with a visit from a manager to site daily. Activity that would normally be associated with a household will be carried out, shopping, school run/homeschooling. Cleaning, cooking, gardening activities will involve staff and children with no additional people coming to site to carry out any of these tasks.

Children would walk from site to school or take public transport or be taken by carers. As in a normal household and is currently the case with the family which live at the property.

Meetings with social workers and clinicians would take place away from the home as would family visits to avoid upset to any other children.

Concern has been expressed with regards to the busy dual carriageway and potential for danger to children as pedestrians or the increase in traffic levels

resulting in highway safety issues. It is considered that as with a residential family dwelling those living at the site would be safeguarded by their carers and there is sufficient visibility, turning space and pavements leading to and from the site. Therefore in planning terms in the light of no highway objection from West Sussex County Council or Highway England there would be no justification for refusal on this ground.

Flood risk

Following the submission of the Flood Risk Assessment (FRA) the Environment Agency has withdrawn their objection. Details of the FRA are conditioned below.

Recommendation

Approve

Subject to conditions:-

1. Time limit
2. Approved Plans
3. The number of children living at the children's home hereby permitted shall be limited to a maximum of 5 at anyone time.

Reason: *In the interests of residential amenity and highway safety.*

4. Visibility splays shown in drawing 156934-001 contained in Technical Note dated September 2023 shall be maintained clear of all vegetation and obstruction greater than 0.6 metres in height at all times.

Reason: *In the interests of the safety of users of the footpath.*

5. The development hereby permitted shall be carried out in accordance with the submitted Flood Risk Assessment dated 1st November 2023 and the mitigation measures contained within it.

Reason: *To reduce the risk of flooding and in the interests of the safety of the occupants having regard to the National Planning Policy Framework and policy 36 of the Adur Local Plan.*

6. The cycle and vehicular parking spaces, turning and access facilities shown on the submitted plans shall be retained on site at all times The areas of land so provided shall not thereafter be used for any purpose other than access and parking of vehicles incidental to the use of the proposed children's home.

Reason: *In the interests of amenity and highway safety and having regard to the National Planning Policy Framework policy 28 of the Adur Local Plan.*

Local Government Act 1972

Background Papers:

As referred to in individual application reports

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