
6. FULL APPLICATION - CHANGE OF USE OF THE LODGE FROM C3 TO C2 (CARE HOME FOR ADULTS WITH AUTISM AND LEARNING DIFFICULTIES) AND RETENTION OF ACCESS TO SERVE THE LODGE, THE LODGE MANCHESTER ROAD, HOLLOW MEADOWS, BRADFIELD. NP/S/1216/1235 – P7130 (425648/387941) 22/12/16 (JK)

APPLICANT: MOORVILLE RESIDENTIAL

Site and Surroundings

The Lodge is a detached private house located to the north of the A57 at Hollow Meadows. It is a six bedroomed, two-storey property constructed in natural gritstone under a blue slate roof. To the rear of the Lodge is a detached outbuilding which has permission for use as a domestic gym and granny flat. The Lodge was formerly associated with the old Hollow Meadows hospital which lies immediately to the east across the shared access drive. The old hospital was converted to housing in the late 1980's and is now known as Hollow Meadows Mews.

The Lodge is set well back from the A57 and until 2013 was accessed solely via the shared drive with Hollow Meadows Mews. In 2013 a second, unauthorised, access and driveway to the west of the existing shared drive was created giving the Lodge its own private access. At the same time the field boundary fence and hedge which separated the agricultural field to the west of the Lodge from the Lodge premises was removed. The large area created is now being mown and appears to have been taken out of agricultural use, giving the appearance of an extended residential curtilage. In the north-western corner of this large grassed field can still be seen the unauthorised remodelling of the ground levels carried out by a former occupier to form a football pitch using significant cut and fill techniques to create a level playing area. A pond, now lawful, was also created around the same time in the centre of the field between the football pitch and the A57.

In 2016 an enforcement complaint was received that the Lodge was being used as a care home, which has resulted in the current application. The submitted application site is rectangular in shape and comprises the lodge and its formal garden with outbuilding to the rear, residential curtilage, the land between the lodge and the A57, and a strip of the former adjoining field to the west to incorporate the unauthorised access and drive. It also includes the northern part of the shared access beyond the Hollow Mews Car Park entrance. The remaining area of field to the west is shown as land in the applicant's ownership.

Proposal

The application seeks retrospective full planning permission for the change of use of the lodge and its outbuilding from a single private house (Use class C3) to a residential care home (class C2) for up to 9 adults with Autism and learning difficulties. Plans show there would be 9 bedrooms, 6 in the main house and 3 in the outbuilding.

No changes are proposed to the external appearance of the main Lodge building but plans show how the current external detailing of the outbuilding, as now built, differs from the plans approved for its use as a dependent relative unit and gym. The changes are the extension of the approved internal first floor for the granny flat bedroom in half of the loft space to all of the loft space, a different fenestration design, and all previously approved timber cladding replaced by matching stonework. Plans also show how the doors and window frames would be altered to meet pre-application design advice.

The application also seeks retrospective consent for alterations to the former agricultural access in the south-eastern corner of the west field and its use in connection with a new driveway across the field up to the house. Since submission the route of the drive has been amended to relocate it within the domestic curtilage. The amended plan also now shows the reinstatement of the original field boundary fence together with its hedgerow and tree planting.

RECOMMENDATION:

That the application be **APPROVED** subject to the following conditions;

1. Define use and maximum occupancy of the premises.
2. Specify approved plans
3. Carry out driveway relocation works within 3 months and remove unauthorised drive within 6 months.
4. Submit and agree detailed landscaping scheme with maintenance plan for the reinstatement of the field boundary/hedge, for landscaping to the car parking area in front of the Lodge and for the detailed design of the relocated drive. Implementation of fencing and all hard landscape work to be within 3months, all tree and hedge planting to be completed within agreed timetable and before the end of 2017.
5. Submit and agree detailed lighting scheme for the whole site which shall be controlled by motion sensors.
6. Agree parking plan/layout
7. Specify design details for the annexe window/door alterations with implementation within 3 months or other agreed timetable.
8. Submit and agree a traffic management plan promoting the use of the new drive for all care home traffic, details internal signage to prevent visitors/staff using the shared access other than in emergencies.
9. Submit and agree details of bin storage and dwell areas.
10. Footnote regarding need for clear signage to indicate access to the Care Home shall be via the new drive only - to be subject advert regs

