

Five Person Care Facility at Mayfield Grove

KEY INFORMATION

Ward East End

Address

26 Mayfield Grove
Dundee
DD4 7GZ

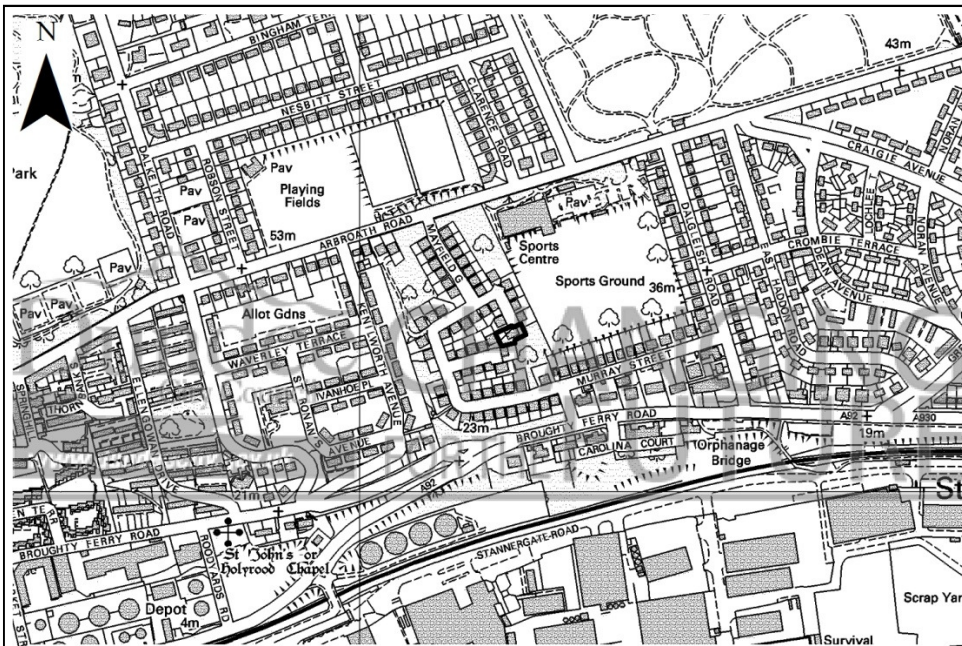
Applicant

Mrs Alison McKenzie
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Dundee
DD2 1JH

Agent

Registered 9 Dec 2013

Case Officer Beverley Knox



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SUMMARY OF REPORT

- Planning permission is sought for the change of use of a large residential property to form a residence for adults with learning difficulties. The home is intended to be the final step between fully supported accommodation and independent living in the community.
- In total 22 letters of objection have been received from 21 sources raising various concerns including road safety, lack of parking and impact on residential amenity.
- Policy 13 (Residential Accommodation for Particular Needs) of the Dundee Local Development Plan 2014 is relevant to the determination of the application. It is considered that the application is in accordance with the Policy. There are no material considerations, including the views of the objectors that would justify a decision contrary to this.
- More details can be found at <http://idoxwam.dundee.gov.uk/idoxpa-web/applicationDetails.do?activeTab=documents&keyVal=MW75EQGC06600>.

RECOMMENDATION

The application is considered to be in accordance with the Dundee Local Development Plan 2014 and there are no material considerations, including the views of the objectors to justify a decision contrary to this. The application is therefore recommended for **APPROVAL** subject to conditions.

1 DESCRIPTION OF PROPOSAL

1.1 A Supporting Planning Report has been submitted along with the application, part of which provides the following details of the proposed use:

- there will be a maximum of 5 young adults with learning disabilities living in the property as their home;
- one carer will be on duty during the day to support the adults, from 08.00 to 21.00 hours. One night duty carer will be in situ from 20.00 to 08.00 hours;
- the activities will be as per any household, shopping, cooking, cleaning, housework, social outings and activities that suit the needs of each individual;
- the residents will be independent travellers but may be supported to some appointments or outings; and
- the building provides an open plan kitchen/dining area to the ground floor with a separate space for a the carer to use as a base, a utility room and large living space with storage areas. The first floor would provide a master bedroom with en-suite which would be capable of being utilised as a double bedroom should the need arise, a further three bedrooms and a study room. A family bathroom would also be provided.



