

# Agenda Item 21.

Application Number	Expiry Date	Parish	Ward
231453	11 August 2023	Earley	Maiden Erlegh;

<b>Applicant</b>	Wokingham Borough Council
<b>Site Address</b>	29 Stanton Close, Earley, Wokingham, RG6 7DX
<b>Proposal</b>	Full application for change of use from a residential dwelling house to children's home.
<b>Type</b>	Full
<b>Officer</b>	Emma Campbell
<b>Reason for determination by committee</b>	Applicant is Wokingham Borough Council

<b>FOR CONSIDERATION BY</b>	Planning Committee on Wednesday, 9 August 2023
<b>REPORT PREPARED BY</b>	Assistant Director – Place and Growth
<b>RECOMMENDATION</b>	<b>APPROVAL subject to conditions and informatives</b>

<b>SUMMARY</b>
<p>This planning application is before the planning committee as the application is made on behalf of Wokingham Borough Council and involves an increase in staff members.</p> <p>The application site consists of a three-bedroom semi-detached two-storey dwelling which has been used as a residential dwelling. There is a rear residential garden and paved driveway parking for at least two vehicles.</p> <p>The application seeks consent to change the use of 29 Stanton Close from a residential unit (C3) to a residential institution (C2) in order to care for vulnerable children with specialist needs. There would be no associated construction or building works to accommodate this.</p> <p>The scheme performs a substantial social role in the provision of living accommodation to vulnerable children, thus complying with Core Strategy Policy CP2 and policy TB09 of the MDD Local Plan. There is a real need for local children to be placed in homes within the Borough, rather than being placed in residential homes far from their homes. This need far outweighs any technical loss of a single residential dwelling and the minor conflict with Core Strategy CP3.</p> <p>The proposed change of use results in a development which would not adversely impact the character of the area. Likewise, the proposal would not result in any undue harm to the residential amenities of neighbouring properties, nor would there be any parking or highway safety concerns. Paragraphs provide further details of the these considerations and, subject to conditions, the application is recommended for approval.</p>

<b>PLANNING STATUS</b>
<ul style="list-style-type: none"> <li>• Major Development Location</li> <li>• Bat Roost Habitat Suitability</li> </ul>

- Great Crested Newt Consultation Zone

## **RECOMMENDATION:**

**That the Committee authorise the GRANT of Permission subject to the following:**

### **Conditions and Informatives.**

1. Timescale – The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
*Reason: In pursuance of s.91 of the Town and Country Planning Act 1990 (as amended by s.51 of the Planning and Compulsory Purchase Act 2004).*
2. Approved details – This permission is in respect of the submitted application plans and drawings labelled ‘Location Plan’, ‘Site Plan’ and ‘Existing Floor Plans’ received by the local planning authority on 23 June 2023. The development shall be carried out in accordance with the approved details unless other minor variations are agreed in writing after the date of this permission and before implementation with the Local Planning Authority.  
*Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the application form and associate details hereby approved.*
3. Restriction of change of use - The premises shall be used only for accommodating and caring for vulnerable children and for no other purpose, including any other purpose in Class C2 of the Schedule to the Town and Country Planning [Use Classes] Order 1987 (as amended) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order [with or without modification].  
*Reason: In granting this permission the local planning authority has had regard to the special circumstances of this case, being the care of vulnerable children, and wishes to have the opportunity of exercising control over any subsequent alternative use in the interests of the amenities of the area. Relevant policy: Core Strategy policies CP1 & CP3.*
4. The residential occupation of the building as a care and dwelling facility for vulnerable adults shall be limited to no more than two individuals requiring care at any one time.  
*Reason: In the interests of retaining the character of the area, character of the existing dwelling and the amenities of neighbouring occupants. Relevant Policy: Core Strategy policies CP1 and CP3.*

### **Informatives.**

1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the NPPF.

<b>RELEVANT PLANNING HISTORY</b>		
<b>Reference</b>	<b>Description</b>	<b>Decision and Date</b>
PD/298/59	Garage	Approve 7 August 1959
65/58	Semi-detached dwelling	Approve 8 April 1958
19/58	Layout	Approve 11 February 1958

<b>SUMMARY INFORMATION</b>
<p><b>For Commercial</b>  Site Area – 356 m<sup>2</sup>  Existing Use – Residential Dwelling  (68 m<sup>2</sup>)  Proposed Use – Residential Institution  (68 m<sup>2</sup>)  Number of jobs created – Up to 12, comprising of 1 registered manager assigned specifically to the Stanton Close home, with sufficient cover for 2 members of staff at all times (including 1 ‘waking night’ and 1 ‘sleeping staff’ overnight) and further support as required.  Existing parking spaces – 2 spaces  Proposed parking spaces – 2 spaces.</p>

<b>CONSULTATION RESPONSES</b>
<p>WBC Environmental Health – No comments  WBC Highways – No objection  WBC Community Safety – No comments received.  WBC Education – No comments received.  WBC Cleaner and Greener – No comments received.</p>

<b>REPRESENTATIONS</b>
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**Town/Parish Council:** No objection, subject to a parking condition to amend the parking configuration.

