



Delegated Report

Planning Application

Application no: 20211438

Location: Copperfields 42 Villa Road Higham Rochester

Description: Application for change of use of property from a class C2 residential care home for the elderly to a class C2 residential care home for up to 6 children.

Applicant: Mr Hugo Lewis, The Lewis Group Ltd

Site Visit Date: 17th January 2022

Submitted Documents/Plans

The applicant has submitted the following in support of the application:

Planning Application Form received 24th November 2021;
Planning Statement received 10th December 2021;
Property Listing Details received 24th November 2021;
Site Location Plan received 24 November 2021;
Drawing No. VR/01 – Site Location and Block Plan received 26th November 2021;
Drawing No. VR/02 – Existing Ground Floor and Basement Plans received 26th November 2021;
Drawing No. VR/03 – Existing First and Second Floor Plan received 26th November 2021;
Drawing No. VR/04 – Proposed Ground Floor and Basement Plans received 24th November 2021; and
Drawing No. VR/05 – Proposed First and Second Floor Plans received 24th November 2021.

Relevant Planning History

Application Ref. No.	Description	Status	Date
19880647	Application for the variation of condition (ii) of planning permission on ref no GR/87/750 to increase the number of persons of pensionable age accommodated at the premises from 19 to 20	Permission	01.08.1988
19870750	Change of use of dwelling into residential home for the elderly with erection of two storey extensions on both side elevations erection of part single and part two storey extension at the rear and formation of car park in the front garden	Permission	14.12.1987
19870236	Change of use from dwelling to a	Permission	26.06.1987

doctors surgery incorporating
extension on the Chilton Drive side
alterations to vehicular access on
to a classified road and laying out
of car parking at the front and rear
with alterations to access from Villa
Road

Development Plan

The Development Plan for Gravesham currently comprises:
Gravesham Local Plan Core Strategy and Policies Map, September 2014; and
Saved policies in the Gravesham Local Plan First Review, November 1994.

The relevant policies for your proposal are as follows:

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS07 – Economy, Employment and Skills
- CS12 – Green Infrastructure
- CS14 – Housing Type and Size
- CS18 – Climate Change
- CS19 – Development & Design Principles

Paragraph 33 of the NPPF (2021) sets out those 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 (2021), the Council will also seek to replace these. A Regulation 18 (stage 2) consultation is underway in regard to the Emerging Local Plan Partial Review, Site Allocations and Development Management Policies (until 31 December 2020). The early stage of these documents means they are not afforded any significant weight as part of the assessment of this application.

Saved Policies in the Gravesham Local Plan First Review (November 1994):

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

Other material considerations

National Planning Policy Framework (2021)

- Section 2 – Achieving sustainable development
- Section 12 – Achieving well-designed places
- Section 15 – Conserving and Enhancing the Natural Environment

Supplementary Planning Guidance

- SPG2 - Residential Layout Guidelines (2020)
- SPG 4 - KCC Parking Standards (2006)
- Technical housing standards – nationally described space standard (March 2015)
- Landscape Character Assessment (2009)

Consultations and Publicity Responses

KCC – Archaeology

No archaeology comments to make on this application.

GBC – Highways Officer

In terms of Highway issues, residential care homes are considered the same irrespective of the clients' age. Car parking levels are determined by the number of clients at the rate of one space per 6 residents plus one space for every two staff. However, this requirement is a maximum.

The new proposal involves 5 children and 16 staff, resulting in a maximum need of 9 spaces.

Previous/existing use is 20 residents plus staff resulting in two spaces for care staff but potentially more if management offices are located on site. This therefore would be a maximum of 5 parking spaces possibly more. With 7 spaces available on site, there are no grounds to consider the site has insufficient parking.

Given the difference in the age of the residents and the increase in staff numbers, it would be desirable to provide some form of secure and weather proof cycle parking, but there is insufficient guidance / policy to support this as a condition. However, it is recommended that an informative is added to suggest that provision to support a minimum of 4 cycles including adaptive cycles should be considered by the applicant.