Figure 1 – Location Plan

1.2 In accordance with the Council's mandatory scheme of delegation, this application requires to be reported to the Development Management Committee for determination as there are more than 6 objections and the application is recommended for approval.

2 SITE DESCRIPTION

2.1 The application property is located in Mayfield Grove in the east of the city. The property is a detached modern dwelling set within a development of similar dwellings. The property is located at the end of the cul de sac and in this part of the development the road takes the form of a mono blocked surface and is narrower than a standard road to restrict road speeds.

2.2 The property benefits from an integrated double garage with automated doors. There is space for an additional 2 cars to park within the driveway area.

2.3 The building provides an open plan kitchen/dining area to the ground floor with a separate space for the carer to use as a base,



Figure 2 – Photo of Front of House

a utility room and large living space with storage areas. The first floor would provide a master bedroom with en-suite, a further 3 bedrooms and a study room. A family bathroom would also be provided.

2.4 The property benefits from private garden area to the rear and side of the property which is situated to the south and west of the building, offering the opportunity for a sunny aspect.

2.5 The surrounding cul de sac is comprised of residential uses. The land to the south of the property is largely covered in trees with further land to the east being utilised for sports recreation purposes.



Figure 3 – Photo of Garden Area

3 POLICY BACKGROUND

3.1 The following plans and policies are considered to be of direct relevance:

DUNDEE LOCAL DEVELOPMENT PLAN

Policy 13: Residential Accommodation for Particular Needs

3.2 There are no other plans, policies and non-statutory statements that are considered to be of direct relevance.

4 SITE HISTORY

4.1 There is no relevant planning history.

5 PUBLIC PARTICIPATION

5.1 The Statutory Neighbour Notification was carried out and as a result 22 letters of objection have been received from 21 sources, largely generated from neighbouring residents but including sources further afield.

5.2 The valid comments that have been received relate to the following issues:

- the use would result in increased traffic and insufficient parking;
- inadequate access;
- the cul de sac is only suitable for small family cars and minimal parking;
- pedestrian safety;
- the property is located at the end of a communal driveway;
- insufficient turning area once the driveway is occupied;

- the access and parking at this location was designed for a family house;
- children would be unable to play safely on the paved road area;
- detrimental to residential amenity;
- overlooking, privacy of neighbouring properties affected due to close proximity of houses;
- the area is a Conservation Area which is a quiet residential area;
- the proposals are contrary to Policy 13 of the Dundee Local Development Plan;
- the use would result in increased noise; and
- such establishments have a detrimental effect on residents in relation to increased criminality, anti social behaviour, emergency services attendance and an increase in visitors.

5.3 Members will have had access to these letters and the issues raised are considered in the Observations section below.

6 CONSULTATIONS

6.1 No adverse comments were received from any of the statutory consultees.

7 DETERMINING ISSUES

7.1 **Section 25 of the Act provides that an application for planning permission (other than for a national development) shall be determined in accordance with the development plan unless material considerations indicate otherwise.**

THE DEVELOPMENT PLAN

The provisions of the development plan relevant to the determination of this application are specified in the Policy Background section above.

DUNDEE LOCAL DEVELOPMENT PLAN

7.2 **Policy 13: Residential Accommodation for Particular Needs** – non-mainstream residential uses are important in providing the full range of living choices within the city and are critical in meeting the housing needs of particular groups in society. Such uses include sheltered housing, residential and nursing homes and housing for people with special needs. Policy 13 (Residential Accommodation for Particular Needs) of the Dundee Local Development Plan 2014 supports proposals for the development of non-mainstream residential uses on the provision that the following criteria can be met:

- 1 A high quality residential environment will be created with appropriate amenity space provided for the scale of development, in a sheltered, private location that is not overshadowed for most of the day

The property benefits from an extensive garden area which is situated to south and west of the property which provides private amenity space and drying area. It is laid in grass with steps down to lower areas of the garden space. A patio area is located adjacent to the patio doors on the west elevation of the property. It is considered that the areas are acceptable and provide generous amenity space suited to the needs of the proposed occupants.

- 2 The design reflects the scale, massing and materials of adjacent buildings and does not impact adversely on the amenity of neighbours by virtue of layout, overshadowing, overlooking, parking and traffic movement, noise or smell

The proposals relate to an existing property on site, as no external extensions or alterations are proposed there will no detriment to the amenity of neighbours by virtue of design, overshadowing or overlooking.

