

Delegated Report

Planning Application

Planning Application No: 20230865

Location: 2 Dickens Road Gravesend Kent DA12 2JY

Description: Change of use from a residential house for semi independent adults to a childrens home.

Applicant: Ms Olabisi Solomon

Site Visit Date:

Submitted Documents/Plans

Application Form
Cover Letter
Site Location Plan
Block Plan
Ground and First Floor Plan
Planning Statement
Photo's of property
Emails confirming Visitors/Shift Pattern

Relevant Planning History

No relevant planning history

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS11 – Transport
- CS12 – Green Infrastructure
- CS14 – Housing Type and Size
- CS18 – Climate Change
- CS19 – Development & Design Principles

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards
- H5 – Increasing Housing Stock by Conversion of existing Buildings
- H6 – Provision to Meet Special Housing Needs

Paragraph 33 of the NPPF (2023) sets out that policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2023), the Council will also seek to replace these.

National Planning Policy Framework (2023)

- Section 2 – Achieving Sustainable Development
- Section 6 – Delivering a wide choice of high quality homes
- Section 12 – Achieving Well-designed and beautiful Places

Supplementary Planning Guidance

- SPG 2 - Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020;
- Technical Housing Standards – nationally described space standard (2015);
- SPG 4 - KCC Parking Standards (2006)

Consultations, Publicity and Representations

Consultees

Ward Councillors: No comments

GBC Highways Officer:

This application requires careful consideration. The applicant states it is a change of use from a home for supported living for 16+ years old to a children's home, for the age range 10 to 16. However, I cannot trace any previous planning history and perhaps a planning permission was not required for such use. However, I shall apply a residential standard to the previous/existing use when comparing with the proposed use.

A three-bedroom property in a suburban location would be expected to have on average 1.5 parking spaces, and obviously none can be provided.

In terms of a residential care home there should be one space per resident staff and one space for every two other staff, in addition there should be 1 space per 6 beds or residents. Given no staff levels have been provided, either existing or proposed. I find I am unable to comment further as it is impossible to establish a comparison on which to make a judgement.

Updated Comments following additional information provided:

With two members of staff on shift and three during the day, including the manager. This equates to at least one parking space. The two residents and the manager would potentially make a second space. However, the difference between a dwelling and this use is not significant and unlikely to be sustainable at appeal.

Kent Police Designing Out Crime Team:

We have reviewed this application in regard to Crime Prevention Through Environmental Design (CPTED) and in accordance with the National Planning Policy Framework (NPPF).

Applicants/agents should consult us as Designing out Crime Officers (DOCO's) to address CPTED and incorporate Secured By Design (SBD) as appropriate. We use details of the site, relevant crime levels/type and intelligence information to help design out the opportunity for Crime, Fear of Crime, Anti-Social Behaviour (ASB), Nuisance and Conflict.

There is a carbon cost for crime and new developments give an opportunity to address it. Using CPTED along with attaining an SBD award using SBD guidance, policies and academic research would be

evidence of the applicants' efforts to design out the opportunity for crime.

We request a condition for this site to follow SBD guidance to address designing out crime to show a clear audit trail for Designing Out Crime, Crime Prevention and Community Safety and to meet our Local Authority statutory duties under Section 17 of the Crime and Disorder Act 1998.

1. Due to the proposed use of the site, we would recommend the applicant review current site security and boundary treatments. We advise boundary treatments to be 1.8m in height with support beams facing inwards, any gates to a rear/ side access must also be securely lockable from both sides. It is essential that there is no unauthorised access to the rear of the site either via the side access route or via neighbouring premises.
2. We recommend CCTV be installed at the main entrance doors to monitor the movements of the occupiers. In some circumstances, it can be advisable for staff carry personal attack alarms and in some instances BWV cameras for safety purposes.
3. We recommend lighting to cover entrances to aid in natural surveillance.
4. All external doorsets (a doorset is the door, fabrication, hinges, frame, installation and locks) including internal flat entrance and individual bedroom doors to meet PAS 24: 2016 UKAS certified standard, STS 201 or LPS 2081 Security Rating B+. Please Note, PAS 24: 2012 tested for ADQ (Building Regs) has been superseded and is not suitable for this development.
5. Windows on the ground floor or potentially vulnerable e.g. from flat roofs or balconies to meet PAS 24: 2016 UKAS certified standard, STS 204 Issue 6:2016, LPS 1175 Issue 8:2018 Security Rating 1/A1, STS 202 Issue 7:2016 Burglary Rating 1 or LPS 2081 Issue 1.1:2016 Security Rating A. Glazing to be laminated. Toughened glass alone is not suitable for security purposes.
6. Bedroom windows on the ground floor require a defensive treatment to deflect loitering, this can be achieved via planting of prickly plants or knee rails outside of windows.

