

Planning and EP Committee 13 March 2018

Item No. 5.3

Application Ref: 18/00091/FUL

Proposal: Change of use from dwelling (C3) to residential institution (C2) - retrospective

Site: 20 Broadway Gardens, Peterborough, PE1 4DU,
Applicant: Ms Naidre Werner, Florinee Homes Ltd
Agent:

Referred by: Councillors Peach, Ferris and Nawaz
Reason: Loss of residential amenity; harm to the Park Conservation Area; incompatible use within a residential area; traffic and parking issues; anti-social behaviour

Site visit: 24.01.2018

Case officer: Mrs Louise Simmonds
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Recommendation: **GRANT** subject to relevant conditions

1 Description of the site and surroundings and Summary of the proposal

Site and Surroundings

The application site comprises a two storey detached residential dwelling located to the eastern side of Broadway Gardens, a residential cul-de-sac. The dwelling is set back from the public realm by virtue of a landscaped front garden which is bound to the front by a low wooden fence and mature shrubs/hedging. Parking is provided within the site for approximately 5 vehicles, and access is granted from Broadway Gardens via a dropped kerb crossing.

The character of the surrounding area is formed by large detached dwellings, all of unique design but within the same architectural period, within spacious grounds and set back from the street by approximately the same distance. This unique character is recognised through the area's inclusion within the Park Conservation Area.

Proposal

The application seeks planning permission for the change of use of the site from a residential dwelling (Use Class C3) to a care home for 6no. children aged 16 to 18 years (Use Class C2 - residential institution). It should be noted that the change of use has already taken place and therefore the application is retrospective.

No external alterations or other associated development is proposed alongside the change of use.

2 Planning History

Reference	Proposal	Decision	Date
P0139/89	First floor extension over garage	Permitted	30/03/1989
98/00597/FUL	Single storey extensions at rear	Permitted	29/06/1998

3 Planning Policy

Decisions must be taken in accordance with the development plan policies below, unless material considerations indicate otherwise.

Planning (Listed Building and Conservation Areas) Act 1990

Section 72 - General duty as respects conservation areas in exercise of planning functions.

The Local Planning Authority has a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area or its setting, or any features of special architectural or historic interest which it possesses.

National Planning Policy Framework (2012)

Section 12 - Conservation of Heritage Assets

Account should be taken of the desirability of sustaining/enhancing heritage assets; the positive contribution that they can make to sustainable communities including economic viability; and the desirability of new development making a positive contribution to local character and distinctiveness. When considering the impact of a new development great weight should be given to the asset's conservation.

Planning permission should be refused for development which would lead to substantial harm to or total loss of significance unless this is necessary to achieve public benefits that outweigh the harm/loss. In such cases all reasonable steps should be taken to ensure the new development will proceed after the harm/ loss has occurred.

Peterborough Core Strategy DPD (2011)

CS08 - Meeting Housing Needs

Promotes a mix of housing the provision of 30% affordable on sites of 15 or more dwellings (70% social rented and 30% intermediate housing), 20% lifetime homes and 2% wheelchair housing.

CS16 - Urban Design and the Public Realm

Design should be of high quality, appropriate to the site and area, improve the public realm, address vulnerability to crime, be accessible to all users and not result in any unacceptable impact upon the amenities of neighbouring residents.

CS17 - The Historic Environment

Development should protect, conserve and enhance the historic environment including non-scheduled nationally important features and buildings of local importance.

Peterborough Planning Policies DPD (2012)

PP03 - Impacts of New Development

Permission will not be granted for development which would result in an unacceptable loss of privacy, public and/or private green space or natural daylight; be overbearing or cause noise or other disturbance, odour or other pollution; fail to minimise opportunities for crime and disorder.

PP12 - The Transport Implications of Development

Permission will only be granted if appropriate provision has been made for safe access by all user groups and there would not be any unacceptable impact on the transportation network including highway safety.

PP13 - Parking Standards

Permission will only be granted if appropriate parking provision for all modes of transport is made in accordance with standards.