Key Issues

- The principle of the change of use to a care home in this open countryside location.
- The impact of the use upon the amenities of the neighbouring residential dwellings at Hollow Meadows Mews.
- The landscape impact of the new vehicular access and driveway along with the attendant change of use of the land it sits upon to additional residential curtilage.
- The impacts of the new access and use upon highway safety and amenity.
- The design of the outbuilding.

History

1987 Approval for extension to the Lodge

1989 Refusal of planning permission and subsequent appeal dismissed for the erection of a detached dwelling in the field west of the Lodge.

1999-2002 Unauthorised pond created within the field west of the Lodge – acquired immunity and now lawful.

2007 Refusal for two storey rear extension.

2009 Unauthorised ground remodelling and change of use of field to west of The Lodge to create a level football pitch together with the erection of a building.

2011 Application for conversion of garage to gym (retrospective) & granny flat not determined by PDNPA. Subsequent Appeal against non-determination allowed.

2011 Enforcement complaint regarding non-compliance with conditions on appeal approval for conversion of garage to gym and granny flat – demolition of buildings.

2013 Enforcement case opened regarding unauthorised driveway across field to the front of the Lodge

2015 Approval for first floor extension over existing kitchen.

2015 Refusal of Lawful Development Certificate (existing) for continued use of field to the west of the Lodge as a residential garden associated with The Lodge.

2016 Enforcement complaint re; Breach of Conditions - Use of the Lodge as a Care Home for younger Adults with Learning Disabilities.

Adjacent

1985 Conversion of Hollow Meadows hospital to 9 dwellings, now known as Hollow Meadow Mews.

PDNPA Pre-App Advice December 2016 - ENQ 28055

Principle:

No specific relevant policy for a change of use to a care home for adults with autism and learning difficulties. As the property is already a dwelling (with ancillary granny annex) that we would not require the proposal to demonstrate that it is meeting local need provided that the number of occupants of the care home was limited and that there was no harmful impact from the change of use. Officer view that the potential impact of the development in terms of vehicle movements would be comparable to the existing use of the property as a C3 dwelling. Given the distance to the neighbouring properties, also comfortable that the proposal would not harm residential amenity through noise or other impacts. Therefore, the proposal would be acceptable in principle and likely to be supported by officers.

Proposed access and curtilage:

The residential land for the existing dwelling appears on site to be the eastern-most area of land in which the dwelling is located. This land and the agricultural field to the west (also in ownership) has been historically separated by mature tree and hedge planting and a fence which formed a physical boundary between these two areas of land. The access and part of the track runs outside of the residential land before coming in and joining up with the parking area to the front of the dwelling. The removal of the hedge boundary is very unfortunate for a number of reasons. This removes the physical boundary between the two pieces of land and the result on site is that the whole land now appears to be part of the curtilage of the property - the whole land is mowed and in combination with the football pitch, pond and access track running up the middle appears essentially as a very large garden and is very harmful to established landscape character and it would have been much better if the access was contained within the easternmost area of land

and the hedge boundary retained and re-enforced. This would mitigate the visual impact of the track and re-create the clear visual and functional separation between the domestic and agricultural land. Recommend that the western land should be managed as agricultural land potentially rented out to a local farmer or managed by occupants of the property this would involve the removal of the football pitch and re-instating the natural gradient of the field. The surface for the track isn't appropriate and appears to be being dragged onto the highway. I'd recommend that the first part of the access to the gate posts is macadam with a drainage strip and that the rest of the track is surfaced with a buff gritstone and that grass is allowed to grow through. Any forthcoming application should have a landscaping scheme along with a timescale for when surfacing and planting works will be carried out and a management plan for the westernmost piece of land.