In terms of parking and traffic movement, the property benefits from a double garage and a hard surfaced area to the east of the property that is capable of accommodating a minimum of two cars with additional room for vehicles to turn within.



Figure 4 – Vehicle Parking and Turning Area

The applicant has submitted a planning statement to advise how the use is proposed to operate in this regard. The document advises that due to the nature of the proposed occupants of the property, they would not be anticipated to drive or own vehicles and one carer would be on duty during the day to support the occupants and one night carer would be on duty during the night. The double garage is to be utilised for the carer's vehicles and for this purpose the garage is provided with automated doors for convenience. Only one carer is intended to be on duty at any one time.

The remaining spaces within the curtilage of the property will be available for visitors to the property. It is anticipated that social care officers would visit the property on average once fortnightly. The regularity of visits from relatives is likely to be akin to a residential property in mainstream use receiving visitors from day to day. Taking the above into consideration, the predicted levels of car parking associated with the property are comparable to the levels that would be associated with a dwelling of this large size.

It is considered that any approval should be conditioned to ensure that the large hard surfaced area to the east of the property is retained for the purposes of parking and turning and not used for any other purpose. This will ensure that there is a generous area within the curtilage of the property to allow for visitors to the property to safely park and manoeuvre their vehicles without detriment to the nearby residential occupiers.

Therefore, it is considered that given the predicted levels of demand for parking associated with the proposals, the proposals would not be likely to impact adversely on the amenity of the neighbours by virtue of parking.

The proposed use of the property for up to 5 adults with learning disabilities will provide the final step between supported accommodation and independent living in the community; therefore the activities will be as per any household such as shopping, cooking, cleaning and social outings and activities to suit the needs of each resident. Therefore, there are no concerns that such a use would result in noise to an unacceptable degree.

- 3 The site is well connected to a range of local services and facilities in the surrounding area

There are a number of convenience stores located within close proximity to the application site. To the west of the site, on Albert Street there is the Albert Street District Centre which includes a small supermarket, chemists, banks and a specialist shops including a butcher, baker and fish shop. These are readily accessible on foot and several local bus services are available from nearby bus stops on Arbroath Road and Broughty Ferry Road to access the facilities of the Dundee City Centre and beyond, including Ninewells Hospital. The property therefore is considered to have the ready access to the full range of educational, medical, shopping and entertainment facilities that such young adults may require.

- 4 The site is accessible by public transport and by other modes of travel as well as by the private car

As discussed above in relation to criterion (3), the property is located close to the bus stops on Arbroath Road which are serviced by routes to the City Centre, Broughty Ferry and Ninewells Hospital. The central location means that it is ideally suited for convenient access by public transport and by private car.

- 5 Appropriate car parking provision is made relative to the needs of occupants, visitors and any support staff.

The issue of car parking has been discussed above in relation to criterion (2) where it was considered that the proposed use would not result in an increase in the demand for parking associated with the large property to a significant degree such as to justify refusal of the application.

- 6 It will not lead to an excessive concentration of non-mainstream residential uses to the detriment of the character of the particular area.

The area is generally residential in character and whilst there may be instances of ancillary activities such as child-minding occurring within residential properties in the vicinity, no planning permissions have been granted for similar uses in the vicinity of the application site.

It is considered that the use of the property in this regard would not therefore lead to an overprovision of this type of use in the area such as to be detrimental to the amenity of the surrounding residential occupiers.

- 7.3 Taking the above into consideration, it is considered that the application fully meets the criteria set out within Policy 13 of the Dundee Local Development Plan 2014.

- 7.4 **The proposal satisfies the requirements of Policy 13.**

OTHER MATERIAL CONSIDERATIONS

The other material considerations to be taken into account are as follows.

