

Planning Statement:

Change of Use of Residential Dwelling (Use Class C3) to Children's Home (Use Class C2)

Gardener's Cottage
New Bingfield
Newcastle-Upon-Tyne
NE19 2LE

August 2023



Document Review Schedule

Client:	A Wilderness Way Ltd
Report Title:	Planning Statement: Change of Use of Residential Dwelling (Use Class C3) to Children’s Home (Use Class C2)
Version (Draft/Final):	Final

	Reviewee Name	Position	Date
Author:	Mollie Cubbin	Planner	August 2023
Reviewed:	Alex Franklin	Senior Planner	August 2023
Updated	Mollie Cubbin	Planner	August 2023
Approved/Issued to Client:	Mollie Cubbin	Planner	August 2023
Issued to LPA:	Mollie Cubbin	Planner	August 2023

Disclaimer

This report is issued to the client for their sole use and for the intended purpose as stated in the agreement between the client and Hedley Planning Services Limited under which this work was completed, or else as set out within this report. This report may not be relied upon by any other party without the express written agreement of Hedley Planning Services. The use of this report by unauthorised third parties is at their own risk and Hedley Planning Services Limited accepts no duty of care to any such third party.

Hedley Planning Services has exercised due care in preparing this report. It has not, unless specifically stated, independently verified information provided by others. No other warranty, express or implied, is made in relation to the content of this report and Hedley Planning Services assumes no liability for any loss resulting from errors, omissions or misrepresentation made by others.

Any recommendation, opinion or finding stated in this report is based on circumstances and facts as they existed at the time that Hedley Planning Services performed the work. The content of this report has been provided in accordance with the provisions of the RTPI Code of Professional Conduct.

Contents

- 1.0 Introduction
- 2.0 Site Details and Planning History
- 3.0 Proposed Development
- 4.0 National Planning Policy Framework (NPPF) (July 2021)
- 5.0 Statutory Development Plan
- 6.0 Key Matters and Planning Balance
- 7.0 Summary and Conclusion

1.0 Introduction

- 1.1 Hedley Planning Services (the “Agent”) are submitting a planning application on behalf of A Wilderness Way Ltd (the “Applicant”) for the proposed change of use from Residential Dwelling (Use Class C3) to Children’s Home (Use Class C2) at Gardener’s Cottage, New Bingfield, Newcastle-upon-Tyne, NE19 2LE.
- 1.2 This statement sets out the site details and planning context, then provides an assessment of the material considerations against the Statutory Development Plan, and where relevant, the National Planning Policy Framework (NPPF).
- 1.3 The site falls within the boundary for Northumberland County Council and Whittington Parish Council, therefore the Development Plan comprises of policies within the Northumberland Local Plan (2016-2036) and Whittington Parish Neighbourhood Plan (2018-2031).
- 1.4 A Wilderness Way Ltd are one of the country’s leading providers of residential care, health and education for children who have suffered trauma and exploitation. A Wilderness Way’s holistic care, education and health programmes help support children’s wellbeing, self-esteem and independence so they can to move into their futures with optimism and confidence.
- 1.5 A Wilderness Way Ltd provide homes situated in tranquil countryside locations, allowing children to feel safe whilst providing the foundation on which they can rebuild their self-esteem, confidence and emotional well-being, with the aim of providing a home, not a placement. This creates an atmosphere and environment in homes where children feel settled, safe, supported and valued.
- 1.6 This Change of Use Application comprises the following documents:

Document
Location Plan
Supporting Statement (this document)

2.0 Site Details and Planning History

- 2.1 The proposed dwelling, Gardener's Cottage, is located in Northumberland County, within the wider setting of Newcastle-upon-Tyne.
- 2.2 The nearest main service town is Corbridge, which is c. 6 miles away and a 13-minute journey by car.
- 2.3 Access to the site is granted by a series of unnamed roads branching east from the A68 and north from the B6318. The dwelling sits adjacent to an unnamed road and surrounding fields, near to several other buildings to the north east.