PP17 - Heritage Assets

Development which would affect a heritage asset will be required to preserve and enhance the significance of the asset or its setting. Development which would have detrimental impact will be refused unless there are overriding public benefits.

Peterborough Local Plan 2016 to 2036 (Proposed Submission Draft)

This document sets out the planning policies against which development will be assessed. It will bring together all the current Development Plan Documents into a single document. Consultation on this Proposed Submission version of the Local Plan will take place during January and February 2018 after which the responses will be reviewed ahead of submission to the Secretary of State.

This plan was approved Cabinet for consultation on 13 December 2017. It is, therefore, classified as an 'emerging plan'. Paragraph 216 of the National Planning states that decision makers may give weight to relevant policies in an emerging plan according to:-

- the stage of the Plan (the more advanced the plan, the more weight which can be given)
- the extent to which there are unresolved objections to the policies
- the degree of consistency between emerging policies and the framework.

The policies can be used alongside adopted policies in the decision making progress, especially where the plan contains new policies. The amount of weight to be given to the emerging plan policies is a matter for the decision maker. At the final stage the weight to be given to the emerging plan is more substantial than at the earlier stages although the 'starting point' for decision making remains the adopted Local Plan.

4 Consultations/Representations

PCC Peterborough Highways Services (07.02.18)

No objections - The application site has generous space to the front, in keeping with the generally set-back layout of dwellings within this cul-de-sac. This gives ample space for parking vehicles. The number of parking spaces (at 5) is likely to be acceptable for the proposed staff numbers (3 in the daytime and 2 at night) and on-street parking is also available via permits. The submitted traffic movement sheet is noted but the LHA has no concerns over traffic generation from the proposed development or the impact on the streets/junctions.

Victoria Park Residents Association

No comments received.

PCC Conservation Officer (26.01.18)

No objections - The proposal would retain the domestic accommodation use of the building, thereby retaining its historical design use. In addition, there are no proposed external alterations which means that the proposal will not impact upon the setting of the Conservation Area.

Broadway Residents Association

Objects - Their detailed objections are included within the comments in the residents / interest parties representations below but for clarity, their main objection areas are as follows:

- Loss of residential amenity thorough noise, loss of peaceful enjoyment of the area, saturation of the area by businesses and care homes and light pollution;
- Increased anti-social behaviour issues;
- Additional parking and traffic generation;
- Harm to the Conservation Area, breach of the area's management plan and loss of green spaces within it;
- Inaccuracies within the information submitted by the Applicant;
- Concerns for the safeguarding of occupants; and
- Concerns regarding the size of the proposed care home.

Local Residents/Interested Parties

Initial consultations: 12
Total number of responses: 29
Total number of objections: 29
Total number in support: 0

A total of 29no. objections have been received from local residents on the following grounds:

Conservation Area

- Goes against the Council's own policies for the Park Conservation Area. The Appraisal and Management Plan emphasises that housing should be retained as traditional family homes and Officer's should resist the encroachment of businesses into the Conservation Area.
- Although this is a business based upon providing residence, it will not be a family home and the property will be maintained and staffed according to a business plan and budget.
- There are already sufficient businesses within the Conservation Area. Another residential children's home has just been proposed at the end of Broadway. Within the surrounding area there are already 5 residential homes, a vets, 2 dental surgeries, a nursery, political club and beauticians. These were all in place before the designation of the Conservation Area and should therefore be seen as a maximum.
- Many of the care homes within the surrounding area have been extended, resulting in less green space. Worried that further expansion would result in less green spaces within the Conservation Area.