Converted garage building:

No objection to cladding the garage in stone instead of horizontal timber boarding approved by the inspector, the handing the door position on the east elevation, adding roof lights or to an additional window and a door on the north elevation. Some concerns about the fenestration which has a suburban and domestic character and does not reflect the main house or an outbuilding. Expect to see these revised with openings with a more vertical proportion and appropriate subdivision.

The planning statement should compare the likely occupants / visitors / vehicles and trips of the existing C3 dwelling to the proposed C2 care home so that the Authority could take an objective view on these points. Recommend providing any evidence from relevant Authority's about the need for the proposed C2 Care home in this location along with explanation from Moorville Residential in regard to how the Care home is operated and the need to provide additional accommodation within the converted garage building.

Consultations

Highway Authority – No response

City Council – No response

Bradwell Parish Council – Initially raised no objections to this planning application providing that all planning rules are followed, however on reconsideration the Parish Council now Object and wish to submit amended comments as follows:

“After considering the report submitted by Knight Frank (Officer Note - The representation submitted on behalf of the residents at Hollow Meadows Mews) the Parish Council endorse those comments contained in that report and highlight the Parish Council's own concerns regarding this application. The Parish Council would draw the Planning Officer's attention to the 'suggested planning conditions' contained in the Knight Frank report and ask that if any application is granted these conditions be applied.

Representations

There have been 11 letters of objection, 10 from or on behalf of residents of Hollow Meadow Mews and one from a local councillor. There are 3 letters of support, including one from Sheffield Health and Social Care's Community Learning Disability Team and one from Angela Smith, MP, on behalf of one of her constituents, whose son requires care. A summary of the planning issues raised are set out below; the full letters can be viewed on the Authority's web site. There is also a letter from Nick Clegg MP, with which he attached an email from the applicant, explaining the need for the care accommodation.

Objections:

1. Highway safety grounds, the proposed access is on a dangerous bend on this section of road which has a very high incidence of traffic accidents.
2. Despite new driveway, there is an increased use of the existing drive since the Lodge began operating as a care home which is having a detrimental effect on safety on the driveway and car park as well as the amenity of residents of the Mews and the peace and tranquillity of the area.
3. Landscape impact of access and driveway harms the Park contrary to NPPF Para 115.
4. New driveway should be the sole access for the care home use.
5. The proposal under-estimates the increased traffic relating to the use of the Lodge as a care home, as opposed to a residential dwelling, with up to 10 residents, care staff, visitors, deliveries, servicing and maintenance of the building and grounds, social and leisure activity. With very limited and infrequent public transport, all these activities will involve the use of a vehicle.
6. The landscape impact of ten cars parked in front of The Lodge – some of them upon the grass with additional service vehicles attending, occasionally police vehicles, medical emergencies vehicles etc.
7. Concern about 'domestic' sewage tank that is expected to cope with commercial levels of waste.
8. Concern about the suitability of the water supply.
9. Concern about scale and location of increased waste bin facilities which currently impact adversely on the amenity of the shared access.
10. Security and privacy concerns from visitors and residents of the care home using the shared drive.
11. Strong concern about retrospective nature of the application following construction of the lodge annexe at the rear which does not conform to the conditions laid down by the Inspector in that appeal decision.
12. The lodge annex harms the amenity previously enjoyed by the neighbour as a result of overlooking windows. Request if approval is given some form of screening between the annexe and the neighbouring property is considered.
13. Question whether PDNPA intend to bring building increases at the site to a halt.
14. Concerns about need for new outbuilding given the annex used to be a garage that housed garden equipment, which is now being left in the open.
15. The Application contains procedural errors in respect of a) landownership, b) it does not refer to The Lodge as a domestic dwelling, but claims its current usage to have become commercial, c) 'Granny Flats' also need planning permission to become a 'business facility', d) Lodge residents use our driveway - and have been allowed access for some 30 years for domestic access.
16. The comings and goings will, and do, create excessive noise and disturbance, and will intrude into the privacy of our domestic dwellings.