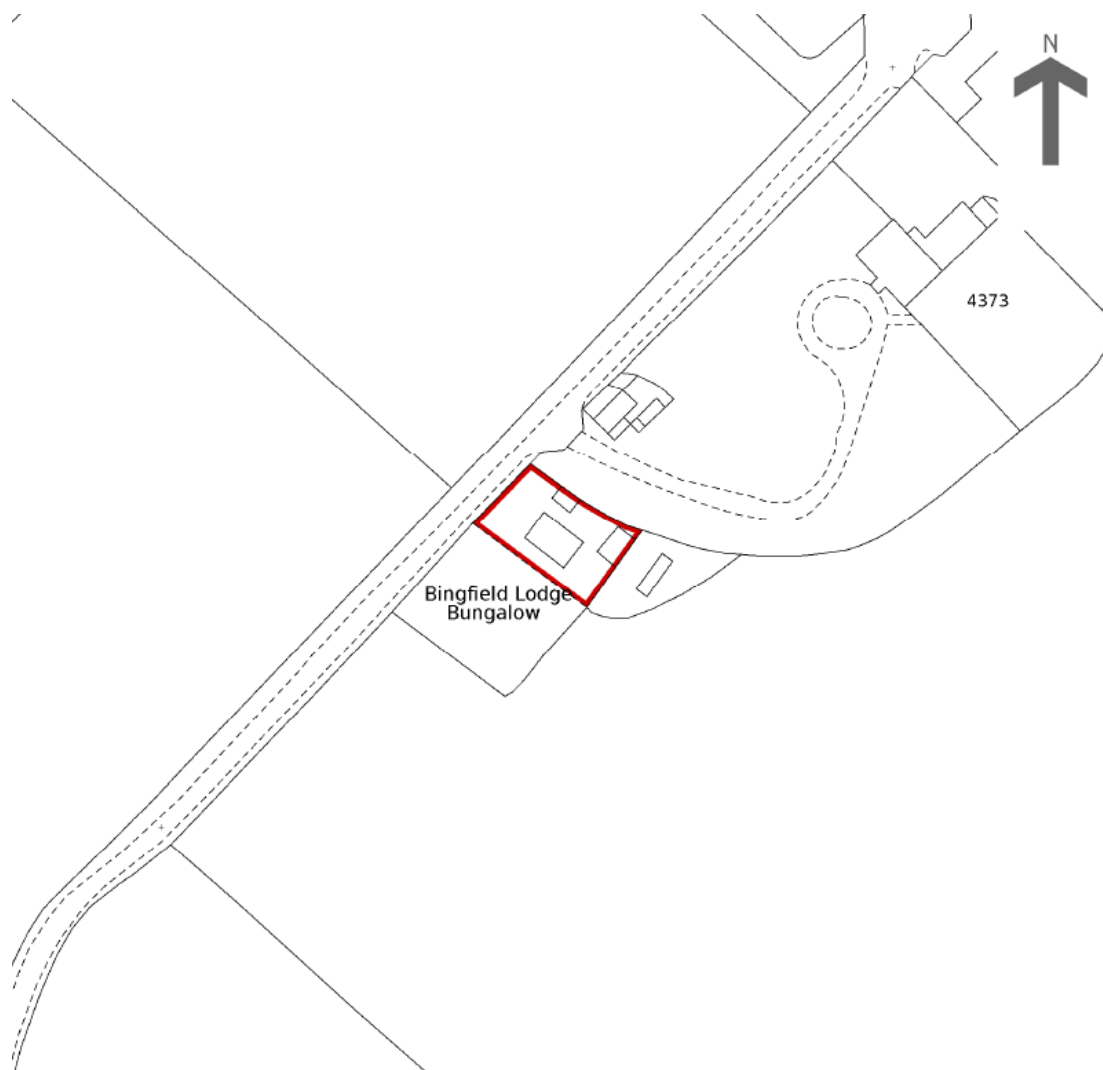


Figure 1: Location Plan

- 2.4 The dwelling is a detached two-storey property with three bedrooms and two bathrooms, as well as a quarter acre of land with gardens and external parking for multiple cars.
- 2.6 The dwelling is located within 100m of two Grade II listed buildings, Bingfield House and Bingfield House Lodge.
- 2.7 The application site is situated within Flood Zone 1, where there is the lowest probability of flooding.

Relevant Planning History

- 2.8 The site has no relevant planning history.

3.0 Proposed Development

- 3.1 This application seeks permission for the proposed change of use from Residential Dwelling (Use Class C3) to Children's Home (Use Class C2) at Gardener's Cottage, Bingfield, Newcastle-upon-Tyne, NE19 2LE.
- 3.2 The home would be managed by A Wilderness Way Ltd, a leading provider of education, health services and residential care to vulnerable children.
- 3.3 The property would be the primary residence of one child, who would be accompanied by two trained members of staff who would be living at the property on a two days on, four days off basis.
- 3.4 Changeover times of staff are during the day, with no travel to or from the house taking place during unsociable hours.
- 3.5 No internal changes to the property are proposed. Bedrooms will be fitted with locks to ensure the privacy of children and staff, and staff will have access to a master key for children's bedrooms should it be required. All internal doors will be replaced with fire doors and CCTV will be installed externally for safety and security.
- 3.6 There are no proposed material changes to the external façade of the property.