Neighbour amenity

- The demography of the existing community and the number of proposed occupants will adversely impact upon the success of the home and could in the long run involve nuisance to the neighbourhood (i.e. police visits, vandalism, etc.). Should this happen, the impact will be magnified by the fact that Broadway Gardens is a small cul-de-sac and the opportunity for friction with residents is enormous given such a confined location.
- It is not unreasonable to presume that 16-18 year olds will socialise, including smoking and drinking alcohol. Smoking cannot be allowed on the premises and it is likely that residents will smoke outside. This will impact upon the immediate environment.
- Our direct experience living next door to a similar setup accommodation 2-3 16-18 year olds was that they tended to sit on the wall outside smoking and talking and so did some of the staff. We feel strongly that any such establishment should have staff who do not smoke or not smoke whilst at work – smoke free policy – and any smokers be supported to quit.
- Whilst you cannot generalise that all children in a care home will show challenging or anti-social behaviours, it is naïve to assume that occupants will be quiet. Movements associated with socialising etc. could be noticeable and intrusive to residents of Broadway Gardens.
- There will be an increase in noise resulting from the home being staffed 24/7. There will be cars, visitors and professional staff accessing the cul-de-sac at times throughout the day and night, all of which will encroach upon neighbouring residents amenity.
- If this business was to be granted planning permission for change of use it would set a precedent for others wanting to locate a business or similar establishment and would significantly reduce our amenity.
- Our direct experience whilst living next door to a similar set-up in PE1, accommodating just 2-3 16-18 year olds was that it was noisy with visitors knocking on the door, shouting and on occasions singing outside late at night. Also on occasions very loud music.
- It is likely that if developed as a children's home the property would be lit in some way or other 24 hours per day, which is not now the case anywhere else in Broadway Gardens.
- Occupants will be constantly changing which will impact further upon local residents.
- All looked after young people have had a poor start to their lives and often have no idea how to live in proximity to local communities with the necessary respect, tolerance and understanding needed.
- Existing children in the street will no longer be able to play in their front gardens owing to the increased traffic and general disturbance that this use will create.

Crime and anti-social behaviour

- Further concern is the proximity to Central Park which has, in recent years, been the location of sexual grooming of vulnerable children. It is also used as an area for prostitution and drug dealing. It seems stupid to locate a residence for children with behavioural problems so close to such a venue.
- Concerned that the vulnerable occupants will become a magnet for those in the wider community who wish to influence and abuse them.
- We feel that the safety of children in the road may be compromised by the presence, as we understand it, of ex young offenders and ex sex offenders.

Highways

- Local care facilities certainly add to local traffic and parking issues. How can it be assumed that adding a further facility into a residential cul-de-sac will not have an impact?
- The parking survey provided by the Applicant is unscientific and does not give an indication of the traffic movements associated with the care home. It was done by the Applicant over a limited period of time which included part of the festive break, and with only one occupant and limited staff numbers. It is not independent or representative.
- Whilst it is possible to park 5 cars within the site, this would lead to considerable shuffling of vehicles as there is not sufficient space for cars to manoeuvre. This means that car movements will come onto the road throughout the day and night.
- Issues with restricted on-street parking within Broadway Gardens have not been addressed.

Other matters

- Demographically, the fact that the owners will not occupy the property means that residents are less likely to integrate into what is a very tight community. This integration will be further hindered by the fact that most of the families on the street now have children away at University meaning that the demographic is largely middle aged and without children.
- This demographic argument also ties in with correspondence Councillor Peach received from the Head of Social Services which stressed that the most successful residential homes for young people resulted from them being placed in locations where they have integrated into the community.
- The correspondence also further stressed that success generally results from residential homes having a maximum of 2 or 3 children as inhabitants.
- Six children will be sufficiently large for the residential home to form its own community which will result in minimum integration with the Broadway Gardens community.
- The nearby property on Eastfield Road is wholly more suitable a location for a children's home and would impact less upon surrounding neighbours.
- Concerns as to the proper safeguarding of children/young people at this establishment as we are led to believe it will be unregulated.
- This type of facility should be sited in a more appropriate location within the City Centre where occupants will be able to find the services and facilities that interest them along with other young people they can integrate with.
- It is a disappointment that the Applicant/operator did not consult with neighbours before embarking on this development. This lack of interaction has negatively impacted upon possible relationships moving forwards and develops a distinct feeling of distrust that the facility will be run professionally.
- The Applicant has misrepresented dealings with local residents.
- We are appalled that the owners of the business have rented a property and commenced operating their business without first gaining all relevant approvals.
- We feel very strongly that children and youth in Peterborough should receive the highest quality best practice care and that this application is the wrong type of property for this purpose, in the wrong place and we have concerns regarding the potential quality and lack of regulation of the proposed business establishment. We are concerned that Peterborough City Council has already placed one young person in the property prior to all the necessary regulatory and legal considerations being in place.
- There is a lack of clarity as to how many children will reside at the premises.
- The Applicant does not appear to have any prior experience in running such a home and the business – Florinee Homes Ltd – was only incorporated in January 2017.