17. Site plan submitted alongside this application is fundamentally incorrect, as it includes a strip of land along the site's south-eastern perimeter which is owned by another, with the applicant failing to serve the requisite notice upon the lawful owners of this land. Inconsistencies with the plans submitted alongside this application, casting uncertainty whether in fact 4 bedrooms will be in the annexe not the 3 stated within the application. Proposed Elevations plan does not show the roof lights which have been installed to the rear. The application description does not reference the external alterations which have been made, and are proposed to be made, to the former granny annex.
18. The majority of visiting vehicles do not utilise the newly created and independent access, causing conflict and damage to the existing and only access for residents of Hollow Meadow Mews.
19. The private resident's car park belonging to the Mews is also, on occasion, being utilised by visitors of The Lodge, displacing residents allocated parking and causing additional traffic pressures.
20. Adverse impact of light pollution on resident's amenity and dark skies from the installation of security lights to the exterior of the premises which do not appear to be on sensors and as such are currently illuminated for 24 hours a day.
21. Development clearly contravenes sections e-f of Policy GSP3. Development now proposed is clearly a significant over intensification of the use of site, which conflicts with the Inspector's previous recommendations.
22. Proposal is contrary to Core Strategy Policy L1: Landscape Character and Valued Characteristics the creation of a stone-walled access and driveway has an appreciable impact upon the landscape character and visual amenity of this attractive, open, Countryside location.
23. Contrary to Core Strategy Policy DS1: Development Strategy as the care home is sited in open countryside and being in a use class within its own right cannot be defined as either housing, a community facility or a business.
24. Contrary to the the Landscape Strategy, particularly due to the creation of a new access and driveway which fails conserve and enhance the locality's open, agricultural character and historic field patterns and is subsequently visually harmful to the landscape character.
25. Suggest Planning Conditions in the event of an approval (officer note - already incorporated into recommendation)
26. Over-intensified use of the site, which contrary to the applicant's argument, cannot reasonably be considered as comparable to the use of the property as a private residential dwelling, even on such occasions that it is not occupied to full capacity.
27. The property includes 5 acres of fields which are important green space along Manchester Road and concerned that if this new commercial venture is successful, further extensions without permission will be created that will eat into this space.

Supporting grounds

These include a letter of support from the local MP making the following points;

1. Medical professionals have recommended in the strongest terms that one of the other supporters son's needs are best served in an environment such as that provided at The

Lodge.

2. The owners of the Lodge have worked closely with both the NHS and Sheffield City Council on the provision of the care services offered at The Lodge and that the NHS has helped to train staff.
3. The Lodge caters for a gap in the care provision in Sheffield, and that without such provision vulnerable adults will continue to be sent outside the city and placed miles away from their families.
4. Aware that in the past there have been a number of issues relating to highways access and associated hazards, but that highways professionals have confirmed that the new access constructed for the Lodge is preferable
5. From a highways perspective and that the applicants have endeavoured to resolve the concerns previously expressed by local residents and planning officers.
6. Asks that the Peak District National Park Planning Authority takes into account not only the needs of The Lodge's current residents and their families, but also the levels of demand and current low supply of this type of care provision within the Sheffield area.

A letter from Sheffield Health and Social Care confirms:

- i) That Clinical Psychology within the Community Learning Disability Service is working with Moorville Limited to develop a good quality of life and support for adults with a learning disability at The Lodge and,
- ii) That The Lodge provides much needed and a valuable service for people with learning disabilities, autism and/or dual diagnosis.
- iii) That Clinical Psychology within the Community Learning Disability Service is working with Moorville Limited to deliver training for their staff and will continue to do this in the future to support The Lodge to provide a high quality and responsive service.
- iv) That the Lodge offers a community-based residential service that can offer person centred support for people with learning disabilities within the local community. It allows development of skills and competencies that focus on improving and maintaining individual's psychological health and in supporting them to contribute to and be a valued part of their community.