4.0 National Planning Policy Framework (July 2021)

- 4.1 The National Planning Policy Framework (NPPF) is the Government's guide to planning and development within England. The revision, published in July 2021 is a material planning consideration and carries substantial weight in the determination of all applications.
- 4.2 Paragraph 8 of the NPPF sets out the planning system's three overarching objectives for achieving sustainable development, which are independent and to be pursued in mutually beneficial ways in order to secure net gains across each objective. These objectives are:

An Economic Objective – *To help build a strong responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*

Social Objective – *To support strong, vibrant, and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*

An Environmental Objective – *To contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*

- 4.3 So that sustainable development is pursued in a positive way, Paragraph 11 sets a Presumption in Favour of Sustainable Development, which all plans and decisions should follow. For decision makers, this means:

- *Approving development proposals that accord with an up-to-date development plan without delay; or*
- *Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
 - *The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed, or*
 - *Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

5.0 Statutory Development Plan

5.1 Section 38(6) of the Planning Compulsory and Purchase Act (2004) states:

“If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”

5.2 This legal requirement is set out in Paragraph 47 of the NPPF, where planning law requires applications to be determined in accordance with the development plan, unless material considerations indicate otherwise.

5.3 Schedule 9, Part 2, Paragraph 6 of the Localism Act (2011) introduced Neighbourhood Plans to the Development Plan. The application site, Gardener’s Cottage at New Bingifeld, is situated within the boundary of the Whittington Parish Neighbourhood Plan (2018 – 2031).

5.4 As such, the Statutory Development Plan for this site comprises of policies contained within the following documents:

- Northumberland Local Plan (2016 – 2036)
- Whittington Parish Neighbourhood Plan (2018 – 2031)

Northumberland Local Plan (2016-2036)

5.5 The Northumberland Local Plan was adopted on 31 March 2022, and is therefore up-to-date and carries significant weight in the determination of this application.

5.6 The following polices are considered relevant to this proposal:

STP 1 – Spatial Strategy

STP 2 – Sustainable Development

STP 3 – Principles of Sustainable Development

STP 5 – Health and Wellbeing

HOU 5 – Housing Types and Mix

HOU 11 – Homes for Older and Vulnerable People

QOP 2 – Good Design and Amenity

TRA 2 – The Effects of Development on the Transport Network

TRA 4 – Parking Provision in New Development

ENV 1 – Approaches to Assessing the Impact of Development on the Natural, Historic and Built Environment

ENV 3 – Landscape

ENV 7 – Historic Environment and Heritage Assets

Whittington Parish Neighbourhood Plan (2018 – 2031)

- 5.7 Whittington Parish Neighbourhood Plan was adopted on 13 November 2018, and therefore makes up part of the Development Plan.
- 5.8 While the Neighbourhood Plan has been outdated by the Northumberland Local Plan, the following policies still carry substantial weight as part of the Development Plan for the area:

WNP 1 – Landscape

WNP 3 – Design

WNP 4 – Heritage Assets

WNP 5 – General Location of New Development

WNP 10 – Transport and New Developments

6.0 Key Matters and Planning Balance

6.1 This section assesses the proposal in line with the relevant planning policy. Applications must be subject to a planning balance, where the benefits of a proposal are weighed against any potential adverse impacts and material considerations.

6.2 The following matters are considered relevant in the determination of this application:

- Principle of Development
- Amenity
- Highways
- Natural and Historic Environment

Principle of Development

6.3 This application seeks permission for the change of use from residential dwelling (Use Class C3) to children's home (Use Class C2) at Gardener's Cottage, New Bingfield, Newcastle-upon-Tyne, NE19 2LE.

6.4 Policy STP2 of the Northumberland Local Plan reflects the presumption in favour of sustainable development set out in Paragraph 11 of the NPPF, stating that:

2. *Planning applications that accord with the policies in the Northumberland Local Plan, and policies in 'made' Neighbourhood Plans, and those which have passed referendum, will be approved with delay, unless material considerations indicate otherwise.*

3. *Where there are no relevant policies or the policies which are most important for determining an application are out of date the Council will grant permission unless:*
a. The application of policies in the NPPF that protect areas or assets of particular importance provide a clear reason for refusing the development proposed; or
b. Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole.