- We have significant concerns that the Council seems to be promoting this kind of unregulated home which the Children's Society have investigated and reported on unfavourably.
- The number of children proposed to live in the home shows a clear misunderstanding of the Applicant as to what type of care home is most appropriate. Many local authorities across the country are now disposing of care homes for 6 children or more in favour of smaller homes.
- It does not appear that the Council is entering into any formal contract with the Applicant to provide the care. If the Council has no choice but to place children in unregulated homes, we feel that the children must be provided with an appropriate advocacy service.
- There are 5 other care homes within the surrounding area which makes it saturated – Broadleigh Care Home (213 Broadway); Lavender House Care Home (205 Broadway); Orchard House (160 Broadway); Park Vista Care Home (15 Park Crescent); and Park House Care Home (27 Park Crescent). In addition, there is a children's day nursery at 134 Broadway.
- There are a number of inaccuracies within the supporting information provided by the Applicant.
- We cannot see any comments from the Fire Service that an assessment has been undertaken for its use as a care home.
- What qualifications will the staff have? How will medication be administered and stored? What level of staff training will be provided?

Ward Councillors

Have objected to the proposal as follows:

Councillor Richard Ferris (12.02.18)

Objection - On the basis of concerns expressed to me by local residents, wish to add my voice to the call-in on grounds of loss of amenity. Specifically, increased traffic, noise and the risk of associated anti-social behaviour.

Councillor J Peach (09.02.18)

Objection - Loss of residential amenity, inappropriate conversion within the Park Ward Conservation Area, harm arising from a business in a residential area, traffic and noise problems.

Councillor Shaz Nawaz (13.02.18)

Objection - Residents have expressed concern that, with homes being converted into business premises, it is affecting the Conservation Area.

5 Assessment of the planning issues

The main considerations are:

- Principle of development
- Parking and highway implications
- Neighbour amenity
- Impact upon designated heritage assets

a) Background and the 'fall-back' position

It is noted that a large number of the objections received from local residents have raised the issue of this application being retrospective, and that the previous use was intended for up to 9no. children. For the avoidance of doubt, until such time as an Enforcement Notice is served, development without the benefit of planning permission is unauthorised (not unlawful) and any application to regularise unauthorised development is not subject to a penalty. The Local Planning Authority must therefore consider this current application on its own merits and without prejudice in respect of the unauthorised development which precedes it. Furthermore, the current application seeks the change of use for a care home for up to 6no. children only and it is on this basis that the proposal is to be assessed.

Notwithstanding the above, due consideration must also be given to development which could have taken place without the benefit of planning permission – this is known as the 'fall-back'

position. Class C3 (residential dwellinghouses) of the Town and Country Planning (Use Classes) Order 1987 (as amended) was the former lawful use of the site. This class not only includes traditional family homes (i.e. where one family unit resides together) but was also expanded in 2010 to include up to six residents living together as a single household where care is provided. The Order gives an interpretation for 'care' and does not explicitly reference children however nor does it exclude them. Given this potential ambiguity, Officers requested that the current application be submitted on a precautionary basis.

However, it should be noted that were the site being used for the care of adults (the definition of which includes people in need by reason of old age, disablement, past/present dependence on alcohol or drugs or past/present mental disorder) planning permission would not have been required and indeed this use could begin at any point without any control by the Local Planning Authority.