**Local Members:** No response received.

**Neighbours:** 2 comments. 1 comment stating there is no application form published (which has since been rectified) and 1 objection due to insufficient parking and a quiet residential street is not suitable for a children’s home.

<b>APPLICANT POINTS OF NOTE</b>
<ul style="list-style-type: none"> <li>• The need and requirement for this children’s home would be dependent on the need from WBC Children’s Services.</li> <li>• The maximum number of residents would be 3, though there is immediate need for just 1 resident. The number of residents would vary dependent on need.</li> <li>• There is no set period of residency, but the aim is for as short a term placement in the home as possible.</li> <li>• The care staff would work on shift patterns with different staff in attendance during day and night.</li> </ul>

## **PLANNING POLICY**

**National Planning Policy Framework**  
**National Design Guide**  
**National Planning Practice Guidance**

### **Core Strategy (CS)**

CP1 – Sustainable Development  
CP2 – Inclusive Communities  
CP3 – General Principles for Development  
CP9 – Scale and Location of Development Proposals

### **MDD Local Plan (MDD)**

CC01 – Presumption in Favour of Sustainable Development  
CC02 – Development Limits  
CC06 – Noise  
CC07 – Parking

### **Other**

Borough Design Guide Supplementary Planning Document

## PLANNING ISSUES

### Site Description:

1. The application site consists of a moderately sized three-bedroom, two-storey, semi-detached property with a private residential garden to the rear, with outbuildings and off-street driveway parking. The site is 150 metres from Earley Train Station and the railway line runs to the rear of the site.
2. The existing layout is a simple square orientation which comprises of three bedrooms, two bathrooms, a kitchen/diner, living room and hallway. The site has ample amenity space to the rear with a 21-metre garden to the north of the site. The site has vegetation on the frontage as well as along the boundary with no. 31 Stanton Close and along the rear boundary.
3. The previous use was lawful use of a single residential unit. The Council has since purchased the property. There is currently one child occupying the property as there was an immediate need for a placement. The applicant is aiming to get the home registered September 2023.
4. To the north of the site there is a railway line, to the east, west and south there are residential dwellings situated on Stanton Close.

### Proposal Description:

5. This application seeks to consent to the change of use of 29 Stanton Close from a residential dwelling (Class C3) to a residential institution (Class C2) in order to care for vulnerable children.
6. There would be no physical modification to the site, both internally and externally and the existing internal layout will remain as such. There would be no change to the access or the parking on site.

### Principle of Development:

7. The National Planning Policy Framework has an underlying presumption in favour of sustainable development which is carried through to the local development plan. The Managing Development Delivery Local Plan (MDD Local Plan) Policy CC01 states that planning applications that accord with the policies in the Development Plan for Wokingham Borough will be approved without delay unless material considerations indicate otherwise.
8. Policy CC02 of the MDD Local Plan sets out the development limits for each settlement as defined on the policies map and therefore replaces the proposals map adopted through the Core Strategy, as per the requirement of policy CP9. Policy CP9 sets out that development proposals located within development limits will be acceptable in principle, having regard to the service provisions associated with the major, modest and limited categories. As the site is within a major development location, the proposal is acceptable in principle.
9. Policy CP3 of the Core Strategy states that development must be appropriate in terms of its scale of activity, mass, layout, built form, height, materials and character to the

area in which it is located and must be of high-quality design without detriment to the amenities of adjoining land uses and occupiers.

10. Section (i) of CP3 also highlights that planning permission will be granted for proposals that do not lead to a net loss of dwellings and other residential accommodation or land.
11. With regard to the proposed C2 use, paragraph 91 of the NPPF states that *decisions should aim to achieve healthy, inclusive and safe places which promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other (...), are safe and accessible (...) and enable and support healthy lifestyles.*
12. Policy CP2 of the Core Strategy states that planning permission will be granted for proposals that address the requirements of:
  - *An ageing population, particularly in terms of housing, health and wellbeing;*
  - *Children, young people and families, including the co-ordination of services to meet their needs;*
  - *People with special needs, including those with a physical, sensory or learning disability or problems accessing services.*
13. Policy TB09 of the Managing Development Delivery Local Plan (MDDLDP) (Residential accommodation for vulnerable groups) also states that the Council will in principle support proposals which provide for the following types of accommodation to provide for peoples' needs over a lifetime.

#### **Loss of C3 Residential:**

14. The proposed change of use to Class C2 would result in the loss of a residential dwelling, thus conflicting with part i) of the CP3 of the Core Strategy which states that planning permission will be granted on schemes that *'do not lead to a net loss in dwellings and other residential accommodation or land'*. On the other hand, the proposal would still comply with parts (a) and (h) of Policy CP3.
15. The scheme provides great social benefit and an essential community facility for supporting vulnerable children with specialist needs within the Borough instead of children being placed in care far from home, thus helping ensure essential care is delivered. The proposal therefore complies with Core Strategy Policy CP2 and policy TB09 of the MDD Local Plan. This far outweighs the loss of a residential dwelling, regardless of minor policy confliction that the principle of the proposed change of use is acceptable in planning policy terms.