6.5 The most up-to-date policies within the Development Plan, are contained within the Northumberland Local Plan (Adopted 2022). There are several relevant policies within the Whittington Parish Neighbourhood Plan (Adopted 2018), which also carry substantial weight in the determination of this application.

6.6 Policy STP1 demonstrates the spatial strategy for Northumberland, where Part (f) states:

*F. Development in other settlements not identified as Main Towns, Service Centres, Service Villages or Small Villages will be **limited to that within the built form of the settlement, and the conversion, extension or redevelopment of existing buildings** unless it supports the sustainable growth of an existing businesses or the formation of a new business, or provides for new or enhanced community facilities.*

6.7 Policy WNP5 from the Neighborhood Plan demonstrates that:

“Sustainable development will be supported within the settlement boundary of Great Whittington where it is anticipated that the majority of development will take place. The settlement boundary is defined on the Policies Map.”

6.8 Policy STP3 sets out the principles of sustainable development, where the provision of a type and mix of homes to meet local housing need is an objective expected to be adhered to.

6.9 Policy HOU11 from the Local Plan addresses the delivery of housing which meets the changing needs of older people and vulnerable groups, which Part (c) states will be achieved through:

c. Supporting and enabling the provision of Use Class C2 residential care and nursing home accommodation options for those older and vulnerable people with physical disabilities and other needs who are unable to live independently, where justified by a special housing needs assessment

6.10 Policy HOU5 further refers to the provision of supported specialist housing for older and vulnerable people, stating that:

“Development proposals will be assessed according to how well they contribute to meeting the needs and aspirations of those living in and seeking to move to Northumberland as identified in the most up-to-date Strategic Housing Market Assessment (SHMA), a local housing needs assessment and/or other evidence of local housing needs verified by the Council.”

6.11 The acceptability of the principle of development is therefore dependent on the proposal itself and its ability to meet identified housing needs.

6.12 As the application is located outside of the settlements stated in Policy STP1 and WNP5, the proposal is limited to the conversion, extension or redevelopment of existing buildings.

6.13 The application involves the change of use of an existing dwelling, where there will be no material change to external facades. Therefore, the proposal is suitable for its location as set out in Policy STP1.

- 6.14 Northumberland County Council's Partial SHMA Update (2018) addresses the housing need for Use Class C2 (Residential Institutions), stating that:

"The study has established an indicative need for C2 residential accommodation (i.e. registered care homes and nursing homes), with an estimated 134 units each year potentially required.

Analysis concludes there is expected to be a sharp increase in the need for smaller dwellings, with 59.8% of need for housing with 1 or 2 bedrooms; a further 36.6% having 3 bedrooms and only 3.5% having 4 or more bedrooms. "

- 6.15 As such, there is an identified need for three-bedroom residential institutions within Northumberland, and the proposed use is suitable for the area. Therefore, the principle of this development for the change of use to children's home (Use Class C2) is considered acceptable due to accordance with Policies STP1, STP2, STP3, WNP5, HOU5 and HOU11.

Amenity

- 6.16 Policy STP5 demonstrates how development should support the health and wellbeing of communities and residents. These requirements include safety and comfort, access to health and education, green infrastructure, promotion of healthy lifestyles and prevention of adverse impacts on amenity.

- 6.17 Policy QOP2 addresses good design and amenity, stating that:

1. *Development will be required to provide a high standard of amenity for existing residents and future users of the development itself and not cause unacceptable harm to the amenity of those living in, working in or visiting the local area.*
2. *Development proposals will need to ensure that the following criteria are met where applicable, taking into account any relevant cumulative effects and possible mitigation measures:*
 - a. *The physical presence and design of the development preserves the character of the area and does not have a visually obtrusive or overbearing impact on neighbouring uses, while outlook from habitable areas of the development is not oppressive and the best outcomes for outlook are achieved wherever possible;*
 - b. *Trees, other green and blue infrastructure and soft landscaping of amenity value are retained where appropriate and are introduced or replaced where they would enhance amenity of the development;*
 - c. *The appropriate levels of privacy, according to the use of buildings and spaces, are incorporated into the design of the new development and are not unacceptably harmed in existing neighbouring development;*