Similarly, the Town and Country Planning (General Permitted Development) Order 2015 (as amended) allows for the change of use from Class C3 to Class C4 (small-scale house in multiple occupation) without the need for a planning application. Class C4 would therefore allow for up to 6 unrelated persons to live together with shared communal facilities (which may only include a bathroom or kitchen).

The proposal must therefore be considered against the impacts arising from the above permitted development.

b) Principle of development

Policy CS8 of the Peterborough Core Strategy DPD (2011) highlights the importance and emphasises the need to provide housing to meet the needs of all sectors of society, particularly those who are vulnerable and/or have special requirements. This includes those young people who are within the care system and require a safe home in which to live.

The proposal seeks to provide a 'care' home for children/young adults aged 16 to 18 years whereby staff support is provided on a 24 hour basis. From the information accompanying the application, it is proposed for the care to be offered in a semi-independent fashion to prepare residents for life beyond the care system at 18 years. The home is proposed to be fully staffed at a ratio of 3 children to 1 worker and residents will share communal living facilities including kitchen, dining and lounge areas.

Whilst no formal data has been provided in respect of the demand for such care places within Peterborough, minutes of a meeting attended by local residents, the Applicant and the City Council's Service Director for Children's Services have been provided. Within these minutes, the City Council's Director advised that the Council has a statutory duty to find suitable accommodation for young people in its care, and preferably within their local area which provides the best support for them. In addition, it was highlighted that care places for children aged 16-18 (as that proposed) is in short supply within the City.

Taking the above into account, it is considered that the proposed use would provide much needed housing for older children within care which is fully in accordance with Policy CS8 of the Peterborough Core Strategy DPD (2011), and the benefit arising from this should be afforded a significant amount of weight.

c) Parking and highway implications

At present, the site benefits from on-site parking – approximately 5no. spaces which includes tandem spaces. The Local Highway Authority (LHA) has raised no objections on this basis, as this amount of parking is considered sufficient to meet the needs of the care home use. From the information provided by the Applicant, a maximum of 3no. staff are required to care for the children and maintain the building at any one time. If these staff all arrived by private car, this would generate demand for 3no. parking spaces which can clearly be accommodated.

It is acknowledged that during the period of staff/shift changeover, additional parking demand would be generated which may result in some parking on-street whilst cars are moved. Whilst this would, for a temporary and relatively short period each day, result in increased on-street parking demand, such an arrangement would be likely to occur if the site were occupied by a single family (with a large number of children of driving age) and similarly, if the fall-back position were implemented.

It is also noted that a number of objectors have also raised concerns with regards to the level of visitor parking and traffic generation (including service vehicles) that would be generated by 6no. children/young adults residing at the premises. These concerns are noted however the children/young adults would be living together within the property akin to a single household. They would be cared for as if they were within a traditional family home and accordingly, service vehicles are unlikely to result. Furthermore, traffic demand would only be generated by staff as the children/young people would not have access to their own vehicles. With regards to visitor traffic, However, when taking into account the fall-back position, it is not considered that the level of visitor parking demand arising from the proposed care home would be above and beyond the levels which could already arise.

The number of staff and children permitted within the site can readily be restricted by way of a condition to ensure that this is not exceeded as can the specific use within Class C2. Such a restriction would ensure that any alternative uses which create additional parking demand can be subject to further assessment through a new planning application.

Accordingly, and subject to the conditions proposed above, it is not considered that the current proposal would generate parking demand or traffic above and beyond levels arising from development that would not require planning permission. On this basis, the proposal is in accordance with Policies PP12 and PP13 of the Peterborough Planning Policies DPD (2012).

d) Neighbour amenity

It is noted that the majority of objections received by local residents have raised concerns with regards to the incompatibility of the proposed use within an existing residential area, particularly due to harm arising to neighbour amenity. The main concerns appear to relate to an intensification of the use of the site from a traditional family dwelling which residents fear will give rise to undue noise disturbance, light pollution and increased anti-social behaviour.

