

Application 2025/CLD/90962/W - Certificate of lawfulness for proposed change of use of dwelling to childrens home

Dear Sir/madam

With reference to the above planning application (change of use) for 17 Far View Crescent, HD5 8ER I am writing to you as a resident of one of the adjacent properties to formally object to the application above.

My concerns primarily fall under the following key areas:

- Potential impact on highway safety
- Levels of traffic and parking
- Effect on the character of Far View Crescent
- Suitability of Far View Crescent as a location for a care home
- Suitability of proposed property to be operated as a children's home
- Effect on neighbouring properties

Potential impact on highway safety

Far View Crescent is a quiet cul-de-sac accessed only from Far View Bank which in turn has a single access point from Bank End Lane. Existing traffic levels are low and I am concerned that the establishment of a residential children's care home would result in a marked increase in traffic levels to service such an establishment.

Accessing Far View Bank from the junction with Bank End Lane is already hazardous due to residents' cars parked both opposite and adjacent to this junction, and this 'pinch-point' is further exacerbated by the steep approach from Greenhead Lane direction and bend in the road from the Almondbury Bank direction. Both of these factors combine to create a situation where approaching traffic cannot be seen until quite near the junction even in favourable weather conditions and the recent Rosemead housing development has resulted in a further increase in traffic flows across this junction making this situation worse. If 17 Far View Crescent was to be operated as a children's home the increase in vehicular traffic (staff, deliveries, visitors, inspectors, school transport etc.) would produce would potentially put lives at risk. As an absolute minimum Kirklees Council should undertake a full risk assessment of this junction in conjunction with the Highways Department before even considering any application to operate any commercial enterprise around Far View Crescent/Far View Bank. Not to undertake such a risk assessment would be wholly irresponsible and could possibly put the Council at risk of litigation in the event of accident or injury.

It is also worth noting that Far View Bank and Far View Crescent are not routinely gritted during periods of ice and snow which makes both the aforementioned junction as well as the whole estate treacherous. During the last period of snow the junction was only barely passable thanks to the efforts of the residents and Far View Crescent in particular was very difficult to negotiate due to compacted and rutted snow that subsequently froze and limiting the navigable part of the road to just a single vehicle width.

Neighbourhood traffic levels and parking

The Far View Crescent/Far View Bank estate is not sufficiently well-equipped to handle the increase in traffic flow that would result from the establishment of a children's care home.

Far View Crescent is 4.5 metres wide kerb-to-kerb which is a little wider than 2 standard car widths and with the existing dropped kerbs for driveway access on-street parking is already limited. This can be seen on the attached street plan (appendix 1) which I have annotated to indicate the drive access/dropped kerbs to illustrate the limited available space for vehicle parking. Because Far View Crescent and Far View Bank are narrow any vehicle parked opposite a drive access makes it very difficult (if not totally impractical) to gain access to one's own drive. This situation is further exacerbated by the age demographic of many of the residents who may not possess the mobility to be able to undertake a difficult driving manoeuvre.

The previous application indicated that there is space for 5 vehicles off-road at the property – this is untrue and is a misrepresentation of the facts. The double garage has been partly converted into a utility room/storage area leaving insufficient room remaining for another vehicle, therefore *at best* 3 cars could be parked on the driveway in front of the property, however due to the horseshoe shape of the drive the middle car would be blocked in. Such an arrangement would necessitate an increased number of vehicle movements particularly at staff changeover times and fails to address the extra parking demands to service a children's home with school transport, deliveries, Ofsted inspections, visitors and more; where does the applicant propose that these vehicles will park without causing disruption to the existing residents?

Following the previously rejected application I note that the current application for a change of use attempts to mitigate the parking issues by reducing the number of children to be housed in the property and adjusting the work patterns of the on-site staffing. This change will offer a negligible improvement and even with a purportedly reduced need for parking, once the other vehicle movements required to support a children's home (staff, deliveries, visitors, inspectors, school transport etc.) are factored in this would still significantly increase parking levels beyond what might be deemed normal in a domestic setting leading to congestion and safety hazards. The resulting levels of activity are not what would be considered normal if 17 Far View Crescent were to remain as a dwelling house.

- It must be noted that from my own observations there has not been a single occasion when any visitor to the property has chosen to park on the driveway even when it is empty, and have instead chosen to park on the street outside.