- d. *Air, temperature, sound and light conditions of habitable areas within the development, or resulting from the development, are of an appropriate standard; and*
 - e. *Neighbouring uses are compatible and that there are no unacceptable adverse impacts from noise, disturbances, odour, gases, other emissions and any other harmful effects, resulting from either the development or from neighbouring uses on the development.*
- 6.18 Policy WNP3 from the Neighbourhood Plan also refers to design and amenity, where developments should respect the amenity of neighbouring and future occupiers, and provide a safe, accessible environment.
- 6.19 The Applicant provides residential care to vulnerable children in peaceful locations, allowing them to feel safe and comfortable in the homes. They also provide healthcare, and a holistic approach to education. The homes are in countryside locations and have large gardens in order to encourage the children to interact with the surrounding green infrastructure whilst promoting a healthy lifestyle in a tranquil location.
- 6.20 Changeovers of staff would take place during the daytime, and not at unsociable hours in order to reduce noise and disturbance on neighbouring properties.
- 6.21 As no material changes are proposed, either internally or externally, there would be no adverse impact on the amenity of neighbouring uses and the surrounding setting.
- 6.22 The proposal therefore accords with Policies STP5, QOP2 AND WNP3 as it improves the amenity and wellbeing of vulnerable children with specific housing needs, whilst having no adverse effect on the wider amenity of the area.

Highways

- 6.23 Policy TRA 2 sets out the requirements for developments affecting the transport network, including safe use and access, avoidance of significant highway impacts and conflict between different modes of transport, accommodation for deliveries and maintenance and minimising any adverse impact from noise and air pollution.
- 6.24 Members of staff will operate on a shift basis, and changeovers will take place during the day in order to avoid any excess noise or disturbance. The changeovers occur several times week, where two cars will be accessing the site and two cars will be egressing. As such, the level of car use on a changeover day would not be substantial enough to have an effect on the surrounding highway network.
- 6.25 The maximum number of cars at a changeover would be four as there would be a maximum of four members of staff present. However, the site has sufficient parking

space to accommodate the vehicles and therefore would have no adverse impact on the highway network.

6.26 This also accords with Policy TRA 4 which states that:

“An appropriate amount of off-street vehicle parking sufficient to serve new development shall be made available in safe accessible and convenient location prior to the development, as a whole or in part, being brought into use.”

6.27 Similarly, Policy WNP 10 requires new development to provide safe vehicular access whilst ensuring that any cumulative impacts on the transport network are not severe.

6.28 The provision of parking will be operate in the same manner as a residential dwelling, and therefore there would be no further impact on highways.

6.29 Paragraph 111 of the NPPF states that:

“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”

6.30 Therefore, as the proposal accords with Policies TRA2, TRA4 and WNP 10, and there are no adverse impacts on the highway network, the highways grounds related to this application are considered acceptable.

Natural and Historic Environment

6.31 Policy ENV1 sets out how the character and/or significance of Northumberland’s valued natural, historic and built environments will be conserved, protected and enhanced.

6.32 Policy ENV3 refers to the conservation and enhancement of landscape character, while Policy ENV7 refers to the protection of heritage and the historic environment.

6.33 These policies are supported within the Neighbourhood Plan Policies WNP1 and WNP4.

6.34 No material changes to the property are proposed, either internally or externally. Therefore, the relationship between the premises and the surrounding natural and historic environments will remain the same, with no adverse impacts as a result of the proposed use as Class C2.

- 6.35 The surrounding landscape and heritage assets will continue to be conserved and protected, therefore the proposal accords with Policies ENV1, ENV3, WNP1 and WNP4. As such, the proposal is acceptable in terms of the natural and historic environments.

7.0 Summary and Conclusion

- 7.1 Hedley Planning Services (the “Agent”) are submitting a planning application on behalf of A Wilderness Way Ltd (the “Applicant”) for the proposed change of use from Residential Dwelling (Use Class C3) to Children’s Home (Use Class C2) at Gardener’s Cottage, Bingfield, Newcastle-upon-Tyne, NE19 2LE.
- 7.2 The home would be managed by A Wilderness Way Ltd, a leading provider of education, health services and residential care to vulnerable children. The property would be the primary residence of one child, who would be accompanied by two trained members of staff at any given time, who would work on a shift basis. There are no internal or external proposed changes to the property.
- 7.3 The proposal was assessed against the relevant planning policy, and the following material considerations:
- Principle of Development
 - Amenity
 - Highways
 - Natural and Historic Environment
- 7.4 The proposal would improve the wellbeing of vulnerable children with specific housing needs, while having no adverse impact on neighbouring amenity, the highway network or the surrounding natural and historic environment.
- 7.5 The application should therefore be granted without delay, in accordance with Paragraph 11 of the National Planning Policy Framework and Policy STP2 of the Northumberland Local Plan, as it has been demonstrated in this statement that there is no clear reason for refusal and that that the overall planning balance weighs in favour of the proposal, as there are no significant adverse impacts that outweigh the benefits.