As detailed above, it is proposed for the 6no. children/young adults to live akin to a single family unit with shared communal facilities including living room, kitchen and dining room. The occupants will live semi-independent lives but will all likely be in full time education as that is a national requirement now to the age of 18 years. It is not considered that children living together and receiving care in the manner proposed would significantly intensify the use of the site above and beyond a traditional family home.

The facility will have staff on site 24-7 and will be subject to inspection by the City Council. Therefore there is ample opportunity for interventions should they be found to be necessary.

Furthermore, when considering the impacts arising from the 'fall-back' position, it is considered that the proposed use is likely to generate less significant issues in relation to noise and general disturbances. A care home for adults, which would not require the benefit of planning permission, could and would likely result in emergency vehicles/servicing/staff movements throughout the day and night in a fashion which is considerably more intensive than the current dwelling. The proposed occupants relating to the use subject to this application will not require intensive care and, during the night-time, will use the property much like any other family home.

On this basis, it is not considered that the proposal would result in an unacceptable level of harm to the amenities of neighbouring occupants would likely result in less harm than development which does not require the benefit of planning permission. Accordingly, the proposal is considered to be

in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012).

e) Impact upon designated heritage assets

As detailed within Section 1 above, the application site is located within the Park Conservation Area. Under the provisions of Section 72(1), the Local Planning Authority has a statutory duty to ensure that all new development either preserves or enhances the setting of this designated heritage asset. This is also further reinforced through both local and national planning policies which attach significant weight to this duty.

It is noted that nearly all objections by local residents and the 3no. Ward Councillors have expressed concern with regards to the erosion of the special character of Broadway Gardens and accordingly, the Conservation Area. In particular, reference has been made to the adopted Park Conservation Area Appraisal Report and Management Plan (March 2007) which, residents believe, seeks to resist business uses within residential properties and encourages them to be retained in residential use.

The City Council's Conservation Officer has provided detailed comment on the proposal which references the adopted appraisal/management plan. He has raised no objections to the proposal as it is considered that the intended use would retain the appearance of domestic accommodation which respects the site's historic design and use. Whilst the proposal would no longer be a traditional 'family home', the future occupants would reside together as a single family unit, sharing communal facilities. They would utilise the site for semi-independent living whilst making the transition from full-time care as children to adults and would be supported in this transition by staff working from the site.

The Conservation Area appraisal highlights that applications for change of use should demonstrate that the new use would not adversely affect the building's character and appearance and it is considered that the proposal has done so. No external changes are proposed and the intended use (as set out above) is not considered likely to generate significant additional demand for cars being parked above and beyond that which does not require planning permission. Accordingly, the proposal would not have a materially different appearance from others within Broadway Gardens.

In terms of any future changes to the building (i.e. extensions or alterations to windows/doors etc.), residential institutions (Class C2) have no 'permitted development' rights. Therefore, any such future changes would require the benefit of planning permission and would be thoroughly assessed in terms of impact to the Conservation Area.

On this basis, it is considered that the proposal would preserve the special character of this part of the Park Conservation Area and is therefore in accordance with Policy CS17 of the Peterborough Core Strategy DPD (2011), Policy PP17 of the Peterborough Planning policies DDP (2012) and paragraph 131 of the National Planning Policy Framework (2012).

f) Other matters

In response to those objections raised by local residents which are not discussed above:

- i) Safeguarding of children – This is not a material planning consideration as it is covered by other statutory legislation.
- ii) Appropriateness of site / other appropriate sites – It is noted that local residents consider that the proposed use would be better sited closer to the City Centre however it is not for Officers to make this judgement. The proposal can only be considered on the basis of adopted planning policies and the appropriateness, or otherwise, of the site is not a material planning consideration.
- iii) Saturation of the surrounding area – It is noted that local residents feel that the surrounding area has become 'saturated' with care homes however this has, to some extent, resulted from

changes made by the Government to the Use Classes Order. The creation of small-scale care homes of up to 6 persons has been considered appropriate within local communities and to not result in a significant additional impact above and beyond 'traditional' family homes. The proposal would provide differing care to those properties within the surrounding area and would operate much in the same way as a single family unit. Furthermore, the Council has no adopted planning policies which place a limit on such uses and it is not considered that the cumulative impact results in unacceptable harm to the amenities of surrounding occupants or the general area.