- 7.5 22 letters of objection have been received from 21 sources. The valid comments that have been received relate to the issues which are fully discussed below:

Road Safety

- the use would result in increased traffic;
 - inadequate access;
 - pedestrian safety;
 - the property is located at the end of a communal driveway; and
 - children would be unable to play safely on the paved road area.
- 7.6 As discussed above in relation to the Dundee Local Development Plan, the projected traffic movements generated by the proposed use are of a similar level to what might be expected from a large family home attracting day to day visitors. As part of the day to day operations, the premises will be occupied by one carer only at any one time and the property will be subject to visitors in the same way that any dwelling might.
- 7.7 Taking this into consideration, the number of vehicles likely to be entering and exiting the application property will not be so significant as to adversely impact on road safety; the proposals would be likely to generate similar traffic levels to that associated with a private dwelling house of this large size. In addition, there is sufficient room within the curtilage of the property to allow vehicles to both park and turn which would ensure that parking related manoeuvres do not require to take place on the adjacent access road.
- 7.8 In addition, it is considered that the paved road area is not suitable for children to play safely in any instance as it provides vehicle access to all of the dwellings in the cul de sac. This is irrespective of whether vehicles utilising the road pertain to a private dwelling or in relation to the provision of residential accommodation for particular needs as is the case in this instance. As the number of vehicles visiting the property are unlikely to be significantly increased from the situation of a large dwelling in mainstream accommodation, there is unlikely to be a marked difference in the safety of pedestrians in this location.
- 7.9 In this instance the concerns of the objectors in relation to issues of road safety are not supported.

Parking

- the cul de sac is only suitable for small family cars and minimal parking;
 - insufficient turning area once the driveway is occupied;
 - the access and parking at this location was designed for a family house; and
 - insufficient parking.
- 7.10 The issue of parking has been discussed above in relation to the Dundee Local Development Plan.

- 7.11 It is noted that some of the other properties in this cul de sac do not benefit from such large areas within their curtilages within which to park and manoeuvre cars and they are restricted to having short driveways only. However, the application property is located at the head of the cul de sac and benefits from a large area of hardstanding to the east of the property. It is considered that there is sufficient area to the west of the property in which to manoeuvre vehicles in addition to providing parking spaces.
- 7.12 The provision of two car parking spaces within the double garage and a further two car parking spaces within the curtilage of the property is considered to be sufficient to accommodate the needs of the use as discussed fully in relation to the Dundee Local Development Plan.
- 7.13 It is considered that there are no concerns in this regard.

Residential Amenity

- overlooking, privacy of neighbouring properties affected due to close proximity of houses;
 - such establishments have a detrimental effect on residents in relation to increased criminality, anti social behaviour, emergency services attendance and an increase in visitors;
 - the use would result in increased noise; and
 - the area is a Conservation Area which is a quiet residential area.
- 7.14 There are no alterations to the dwelling being proposed as part of the application, the application merely relates to the proposal for change of use of the property. Therefore, the use of the property will not result in overlooking of nearby properties any more than the existing situation might give rise to.
- 7.15 The proposed use seeks to bring learning disabled adults into a residential setting where they can learn to become self sufficient and independent to their own level of ability. The intention is to provide a “home care” environment. Therefore, the types of activities are likely to be similar to those taking place in mainstream residential properties and households. It is therefore considered that such a use is unlikely to give result in a significant change in the residential amenity currently afforded to nearby occupiers.
- 7.16 It should also be noted that contrary to the objector’s statement, the area is not situated within a Conservation Area in this instance.
- the proposals are contrary to Policy 13 of the Dundee Local Development Plan.
- 7.17 The application has been discussed in relation to the Dundee Local Development Plan above where it was concluded that the proposals are in accordance with Policy 13.
- 7.18 The views of the objectors are not supported in this instance.
- 7.19 **It is concluded from the foregoing that the material considerations which weigh against the proposal are not of sufficient strength to suggest that the Development Plan should not be accorded the priority afforded to it by statute.**

8 CONCLUSION

- 8.1 The proposal complies with the Development Plan and there are no material considerations that would justify the refusal of planning permission. Therefore, it is recommended that planning permission be granted subject to conditions.

9 RECOMMENDATION

- 9.1 It is recommended that consent be GRANTED subject to the following conditions:
- 1 The total number of full time (or equivalent) places at the care residence hereby approved shall not exceed 5 in total at any one time.
 - 2 The hard surfaced area located to the east of the dwelling shall be retained for the purposes of parking and vehicle turning and at no times shall be used for any other purposes.

REASONS

- 1 The size and location of the premises means that this is the maximum number of residents that could be accommodated on the site without detriment to residential amenity.
- 2 In order to ensure that a suitable area for parking and turning is available at all times.