A revised Planning Statement was submitted after the above comments were provided, which does state that the proposal is for up to 6 young people. It is not however considered that the changes from 5 to 6 children would significantly alter the impact of the proposal and the comments above remain unchanged.

Neighbour Consultations

Thirteen surrounding properties were consulted with an overall expiry date of 14th January 2022. One representation neither objecting or supporting the application and two representations objecting to the proposal have been received, making the following summarised comments;

- Potential for more children creating disturbance
- Anti-social behaviour
- Detrimental harm to surrounding residents
- Loss of care home is detrimental to the village
- Possible disturbance of bats in the loft eaves
- Inappropriate use of the house
- No facilities within Higham Village to support young people
- Noise and disturbance
- More information needed regarding the occupants – age range, needs etc

The Local Ward Councillors were also consulted and no responses were received.

Officer's Analysis

Procedural Issues

As stated within the proposal description and as highlighted within the planning history, the application property was given permission in 1987 for the *change of use of dwelling into residential home for the elderly with erection of two storey extensions on both side elevations erection of part single and part two storey extension at the rear and formation of car park in the front garden* (Ref. 19870750) and a subsequent application to amend the number of residents from 19 to 20 (Ref. 19880647). Therefore, the property already falls within the C2 use. Usually within the C2 (residential institution) use, there is a degree of flexibility regarding the occupancy and use, such being used as a hospital or nursing home, residential school, college or training centre. However, the current permission (Ref. 19870750) was subject to a condition of occupancy, together with the description being clear in its use for elderly residents only. As such, the proposed application seeks permission for the *change of use of property from a class C2 residential care home for the elderly to a class C2 residential care home for up to 6 children*. Therefore, and in this case, the change of use to a C2 residential institutions has already been established and assessed previously. The subject of this current application is to assess whether the change in occupancy

from 20 elderly residents (and relevant staff), to up to 6 children with 16 staff on a shift pattern basis, would result in an unacceptable impact on the character of the area, neighbour amenity and highways.

Proposal

The proposal is for the change of use of property from a class C2 residential care home for the elderly to a class C2 residential care home for up to 6 children. The proposal does not include any external alterations to the property.

The internal alterations only relate to the ground floor which currently has 9 bedrooms. This number would decrease to 2 and the existing rooms would be repurposed into additional kitchens, utility, dining and study. There would be no change to the basement, first or second floor layouts. Therefore, the property would be converted from 20 bedrooms to 11. This would facilitate 6 children and the staff working on the sleep shift.

The property would facilitate permanent residency and long-term care for up to 6 children until maturity. There would be approximately 16 care workers providing full time care working on shifts to provide 24/7 cover. Care staff would not reside at the home. The home would operate on a 1-to-1 basis and therefore there is likely to be 6 members of staff on site if there is full occupancy of children.

Site Description and Surroundings

The application site is defined on the Gravesham Local Plan Core Strategy Policies Map as lying in the rural area of Higham, a rural settlement inset from the Green Belt.

The sites current use is a 20-bed residential home for the elderly.

There is parking on-site for approximately 7 vehicles. There are no proposed changes to the existing access or parking provision.

The building is not listed and is not located within a conservation area.

The principal issues in the consideration of this application are:

- Sustainability and Principle of the Development;
- Design and impact on the surrounding area and adjacent conservation area;
- Amenity of future occupiers;
- Amenity of neighbouring properties;
- Parking and highway safety; and
- Ecology and biodiversity.

Sustainability and Principle of the Development

As stated above, the principle of the C2 of the property has already been established. Comments received with representations stated that the property was an inappropriate location for children. Policy CS01 of the Local Plan Core Strategy (LPCS) states that when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework and in the Core Strategy. Paragraph 4.2.4 of Policy CS01 (LPCS) highlights that an assessment of the facilities and services available in the Borough's settlements to identify which are sustainable was carried out and found that Higham was a Second Tier Settlement.