The owner of the woodland to the north of the Lodge raises no objection to the planning proposal and points out that it is important that the access right of way to the woodland and fields from Manchester Road should be maintained as shown on the site plan.

Main Policies

Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, E2, L1, T1

Relevant Local Plan policies: LC4, LT10.

National Planning Policy Framework

The National Planning Policy Framework (NPPF) was published in March 2012 and replaced a significant proportion of central government planning policy. The Government's intention is that the document should be considered to be a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date. In the National

Park the development plan comprises the Authority's Core Strategy 2011 and saved policies in the Peak District National Park Local Plan 2001. Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. It is considered that there is no significant conflict between prevailing policies in the Development Plan and more recent Government guidance in the NPPF with regard to the issues that are raised.

Paragraph 115 in the Framework states that great weight should be given to conserving landscape and scenic beauty in National Parks along with the conservation of wildlife and cultural heritage.

Paragraph 17 of the Framework sets out core planning principles including supporting sustainable economic development and high standards of design taking into account the roles and character of different areas, recognising the intrinsic character and beauty within the countryside and supporting thriving rural communities.

The principles further state that planning should take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.

Paragraph 28 in the Framework says that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable *new* development.

Local Policy

Core Strategy policy GSP1 reiterates that the Authority has a statutory duty to foster the social and economic welfare of local communities in the National Park whilst GSP2 states opportunities to enhance the National Park should be acted upon.

The site lies in the open countryside well outside of the nearest town or village where the core strategy directs that the majority of new development should be located.

Within the open countryside the Authority's development Strategy Policy DS1C states that conversion or change of use for housing, community facilities and businesses including visitor accommodation, preferably by the reuse of existing traditional buildings, will be acceptable in principle.

L1 states that development must conserve and enhance valued landscape character and other valued characteristics.

There is no specific relevant policy within the Authority's Development Plan covering care homes or specific to a change of use from a C3 dwelling to C2 care home for adults with autism and learning difficulties. Policy HC4 enables the provision of community services but these are encouraged within sustainable locations within settlements, elsewhere proposals to provide community facilities or services involving change of use of traditional buildings or replacement buildings achieving enhancement will be encouraged.

Policy E2: Businesses in the open countryside states that proposals must take account of the following principles;

- A. Businesses should be located in existing traditional buildings of historic or vernacular merit in smaller settlements, on farmsteads and in groups of buildings in sustainable locations.
- B. On farmsteads, or groups of estate buildings, small-scale business development will be permitted provided it supports an existing agricultural or other primary business

responsible for estate or land e management.

- C. Business use in an isolated existing or new building in the open countryside will not be permitted.

Core Strategy policy GSP3 and policy LC4 of the Local Plan seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Policy LC4 also notes, amongst other things, the particular attention will be paid to the impact of developments on the amenity, privacy and security of nearby properties.

Assessment

The Care Home use

The care home has already commenced operation and therefore this application seeks retrospective planning permission to regularise the change of use. The application shows an internal layout which proposes a maximum occupancy of 9 persons in care, 6 in the main lodge and 3 in the new detached annexe at the rear. There are no external alterations or extensions proposed to the main house itself to facilitate the use.

The detached annexe has been constructed on the site of an outbuilding approved in 2011 for use as a dependent relative unit and gym, ancillary to the former use of the Lodge as a single dwelling. Given this consent on this same site for the same scale of building, it is considered that there are no landscape or overriding design objections to the proposed building which already incorporates some improvements to the fenestration design and use of materials. The application also proposes further fenestration changes in accordance with officer pre-application advice. The key issue in the application therefore remains the acceptability or otherwise of the care home use in this location.

The site forms part of the former Hollow Meadows Hospital, a group of traditional buildings which are located within the open countryside close to the eastern boundary of the National Park and away from the nearest settlement, albeit only a short drive from the city of Sheffield. Although there is a bus service on the A57, the site could not be said to be in a sustainable location and relies heavily upon use of the private motor car. It does however provide a much needed and a valuable service for people with learning disabilities, autism and/or dual diagnosis, according to the letter of support from Sheffield City Councils Heath and Social Care Community Learning Disability Team.

