

**UPDATE REPORT**

**FOR DEVELOPMENT CONTROL COMMITTEE  
MEETING OF 6 SEPTEMBER 2022**

**B1 – 2022/0280 – Chapel Hill Lodge, Hurst Lane, Rawtenstall**

Four letters of support have been received since publication of the report. They consider that the applicants are an asset to their small rural community and express their admiration for the care and devotion provided for their son.

The applicants have also submitted further comments since publication of the report. Their comments are:-

- a) The 2021 approval aimed to meet their son's needs however they realised it failed to do so in certain respects and the application seeks to address those shortcomings.
- b) Their son requires secure access otherwise he will run off. It is impossible to provide secure access within the 2021 approval because of the levels of the ground and the building is close to the edge of the plot.
- c) Their son is a serious fall risk to him and his carers and it is essential that the parking area and house are on the same level.
- d) Not possible to provide adequate accommodation for a full time carer within the 2021 approval.
- e) Although the dwelling is larger than that previously approved it is appropriate in terms of character and appearance of the area.
- f) The principle of a house on the site is already established.
- g) The human rights in respect of their son's needs.
- h) The applicant also considers that the Committee Report does not fully address the OT Report of Dawn Frith and the NHS Report extract.

The points raised have been addressed in the officer's report to committee. It is also not appropriate to include detailed medical reports in a Committee Report for public viewing. It is noted that the above comments indicate Caspar is at risk of falls and is liable to run off. Whilst not wishing to downplay the profound learning difficulties of the applicant's son, the Occupational Therapy report suggests that "Parents advised that Caspar is a very physically active young man who is able to ride a bicycle and is proficient at skiing". "Caspar also enjoys engaging in physical activities which involve a high level of resistance such as accessing outdoor gym equipment and climbing on climbing walls." There is no additional evidence to suggest that the previously approved dwelling is not suitable to meet the needs.

The recommendation is not based on preventing the demolition of the existing dwelling and the building of a new dwelling more suitable to the needs of the applicants. It is

the scheme before the Council in respect of the size of the dwelling and the increase in the site area and the resulting impact on the Countryside that is of concern. It is considered that the applicant could submit a revised scheme that would both meet the needs of their son and meet the policies within the Local Plan and the NPPF.

**For the reasons above, the officer's recommendation to refuse the application remains unchanged.**

**Mike Atherton  
Head of Planning and Building Control**

**DATE: 15/11/2022**