- iv) *Fire regulations* – This is not a material planning consideration and is covered by the Building Regulations. A change of use under this separate legislation is required and this would consider fire safety.
- v) *Integration with the community* – There are no specific planning policies in this regard and as such, integration with the local community is not a material planning consideration. However, the National Planning Policy Framework (2012) seeks to provide truly mixed communities whereby a range of housing, services and facilities are provided. As such, and in this light, it is considered that a residential care home within a residential area is appropriate.
- vi) *Qualifications of staff/ operator/ scrutiny/appropriateness of style of home/registration with CQC* – These matters are not material planning considerations and small establishments such as that proposed do not have to be CQC registered / inspected. Notwithstanding the latter the City Council would undertake more regular checks on the operation of the facility than would be undertaken by the CQC.
- vii) *Lack of pre-application engagement with local residents* – There is no statutory duty for Applicants to engage with local residents prior to the submission of a planning application. As such, this is not a matter for which the proposal could be considered unfavourably.
- viii) *Crime and disorder - There is no evidence to suggest that the proposal will result in any significant increase in crime and disorder to the locality.*
- ix) *Impact of the proposal in combination with businesses in the locality - There is no evidence that existing businesses in combination with the proposal would be harmful to the conservation area.*

6 Conclusions

Subject to the imposition of the attached conditions, the proposal is acceptable having been assessed in the light of all material considerations, including weighing against relevant policies of the development plan and specifically:

- the proposal would provide much-needed housing for up to 6 no. children/young adults in a semi-independent manner to act as a transition between full-time care and independent adult living, in accordance with Policy CS8 of the Peterborough Core Strategy DPD (2011);
- adequate on-site parking is provided to meet the demands of the development and no unacceptable impact would arise in terms of the safety of the surrounding highway network, in accordance with Policies PP12 and PP13 of the Peterborough Planning Policies DPD (2012);
- the proposal would not result in an unacceptable degree of harm to the amenities of neighbouring occupants, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012); and
- the proposed use would preserve the appearance of the Park Conservation Area, in accordance with Policy Cs17 of the Peterborough Core Strategy DPD (2011), Policy PP17 of the Peterborough Planning Policies DPD (2012) and paragraph 131 of the National Planning Policy Framework (2012).

7 **Recommendation**

The Director of Growth and Regeneration recommends that Planning Permission is **GRANTED** subject to the following conditions:

- C 1 The use hereby permitted shall be a care home for children aged up to 18 years only and for no other use within Class C2 of the Town and Country Planning (Use Classes) Order 1987 (or any Order revoking and re-enacting that Order with or without modification).

Reason: Only the impacts arising from the specific use above have been considered and alternative uses within Class C2 may result in additional parking demand which cannot be accommodated within the site and may lead to unacceptable harm to highway safety, in accordance with Policies PP12 and PP13 of the Peterborough Planning Policies DPD (2012).

- C 2 No more than 6no. children shall live at the property and receive care at any one time, and no more than 3no. staff shall be present within the site at any one time other than during shift changeover.

Reason: To ensure that no undue pressure for parking results which may pose an unacceptable danger to highway safety and in order to preserve the amenities of neighbouring occupants, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policies PP3, PP12 and PP13 of the Peterborough Planning Policies DPD (2012).

- C 3 The area shown on the submitted 'Block Plan' for the parking and turning of vehicles shall be retained solely for those purposes in connection with the care home use hereby permitted and shall not be used for any other purpose in perpetuity.

Reason: In the interests of highway safety, in accordance with Policies PP12 and PP13 of the Peterborough Planning Policies DPD (2012).

Copy to Cllrs Ferris, S Nawaz and Peach

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