The proposal would provide permanent living placements in a family setting for up to six children until they reach maturity. In terms of being an appropriate location, the property is located within 100m of the A226, together with access to two local bus stops within short walking distance, as well as Forge Lane shops located approximately 200m to the east. In terms of schools, children from Higham have access to Higham Primary School (0.8 miles) and Shorne Church of England Primary School (1.4 miles) and being within walking distance. Local secondary schools are Thamesview (3.1 miles), Strood Academy (2.2 miles) and Hundred of Hoo Academy (4.8 miles). In terms of activities and entertainment, Shorne Woods Country Park (1.8 miles) and Cascades Leisure Centre (3.4 miles), are located nearby and on the local bus routes.

Therefore it is considered that the proximity of the site to local amenities, public transport links and local

schools, is such that it is a sustainable location for school age children and is acceptable in principle as per Policy CS01 (LPCS).

Whilst the proposal would not result in a change of use from the C2 use class, the property would undergo internal alterations to make it fit for purpose, as laid out in the proposal section above. Whilst the property would remain within a C2 use, it is important that the change of occupancy from 20 elderly persons to up to 6 children would not cause harm to the character and amenity of existing areas. Therefore Saved Policies H5 and H6 (LPFR) are still relevant.

Saved Policy H5 (LPFR) with regard to proposals for conversion of existing properties to provide flats states that the Borough Council will have regard for the following criteria;

- (i) The building shall be in an appropriate area for conversion to flats maisonettes, bedsitters and multiple occupancy. Unless there are special or overriding circumstances, conversions will not normally be permitted in an area comprised for the most part of single family dwellings. Conversely conversions will not normally be permitted in areas which are environmentally unsuitable for young families and which already demonstrate a predominance of multiple occupation.*
- (ii) The building shall be of such a size and arrangement as to be generally unsuitable for single family occupation.*
- (iii) The proposal shall have regard to the Borough Council's Residential Layout Guidelines, as set out in supplementary planning guidance.*
- (iv) The adopted Vehicle Parking Standards must be achieved wherever feasible.*

Saved Policy H6 (LPFR) with regard to the provision to meet special housing needs states that the Borough Council will in principle support proposals in appropriate locations by Housing Associations, the private sector and other organisation which incorporate:-

- (iii) 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 property has been used consistently as a C2 residential institution since 1987, and being a 20-bedroom property, it is not considered suitable for single family occupation. Furthermore, the property is not being converted into self-contained units and as such would still operate as a single residential dwelling and it is the intention of the operator to provide a family setting to the children living there. Taking into consideration the predominantly single residential character within the area, a wholly new type of use is not being introduced into the area. There is no clustering effect which may harm the overall character of the area. The property is located in a street predominantly consisting of single family dwellings. As such the character of the area is domestic, and the proposed change from elderly people to children would not erode the domestic character of the area.

It is considered that the proposal is in accordance with saved Policies H5 and H6 of (LPFR), but also Policy CS14 (LPCS) which states sheltered housing and extra care housing for people with special needs will be supported on suitable sites in areas with access to a range of services that provide for the needs of future occupants.

The preamble to this policy in paragraph 5.10.7 states that while the Council will look to support the provision of housing to meet the requirements of people in special need of help or supervision, the use should not change the character of the area nor involve a loss of amenity to residents because of potential noise and disturbance it could create outside normal working hours.

In terms of the loss of the care home, representation comments stated that the loss of the care home is detrimental to the village as existing residents may never want to leave Higham and there was an option of a care home within the village for those people. It must be highlighted that the care home was not a local authority owned or operated care home and did not have a catchment area for Higham residents alone. Therefore, there would be no certainty that existing residents of Higham would be able to be accommodated.

Having regard to the above, it is concluded that the principle of the change of use of the property is acceptable.

Design and impact on the surrounding area

CS19 (Development and Design Principles) (LPCS) sets out the design principles which will be taken into account when considering proposed redevelopment proposals. The policy requires new development to be visually attractive, fit for purpose and locally distinctive. In particular, the design of new development should be derived from a robust analysis of local context and character, make a positive contribution to the street scene and the character of the area and integrate well into the surrounding area. At a national level the revised National Planning Policy Framework 2021 (NPPF) in section 12 provides guidance on achieving well designed places.