Effect on the character of Far View Crescent

Far View Crescent is comprised of 24 domestic dwellings, and along with Far View Bank the whole of the 'Far View' estate is just 46 properties with very low levels of traffic (no through traffic) and low-levels of crime. Established in the early 1960s Far View Crescent has only ever comprised domestic dwellings and along with Far View Bank has always been a very quiet neighbourhood with many long-term residents who have lived here for a number of decades. The proposed change of use from a dwelling to a residential care home would be incompatible with the exclusively residential nature of the area and would alter the character of the area. Not only would the additional traffic and disturbance connected to the activities of running a residential care home adversely affect the existing residents the transient nature of the staff and children would be out of character with the very stable habitation of the neighbourhood.

Whilst the demographic of the residents varies there is a higher than average proportion of elderly residents, and the arrival of a number of young persons who do not have any long-term ties to the neighbourhood could make some of the more elderly and vulnerable residents feel uneasy and reluctant to leave their homes particularly during the hours of

darkness. Such isolation could be very damaging to their sense of well-being and be detrimental to their mental health. Furthermore, because of its demographic Far View Crescent is no stranger to ambulance call-outs for elderly residents and if there is an increase in traffic levels and associated parking we would have concerns about the ability for ambulances to be able to access properties without hindrance. One resident of the neighbourhood is totally reliant on a wheelchair for their mobility and an increase in the volume of cars parked on Far View Crescent could lead to access difficulties and blighting their independence.

Without doubt if 17 Far View Crescent was to be operated as a children's home rather than a conventional domestic residence this would significantly impair the long-established character of the neighbourhood.

Suitability of Far View Crescent as a location for a children's care home

There are a number of factors that make Far View Crescent a less than optimal location for a residential children's care home. The nearest senior school (King James') is over a mile from the property and furthermore there are no shops or children's play areas nearby. The proposed location is not on or near to a bus route and the absence of nearby open spaces would probably necessitate play activities taking place on the street although this may be difficult due to the additional traffic outlined in the previous section.

OFSTED guidelines state that the home should be located in an area that supports children's personal development, however the demographic in the proposed location would not appear to offer many opportunities to interact with other children which could lead to the children feeling isolated with limited opportunities to enhance their social development skills. The older demographic of the neighbourhood alongside the relatively transient nature of the residents (usually staying for 2-3 years) makes it less likely that the children will feel part of the community which may make it difficult for them to adequately settle and to flourish during their time at Far View Crescent. Instead they would be predominantly reliant on the other children and staff within the home which could engender feelings of social isolation and social anxiety.

Some of the issues relating to increased traffic flow, parking and access have already been highlighted in previous sections however full consideration must be given how an increase in the volume of traffic with additional parked cars on the road restricting views from driveways could potentially result in more accidents. Elderly residents with mobility issues who rely on walking aids and those reliant on a wheelchair could face access difficulties due to an increase in street parking with blockages to the pavements as a result of cars parking on the footways due to the narrowness of the road. If people (particularly those with restricted mobility) need to walk in the road due to parked cars there is an increased likelihood of accidents, something that could also happen to the children that are housed at the property if they are unfamiliar with the neighbourhood.

As well as staffing changeovers increasing the volume of traffic, with their associated parking needs and noise (engines running, car doors closing etc.) there would also be the additional disturbance from other services needed to support the operation such as food & laundry deliveries, transport to/from school, visitors, Ofsted inspections etc., further adding to the potential for disruption and accidents.

Suitability of proposed property to be operated as a children's home

Department of Health guidelines for the minimum standards for Children's Homes in England stipulate that the "location and design of car access and parking areas at the home minimise

risk to children from vehicle movements”, however the design of the property means that this is unachievable. The ‘horseshoe’ shaped front driveway would mean that the front of the property would be entirely filled with vehicles and to accommodate 3 cars off-road at the property one of the vehicles would be parked directly in front of the property’s only entrance, an arrangement that directly contravenes the stated guidance and putting the occupants at risk.

The application is rather vague and contradictory with regards to the staff rotations. The application states that 3 staff will be on shift each day with a shift pattern 07:30 - 23:00 with the [staff?] changeover occurring 07:30 - 08:00 every 2 days, yet this seems to completely disregard the 23:00 end of shift indicated. Does this member of staff simply evaporate or are Lighthouse Care Residential being deliberately vague with regards to the real number of staff rotations and the impact this will have on neighbourhood parking and congestion? The application also indicated that the duty manager will be predominantly operate remotely however this also feels to be deliberately vague to act as a smokescreen about the numbers of vehicles that will be on site to service such a facility?