There is no specific policy in the Development Plan for Care homes and so this application needs to be assessed on its own merits against the Authority's Development Strategy and relevant landscape, conservation and highway/traffic policies. These normally direct new businesses and community service provision to more sustainable locations within existing towns and villages, but policy DS1 does state that within the open countryside, conversion or change of use for housing, community facilities and business uses, preferably by re-use of existing traditional buildings, will be acceptable in principle. It also states that business uses in isolated buildings in the open countryside will not be permitted.

In this case, the care home use is not in an isolated building and has been created by change of use of a traditional building that is on the edge of a group of buildings in the open countryside. Although it is acknowledged that the site will rely heavily upon access by private vehicle, this needs to be weighed against the need for the service and the impact of the change of use upon the buildings and its landscape setting, including local amenity.

The service provided by the applicants appears to be meeting a need that arises from outside the Park in Sheffield although there is nothing to suggest in this application that local persons within the Park could not be accommodated. The property has a lawful current use as a large C3 dwelling without occupancy restriction. Officers consider that as the property is already a C3

dwelling (with ancillary granny annex) it is not necessary to require the proposal to demonstrate that it is meeting local need provided that the number of occupants of the care home was limited and that there was no harmful impact from the change of use (for example, landscape or visual impact or harm to the amenity of neighbouring properties).

In policy terms therefore, as a residential based care business located within a traditional building and forming part of a group of buildings within the wider landscape, the proposed use is considered to accord with adopted policy. The care home use can therefore be accepted provided there is no harm to landscape or neighbouring amenity which is not outweighed by the need for this service.

Impact of the use on landscape

In the officers' view, the use of the site as a care home for this level of residents would not be dissimilar to the previous use of the site as a large private dwelling and dependent relative annexe. Whilst the residents in care would be unlikely to have their own cars, officers consider that, contrary to the agent's views in the supporting statement, visitors to the site, including carers, visiting family, food deliveries and other services would represent a noticeable increase in vehicle movements to the site over what would be expected with the former residential use. This is supported by the observations of adjacent residents in their representations.

However, other than potentially more visiting vehicles, officers consider there would be no adverse impact upon the wider landscape resulting from the operation of the use itself, subject to appropriate conditions to limit the number of occupants and control over detailed matters such as parking, waste bins and lighting. There is adequate parking/space for parking the extra vehicles and turning within the site, accessed either via the existing shared drive or solely via the new driveway which would be preferable to remove the conflicts that existing residents are experiencing with increased use of the shared use. (see discussion below for more detail). Additional planting could mitigate any concerns over the visual impact of additional parked vehicles and a landscaping condition is recommended should the application be accepted. This would supplement the screening already covered in part by the amended plans for the reinstatement of the boundary hedging and relocated driveway discussed below. On balance, your officers consider that the operation of the use would not harm the landscape character and appearance of the locality and that the need for the service outweighs any concerns on sustainable location grounds.

The Annex

This has been built to the same dimensions as the previously approved dependent relative unit and gym. The accommodation would comprise two ground floor rooms (one disabled unit) and a first floor room in the roof space. However, it does not accord with those approved plans in that it incorporates a different door and window layout and has also been fully clad in stone instead of the partial timber cladding agreed in the previous scheme. In overall terms, its visual impact is much improved as a result of these changes but could be improved further by the modest window and door amendments advised by officers in pre-application advice and now incorporated in the current application. These comprise altering the door and window details to give a more appropriate subdivision to the openings better reflecting the character of the lodge and its outbuilding.

Subject to conditions to secure the improvements suggested and other minor design details, the use of the accommodation in connection with the main house as a care home is considered to be acceptable in design terms. It sits to the rear of the Lodge within the formal garden and subject to the reinstatement of the field boundary hedge and tree planting it would not have any adverse impact outside the site in landscape terms.