There are no proposed alterations to either the front or rear elevations and as such there are no objections in terms of the impact of the proposal on the streetscene.

Existing Streetscene



In terms of design, the proposed development accords with Policy CS19 (LPCS) and paragraph 130 of the NPPF (2021).

Impact on Residential Amenity

Paragraph 130 of the revised NPPF (2021) seeks to ensure decisions “*create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future user*”.

Policy CS19 (Development and Design Principles) (LPCS) seeks to ensure new development is located, designed and constructed to safeguard the amenity, including privacy, daylight and sunlight of its occupants and those of neighbouring properties and land, new development should meet the requirements of the Nationally Prescribed Space Standards in terms of the size of the accommodation being provided based on the level of occupancy, bedroom size and building height and the adopted Residential Layout Guidelines in terms of the appropriate levels of private amenity space for future residents.

Future occupiers:

Internal living space

The current proposal seeks to provide permanent residential home for up to 6 children. All the retained bedrooms exceed the minimum prescribed space standards for single rooms. 4 of the rooms benefit from en-suite showers with a communal bath or shower rooms on ground, first and second floors.

It is considered that the proposal would provide a good standard of internal living space for future occupants and as such complies with Policy CS19 (LPCS) and paragraph 130 of the NPPF (2021).

Neighbours amenities:

The existing property is a 20-bedroom residential home for the elderly. The proposed use would provide accommodation for up to 6 children with the addition of staff on a shift pattern. This would result in a decrease in 14 permanent residents. It is not known how many staff were on site at any one time when the previous operator was there. There are no elevational changes proposed that would have an impact on the surrounding properties.

In terms of occupancy and a potential rise in noise and disturbance, it is considered that a decrease of 14 persons, together with the comings and goings of potential visitors that would have arisen from the previous residents' families, is likely to have little or no change in the impact on neighbour amenity from the change of occupants. Furthermore, all the children would have a staff member each and the home would be managed with staff on site 24/7. Therefore, it is not considered that there would be a rise in anti-social behaviour. In terms of overlooking and loss of privacy, there are no elevational changes proposed and only internal alterations on the ground floor.

In the interest of neighbour amenity and to control the number of residents at the property, a suitably worded condition will be added to the decision to limit the number of children to 6.

Overall, and taking into account the existing built form of both the application site and the surrounding buildings, together with the number of previous occupants, it is considered that subject to conditions, there will be no detrimental impact on amenities of the surrounding properties and therefore complies with Policy CS19 (LPCS) and paragraph 130 of the NPPF (2021) in this regard.

Parking and Highways

In terms of highways, the existing access and parking provision would remain unchanged. There is off road parking for approximately 7 vehicles. Given the age of the residents, there would not be a requirement for private car parking and therefore the parking spaces are likely to be used by the on-site staff only.

It has been advised by the Highways Development Manager that given the difference in the age of the residents and the increase in staff numbers, it would be desirable to provide some form of secure and weatherproof cycle parking. As such, an informative will be added to suggest that provision to support a minimum of 4 cycles including adaptive cycles should be considered by the applicant.

Therefore, in respect of parking and highways the proposal is considered compliant with Policy CS11 (LPCS) and saved Policy P3 (LPFR).

Other Material Considerations

Ecology and Biodiversity

The proposal would not result in any biodiversity net loss, due to no changes to the existing amenity areas.

Landscape Character Assessment

No adverse impact on Higham Arable Farmlands Landscape area, no conflict with Policy CS12 (LPCS).

Conclusion

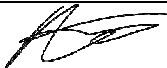
Taking all the above into account and subject to conditions, it is considered that the proposal would accord to local and national planning policy and is therefore recommended for approval.

Recommendation:

Permission

See draft Decision

Case Officer:	Mrs Amanda Grout	Team Leader:	Richard Hart
----------------------	------------------	---------------------	---------------------

Signed:		Signed:	<i>R Hart</i>
Dated:	19 th January 2022	Dated:	20th January 2022

Gravesham Borough Council