

**FLINTSHIRE COUNTY COUNCIL**

**REPORT TO:** **PLANNING & DEVELOPMENT CONTROL COMMITTEE**

**DATE:** **12<sup>TH</sup> OCTOBER 2016**

**REPORT BY:** **CHIEF OFFICER (PLANNING AND ENVIRONMENT)**

**SUBJECT:** **APPEAL BY CRYSTAL CARE SOLUTIONS AGAINST THE DECISION OF FLINTSHIRE COUNTY COUNCIL TO GRANT PLANNING PERMISSION FOR CHANGE OF USE FROM A GUEST HOUSE (USE CLASS C1) TO A SMALL GROUP CHILDREN'S (USE CLASS C2) HOME AT GERDDI BEUNO, WHITFORD STREET, HOLYWELL – ALLOWED.**

**1.00 APPLICATION NUMBER**

1.01 054594

**2.00 APPLICANT**

2.01 Crystal Care Solutions

**3.00 SITE**

3.01 Gerddi Beuno,  
Whitford Street,  
Holywell.

**4.00 APPLICATION VALID DATE**

4.01 16<sup>th</sup> November 2015.

**5.00 PURPOSE OF REPORT**

5.01 To inform Members of the Inspector's decision in relation into the refusal to grant planning permission for change of use from a guest house (Use Class C1) to a small children's (Use Class C2) home at Gerddi Beuno, Whitford Street, Holywell, Flintshire. CH8 7NJ. The application was refused by Members, with the appeal dealt with by way of written representations and was **DISMISSED**.

## **6.00 REPORT**

### **6.01 Background**

Members may recall that this application was refused by Members at the Planning & Development Control Committee meeting on 23<sup>rd</sup> March 2016 on the basis of the perception of fear and impact on local schools as a result of the proposal.

### **6.02 Issue**

The Inspector considered that the main issue to be the perception of fear and impact on local schools.

### **6.03 Perception of Fear & Impact on Local Schools**

The site is occupied by a large former dwelling, last used (with planning permission) as a guest house. This is a residential area. There are two schools to the rear of the property. A playground associated with Ysgol Gwenffrwd Primary School adjoins the rear boundary. The information is that it is used daily by children under 7. A pedestrian access to the school runs along the side boundary of the site. The main entrance is nearby next to a fire station.

6.04 The stated use of the proposal is to provide accommodation for children who cannot be cared for by their families within the family network. The appellant has an existing home in Flint and provided evidence of a demand for this type of home from Conwy County Borough Council. The preferred option is to provide accommodation for up to 5 girls aged between 10 and 17. The children's home would be staffed on a one to one basis, so up to 5 staff would work there at any one time on a 24 hour basis. The children and staff would live as a single household. The proposal would be subject to registration, inspection and control by the relevant bodies. Whatever the nature of the children or services involved, the proposal would be subject to these controls.

6.05 The concerns raised by the adjoining school, local residents and Councillors in the evidence supplied related to a perception that there would be harmful effects on local residents and the adjoining schools as a result of the proposal. There were claims of the potential for anti-social or threatening behaviour by residents and the adjoining schools as a result of the proposal. There were claims of the potential for anti-social or threatening behaviour by residents who come from troubled backgrounds. This could have a direct impact on the adjoining school and use of the playground by young children. The perception of fear and possible crime may be a material consideration but it is important to assess the evidence basis for such concerns carefully. In this case, the residents would be children and given the level of supervision and regulation by the appropriate national bodies, the Inspector considered that these concerns should not arise. In determining planning applications, it is to be assumed that other controls to meet legal requirements will operate satisfactorily. The examples of poor

behaviour at homes elsewhere did not involve homes run by the appellant. Indeed the appellant refers to excellent reports regarding its car home that has been operating in Flint for the last 12 months without incident.

- 6.06 The building is large with mature boundary vegetation that provides good screening of the playground behind. One small gap to the rear hedge can be screened by fencing and this could be required by a planning condition. In these circumstances the potential for overlooking and noise disturbance to the sides and rear would be limited. The existing use of the premises could have generated similar levels of occupation and traffic. The Inspector considered the proposal and all the information supplied, together with the objections raised. The alleged lack of liaison between the appellant and local residents is not relevant to these considerations.

## **7.00 CONCLUSION**

- 7.01 The Inspector considered all the evidence. The proposal involves providing a safe home for children to enable them to lead as normal a life as possible in circumstances where they can no longer remain with their families. There was evidence supplied that a need for this type of facility in North Wales as well as testimony supporting the appellant's management of existing homes. The Inspector considered that the level of supervision and the nature of the site mean that there is limited potential for increased noise and disturbance. Little weight should therefore be given to the perception of fear in this case. The proposal would comply with Policy GEN1 of the Unitary Development Plan and that the appeal should be **ALLOWED**.

### **LIST OF BACKGROUND DOCUMENTS**

Planning Application & Supporting Documents  
National & Local Planning Policy  
Responses to Consultation  
Responses to Publicity

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