If approved, site security is required for the construction phase. There is a duty for the principle contractor "to take reasonable steps to prevent access by unauthorised persons to the construction site" under the Construction (Design and Management) Regulations 2007. The site security should incorporate plant, machinery, supplies, tools and other vehicles and be site specific to geography and site requirements.

We welcome a discussion with the applicant/agent about site specific designing out crime. If the points above are not addressed, they can affect the development and local policing.

This information is provided by Kent Police DOCO's and refers to situational crime prevention. This advice focuses on CPTED and Community Safety with regard to this specific planning application.

Kent County Council Strategic Commission:

This letter sets out a statement of support from Kent County Council (KCC) Children's Commissioning relating to the above planning application of a change of use to Residential Care Home for children aged 8-18.

KCC aims to place children within Kent wherever possible, as long as this is in the best interest of the child. The Covid-19 crisis has led to limited availability of children's home places so it is the authorities hope that the new home at 2 Dickens Road, Gravesend will provide increased capacity in the near future.

As a local authority, a range of placements for children are commissioned, including those regulated in accordance with their needs. To ensure that provision is of the appropriate standard and quality, we have built up a portfolio of providers over time, which includes New Pathway1 Ltd, that are able to meet the needs of children, specifically in the geographical areas where placements are required.

There are occasions where we need to source a regulated placement for children who have complex needs and behaviours, which has seen the Council rely on providers such as New Pathway1 Ltd to care for some of Kent's most vulnerable children. Children placed with New Pathway1 Ltd have thrived and have gone on to achieve independence in their local communities.

The need for regulated accommodation for complex children has been acknowledged as a strategic priority for KCC commissioned services. 2 Dickens Road, Gravesend would form a key part of ongoing transitional work to provide the best start in life for vulnerable children.

KCC Children's Commissioning have met with Olabisi Solomon, Manager and Responsible Individual at New Pathway1 Ltd, and hearing about their possible service offering in Gravesend, we can confirm KCC would consider making referrals and spot purchasing placements at this home.

The children's home would need to be registered with Ofsted and provide care for children with a range of needs, including Emotional and Behavioural Difficulties (EBD), Learning Disability (LD) and/ or Autism (A).

Neighbouring properties

8no. surrounding properties were consulted and 0 comments were received from members of the public. The consultation period expired on 30 October 2023.

Officer's Analysis

Appropriateness of the proposed development in principle

Policy CS02 of the Gravesham Local Plan Core Strategy September 2014 sets out the development strategy for the Borough and highlights the objectively assessed need for housing over the Plan period (up to the year 2028) as being over 6,000 new dwellings. The policy seeks to retain and improve the existing stock of housing and prioritises development in the urban area as a sustainable location.

Policy CS14 of the Gravesham Local Plan Core Strategy September 2014 seeks to protect the mix of housing in the existing stock and to restrict the conversion of family sized units into smaller properties. It also requires new housing development to provide a range of dwelling types and sizes, taking into account local character and housing need.

Saved Policy H6(iii) of the Gravesham Local Plan First Review November 1994 states that "with regard to proposals for residential hostels and homes, whether by new build or by conversion, the Borough Council will take particular care to ensure that these do not cluster together and harm the overall character of the area". The preamble to this policy refers to the importance of controlling the concentration of residential institutional accommodation to ensure that the properties themselves are suitable and that the intensification of use in residential areas will not change the character of the area, nor involve a loss of amenity to residents because of the potential noise and disturbance it could create outside normal working hours.