Amenity Considerations

The Lodge Building and the annexe are considered to be sited sufficiently far away from the other dwellings at the Mews which lie across the access road and sited further toward the A57 than the application site, so as not to cause any adverse impacts upon their amenity. Some specific concerns have been expressed by residents about windows in the annexe facing their garden/property, but these would be over 50m from the nearest dwelling and those facing the garden would look through the trees lining the access to a large lawned area at the rear of the neighbouring dwelling. Officers consider that the intervening distances, landscape screening along the drive and angles are such that whilst there would be some filtered overlooking of the garden, there would be no harm to the amenity of neighbouring properties.

There are, however, justifiable concerns about the impacts of increased traffic on the shared lane, discussed below, and in respect of floodlighting upon amenity and dark skies in this rural location. A condition to secure agreement over the details of the lighting on all of the site is therefore suggested to ensure that it is both limited and sensor controlled. With these conditions the annexe is considered acceptable.

New Access and driveway

The agricultural field to the west has been historically separated from the Lodge curtilage by mature tree and hedgerow planted fence line which formed a physical boundary between these two areas of land. This boundary was removed around the same time that the former simple agricultural gateway into the corner of the western agricultural field was modified and a new stone driveway created up to the house. The access and the majority of the new driveway currently runs outside of the residential land before coming in and joining up with the parking area to the front of the dwelling. Previous to the new access and driveway the parking area in front of the house was accessed solely via the shared driveway with Hollow Meadows Mews.

The removal of the hedge boundary by the applicants was very unfortunate in that it removed the physical boundary between the two pieces of land and as a result the whole land now appears as residential curtilage to the property. This is especially so as the whole land is now mowed and, in combination with the former levelled football pitch area, pond and access track running up the middle, gives the appearance of a very large garden out of scale with the house. This is currently very harmful to established landscape character of the locality and for this reason necessitated the formal service of enforcement notices to protect the landscape before the breach could become immune from action.

As submitted, the application initially sought retrospective permission to retain the access and new driveway as currently built. However, following negotiations with officers, the agent has now amended the driveway proposal. The plans now show that although the modified entrance will remain, the unauthorised driveway will be taken up and relocated to sit within the domestic curtilage. Plans also show the reinstatement of the boundary hedge/tree planting to separate the curtilage from the field and simplify the access. This plan follows officer's advice to overcome the landscape objections to the unauthorised driveway and loss of the boundary hedge which formerly played a key role in defining the limits of the residential curtilage to this property.

Officers still await the formal consultation response from Sheffield Highways as to the suitability of the new access point but it would appear from pre-application discussion between the agent and the City Council's officer that there should be no objections. Subject to conditions to secure the completion of the driveway relocation works and planting within a reasonable specified time then there are no objections to this part of the proposal.

It should be noted that whilst the new driveway has the ability to resolve many of the neighbouring objections about the use of the shared drive, without adequate signing and a management plan restricting care home visitors to the sole use of the new drive, the existing

conflicts and amenity impacts will remain as there is currently no control over the shared use of the existing drive. It is therefore recommended that a condition be applied to any approval requiring submission and agreement of a traffic management plan to secure business use is restricted solely to the new access in the interests of highway safety and neighbours' amenity.

Conclusion

Subject to the above-mentioned conditions and the adoption of the amended plan relocating the driveway within the curtilage of the Lodge, the use of the premises as a care home would have no adverse impact upon the landscape, highway safety or the amenity of nearby residents. As a business providing a much-needed community residential care service within a traditional building which is part of the group of traditional buildings at Hollow Meadows, the proposal is considered to accord with adopted policy and national guidance and is recommended for approval.

A final point for Members to note is that the Authority has served two Enforcement Notices in respect of this site. If this recommendation is accepted then the time period for compliance with the Enforcement notice in respect of the driveway works needs to be amended and, subject to satisfactory completion of the works, could subsequently be withdrawn. The other notice in respect of the alleged change of use of agricultural field to the west to residential curtilage would remain unaffected by this application.

Human Rights

Any human rights issues have been considered and addressed in the preparation of this report.

List of Background Papers (not previously published)

Nil