In addition to the vehicle movements and parking required to staff the facility it is also important to factor in other vehicle movements (deliveries, maintenance, Ofsted inspections, visitors etc.) and that these movements would be considerably more frequent than they would if the property were to exist as a conventional domestic dwelling. Furthermore a residential children’s care home is likely to require industrial/commercial style refuse bins, however where would these be stored given that the front driveway is already filled with staff vehicles? If they are to be stored at the rear of the property how would the bins be moved to the roadside without incurring additional vehicle movements? Once again these issues are not what would occur in a conventional household and would therefore change the character of the neighbourhood.

Because the property was renovated for the stated purpose of selling it as a residential dwelling on the open market it will not been fitted out to meet the needs of a residential care home. To the best of my knowledge the property does not possess emergency lighting, fire doors, fire alarms or fire-fighting equipment which again is required for this type of facility. Additionally there is no means of escape from the first floor in the event of a ground floor fire unless perhaps the residents are meant to avail themselves of the open balcony and jump down to patio/lawn below.

The current design of the balcony is totally inappropriate for a property intended for use for housing children, especially potentially vulnerable children and presents a potential risk of harm to those residing in the property. The simple wire rope construction has no safeguards to prevent the balustrades from being climbed and as such presents a high level of risk of persons falling onto the patio area below. In addition, the gaps between the wire ropes appear to exceed the minimum recommended gap of 100mm² which could potentially allow residents to climb through the wire ropes, a risk which is even greater if younger children are to be housed at the property; once again a high level of risk exist for residents to fall onto the patio area below. This hardly makes the property a suitable location to house at risk or vulnerable children.

Effect on neighbouring properties

It is my firm belief that the proposed change of use will have a severely detrimental effect on our living conditions primarily due to the open balcony at the rear of 17 Far View Crescent. The recent refurbishment of the first-floor balcony accessed via full-height patio doors, along with the removal of a number of substantial conifers bordering the adjacent property and the

addition of a new full height window at the southern end of the balcony (facing directly toward my property) provides a completely unobstructed view of the rear garden of 19 Far View Crescent. These privacy concerns were raised with Kirklees Planning on July 23rd 2024 when the building works were completed on 17 Far View Crescent yet to date there is no evidence that planning permission was granted for the additional window. Our local Councillor, Cllr Alison Munro, has recently passed my concerns onto Kirklees Building Control, for further investigation but this remains stubbornly unresolved.

It must be also added that privacy is a two-way issue and that the large areas of glass in the first floor living areas at 17 Far View Crescent appear to offer little privacy. The large glazed area affords a largely unobstructed view into the property's first floor from the neighbouring garden and also potentially over the rear fence from the publicly accessible wooded area to the rear of the property, and this seems wholly inappropriate for a home caring for children.

In conclusion

There were 25 objections submitted to the previous application and at the time of writing 5 objections have been submitted against the latest application with almost 4 weeks remaining until the "target date". This high level of hostility from residents to the creation of a children's care home must be taken into consideration by Kirklees Council as such a level of opposition presents a genuine risk of antagonism and conflict between the existing residents and the staff and children occupying 17 Far View Crescent. The residents' feelings must not be ignored by Kirklees Council as an atmosphere of opposition and hostility would hardly provide the caring and nurturing environment such facilities are intended to offer vulnerable children.

I note that approval for a similar facility was recently granted at a property on Greenhead Lane in HD5 approximately ¼ mile from the proposed property at 17 Far View Crescent. I understand that there also existing children's care homes located on Town End in Almondbury (½ a mile from 17 Far View Crescent) and Fleminghouse Lane approximately 1 mile distant; there may be others too that I could not verify. As part of the consideration process I understand that Kirklees needs to demonstrate that there is sufficient need for further care homes to avoid an oversupply of places, however looking at the existing supply of children's homes in HD5 it appears that this locale is already more than adequately provided for.

Put simply, there is no need to increase childrens care provision in HD5.

Yours sincerely

Appendix 1 – Far View Crescent plan showing location of dropped kerbs