In assessing the impact of the overall character of the area, it is necessary to consider whether the new use would be considered to be a material change from the existing use as a single family dwelling (Class C3 (a) of the Town and Country Planning (Use Classes) Order 1987 (as amended)). In this regard, it is important to take into account that Class C3 (b) of the use class order allows the use of a dwellinghouse by not more than six residents living together as a single household where care is provided for residents. The home would be for two children. There would be 5 staff members – a manager, and 2 carers working on a shift pattern of 9am to 9pm and 9pm to 9am. The property is a three bedroom dwellinghouse with bathroom, WC, kitchen and lounge. It is stated in the Planning Statement that one of the three bedrooms at first floor level will be allocated for staff members. There has been debate on whether the carers should be counted

as residents as they would not permanently reside at the property as their main home, with appeal decisions favouring both arguments. However,; two carers included in this the proposal would still be within in the threshold of the Class C3 (b) use.

It is noted that a Class C2 use (for the provision of residential accommodation and care to people in need of care) is an entirely separate use class from Class C3 (b). It is considered that this distinction reflects the different nature of the two uses. A C3 (b) use is a type of dwellinghouse which implies that the occupants form a single household. Whereas a C2 use is a type of residential institution, which implies that the occupants reside on a more individual basis. For the proposed development, it is considered that the one manager with only a maximum of one carer bedrooms proposed) and that there would be other staff such as a care home manager this would suggest that the staff would not form part of a single household and as such, they would not be part of a dwellinghouse. Therefore, it is considered that the proposal would be more accurately described as a residential institution and a Class C2 use and as such planning permission would be required for a material change of use.

However, it would be likely that the number of vehicle movements would be higher than a typical dwelling, reflecting the comings and goings of the staff. Furthermore, due to the accommodation of children who may potentially have challenging backgrounds and the fact the property is a semi-detached dwelling in a built up residential area there is the potential for a higher amount of noise/disturbance. Kent Police raise no objections to the proposal but provide comments regarding design features such as fencing, cctv, lighting etc. which could be added as an informative for the benefit of the applicant should permission be forthcoming.

Overall, it is considered that the change of use of no. 2 Dickens Road to a residential children's home would be very similar to the operation of the property as a single family dwelling. There would be no clustering of similar uses in the surrounding area, no new built development and no change to the character of the surrounding area. As such, the proposal would be compliant with Policies CS02 and CS14 (LPCS) and Saved Policy H6(iii) (LPFR).

Having established that the principle of the development is acceptable, it is now necessary to consider all other matters.

Occupier Amenity

The plans show that the property would remain a three bedroom dwelling as is the existing situation and the measurements are therefore taken on this basis. There would be no changes to the existing internal spaces or external garden area.

Overall it is considered that the proposed development would provide acceptable living conditions for future occupiers and therefore is compliant with Policy CS19 (LPCS).

Neighbouring Amenity

The application property is an end of terrace dwellinghouse in a residential street with other similar dwellings. The proposed use would be very similar to that of a single family dwellinghouse and therefore it is unlikely that there would be any significant noise/disturbance impacts to neighbours. Given the lack of external changes, the proposed development would not result in any increase overshadowing, overbearing or overlook of neighbouring properties.

Overall it is considered that the proposed development subject to conditions would have no significant adverse impacts to neighbouring amenity and therefore is compliant with Policy CS19 (LPCS).

Parking and Highways

No off-street parking spaces would be included in this scheme. Concerns have been raised by the Highways Officer. However, given that the proposed use would not be dissimilar to the existing use, it

would not be reasonable to object on highways grounds. It is also noted that there is a bus stop immediately to the front of the property so alternative transport options are available.

In respect of parking and highway safety, it is noted that adequate parking provision is not available. However, on balance, this would not result in significant increases of on street parking or highways safety concerns. For this reason the proposal is therefore considered compliant with Policy CS11 (LPCS) and saved Policy P3 (LPFR).

Conclusion & Recommendation

The proposed development would comply with all relevant national and local planning policies. The recommendation is therefore to approve.

(For detailed conditions / reasons for refusal and informatives, see draft Decision)

Case Officer:	Ms Lisa Williams	Team Leader:	Miss Faye Hobbs
Signed:		Signed:	
Dated:	10th January 2024	Dated:	12 January 2024