



Appeal Decision

Site visit made on 9 May 2022

by Hannah Ellison BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 May 2022

Appeal Ref: APP/U2370/W/21/3288039

13 Fairsnape Drive, Garstang PR3 1WH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr R Witt against the decision of Wyre Borough Council.
 - The application Ref 21/00861/FUL, dated 5 July 2021, was refused by notice dated 28 September 2021.
 - The development proposed is a change of use from a residential dwelling (C3) to a residential children's home (C2) and erection of a 1.8m high perimeter fence and alterations to front garden and boundary wall to form parking space.
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Decision

1. The appeal is dismissed.

Main Issue

2. The effect of the proposed development on the living conditions of neighbouring residents, with particular regard to noise and disturbance.

Reasons

3. This appeal concerns a two storey semi-detached property located within a residential area comprising of predominantly close knit pairs of dwellings. Due to the narrow width of Fairsnape Drive, on-street parking is limited to one side however the vast majority of properties have some off-street parking provision.
4. The proposal would result in a children's home which would be lived in by two children who would be cared for by up to three staff at any one time. The property would reflect a similar arrangement and total number of residents as a single family dwellinghouse of this size, although staff would work on a shift pattern, with changes taking place at 0900 and 2100 daily.
5. Any activity which may take place around the morning changeover would likely assimilate into the general comings and goings in this residential area and would not be dissimilar to the movements associated with school runs and work commutes. However, around the evening changeover, the frequency of access and movements of up to six members of staff would result in an intensification of activity in and around the appeal site which would be greater than typically associated with a family home in a quiet residential area at this time in the evening and on a regular basis.
6. Whilst there would undoubtedly still be activity in the area at this time, it is the concentrated activity in and around the appeal site, such as the frequent opening and closing of the property's front door, voices, starting and running of car engines, car doors closing, glare from headlights and general noise from

- the manoeuvring of vehicles that would become noticeable to residents close-by. This activity would be over a considerable period whilst all staff members come and go, occur daily and be at a time when residents would reasonably expect a degree of peace and quiet and for younger children to be sleeping in nearby rooms. Even if neighbouring residents come to expect these comings and goings does not mean the resultant noise and disturbance would be less intrusive.
7. I note that arrangements have been made for staff parking in the car park of a public house in the area, albeit the details are limited. However, the public house is a considerable distance from the appeal site and the route would be unappealing, even in daylight and dry weather, due to the busy nature of the highway and the lack of pavements along parts. Moreover, this arrangement may not remain in perpetuity and there would be no mechanism to require staff to park at this site given that on street parking along Fairsnape Drive is unrestricted. I therefore afford this matter limited weight in favour of the proposal.
 8. Nonetheless, even if some staff do park in the wider locality, which may disperse some of the noise associated with the proposal, there would remain provision for parking onsite and it is likely that staff would seek to utilise this first before parking elsewhere. As such, along with the general noise associated with staff members coming and going, uncharacteristically high noise levels later in the evening from vehicles immediately outside the appeal property would continue.
 9. Accordingly, whilst the environmental health consultees do not raise any objection to the proposal, for the reasons given it would nevertheless lead to a significant increase in noise and disturbance that would result in an unacceptably adverse impact on living conditions of neighbouring residents. The proposal would therefore conflict with Policies CDMP1, CDMP3 and CDMP6 of the Wyre Local Plan 2011-2031 (February 2019) and the National Planning Policy Framework (the Framework) in their collective aim to protect the living conditions of existing residents.

Planning Balance and Conclusion

10. The proposal would offer limited economic benefits through the creation of jobs. It would also provide a home where children, including siblings, could be cared for. This is afforded support in the Framework, and I note that there appears to be a shortage of children's homes across the country. However, there is limited detail before me on the local requirement for children's homes and moreover, the proposal is of a small scale. I therefore afford this benefit limited weight. The lack of harm to highway safety is neutral in the planning balance.
11. The proposal would conflict with the development plan as a whole and the benefits, even when taken together, would not outweigh this conflict. Accordingly, there are no material considerations which indicate that a decision should be made other than in accordance with the development plan therefore, the appeal should be dismissed.

H Ellison
INSPECTOR