#### **Character of the Area:**

16. The area is largely comprised of two-storey, semi-detached dwellings.
17. Whilst the proposed C2 use would result in the loss of a residential dwelling, the primary nature of the proposed use would be quasi-residential and as such it is considered appropriate due to the existing residential form in the directly local area.
18. As mentioned, there would be no physical change to the building in terms of extensions or external works, so there would be no harm in regard to this.

## Neighbouring Amenity.

19. There would be no overbearing, overlooking or overshadowing concerns due to no external works proposed.
20. Noise and Disturbance - The site is a semi-detached, so it adjoins another dwelling. The site is within 5 metres of no. 27 Stanton Close. It is acknowledged that the proposal could result in a minor increase in the level of user within the site. However, the increase would be minimal and nuisance from vehicles particularly during the later hours of the day would see only a minor change from the vehicle usage of the sites original use as a residential dwelling. This is due today/night staff that would be present on site, of which there would be a minimum of 2 on site at a time. Also, the WBC Environmental Health officer had no objection and no noise concerns.
21. The external amenity area would be used in the same way as they would be used in a family dwelling.

## Access and Movement.

22. Policy CP6 of the Core Strategy seeks to manage travel demand with sustainable travel modes, appropriate vehicle parking and minimisation of traffic impacts. Policy CC07 and Appendix 2 of the MDD Local Plan set out the minimum parking requirements for development proposals. Policy CP9 states that the scale of development must reflect the existing and proposed levels of facilities, services and accessibility at or in the location.
23. The site benefits from an existing vehicular access from Stanton Close, which would be utilised with the current scheme, and it is considered acceptable for access by all modes of transport.
24. Earley Town Council have recommended a condition that would require the submission of an amended parking plan to show two parking spaces side by side instead of as tandem spaces. This condition would not be recommended as the WBC Highways Officer has raised no objections to this application on parking or highways grounds.
25. On this basis, the proposal would be considered acceptable in terms of being sustainably located and would not result in unacceptable parking pressures on site or surrounding streets, nor prejudice highway safety.

## Community Infrastructure Levy (CIL)

26. As the proposal is for change of use and no additional floor space is proposed, the development would not be CIL Liable in accordance with the adopted CIL charging schedule.

<b>The Public Sector Equality Duty (Equality Act 2010)</b>
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<i>In determining this application, the Council is required to have due regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief. There is no indication or evidence (including from</i>
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*consultation on the application) that the protected groups identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application and there would be no significant adverse impacts upon protected groups as a result of the development.*

**Conclusion.**

27. The proposed change of use from a residential dwelling (Class C3) to a Residential institution/children's home (C2) is considered acceptable in principle, as the proposal would make a positive contribution to providing an essential community facility for supporting vulnerable children within the Borough and would help ensure that this essential infrastructure is delivered. As such, the proposed would accord with national and local planning policies and is therefore recommended for approval.



## APPENDIX 1 - Conditions / informatives

*APPROVAL subject to the following conditions and informatives:*

1. Timescale – The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
*Reason: In pursuance of s.91 of the Town and Country Planning Act 1990 (as amended by s.51 of the Planning and Compulsory Purchase Act 2004).*
2. Approved details – This permission is in respect of the submitted application plans and drawings labelled ‘Location Plan’, ‘Site Plan’ and ‘Existing Floor Plans’ received by the local planning authority on 23 June 2023. The development shall be carried out in accordance with the approved details unless other minor variations are agreed in writing after the date of this permission and before implementation with the Local Planning Authority.  
*Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the application form and associate details hereby approved.*
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*Reason: In granting this permission the local planning authority has had regard to the special circumstances of this case, being the care of vulnerable children, and wishes to have the opportunity of exercising control over any subsequent alternative use in the interests of the amenities of the area. Relevant policy: Core Strategy policies CP1 & CP3.*
4. The residential occupation of the building as a care and dwelling facility for vulnerable adults shall be limited to no more than two individuals requiring care at any one time.  
*Reason: In the interests of retaining the character of the area, character of the existing dwelling and the amenities of neighbouring occupants. Relevant Policy: Core Strategy policies CP1 and CP3.*

### **Informatives.**

2. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the NPPF.

## **APPENDIX 2 - Town Council Comments**

### Earley Town Council Comments:

*'ETC raises no objection to this application subject to WBC imposing the following condition:*

*1: Whilst there are two tandem parking spaces on curtilage, there is concern that they are not individually accessible, and, as a result, staff may park in the street during shift changes, because of this, details of two, side-by-side parking spaces should be submitted to, and approved by WBC, with the spaces provided within 12 months of the approval. As supported by Policy CC07, and further detailed in sections P1, P2 and P3 of the Borough Design Guide, to ensure that parking can be accommodated satisfactorily on curtilage, is compatible with the local character and is safe and, importantly, convenient to use.'*