
Site Address: 184 Barncroft Way, Havant, PO9 3AN
Proposal: Change of use of from a residential dwelling (Use Class C3) to a small children's home (Use Class C2).
Application Type: Full Planning Permission
Application No: APP/24/00584 Expiry Date: 16/09/2024
Applicant: Mr Kahonde
Agent: Mr Simpson Case Officer: Tina Pickup
 RJS Planning
Ward: St Faiths

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The application site relates to 184 Barncroft Way, Havant, which is a 5 bedroomed, semi detached, two storey dwelling located on the western side of Barncroft Way, on the corner with Trosnant Road, and opposite Havant College. The dwelling is constructed of pale red brick beneath a concrete tiled gable ended roof, with flat roof front porch, and has clearly had a two storey side extension added in the past. The rear garden extends to some 21m and being a corner site there is a dropped kerb with garage and car parking space in front, at the end of the garden, off Trosnant Road. The garage is actually a double garage, shared with number 1 Trosnant Road, which is the bungalow to the rear.
- 1.2 Other than the college opposite, the area is generally residential in character, with Barncroft Way characterised by two storey dwellings and Trosnant Road characterised by chalets and bungalows. There are double yellow lines outside the site and on the junction with Trosnant Road, wherafter they become single yellow lines with daytime parking restrictions. The site is close to Havant town centre and there is a bus stop outside the site.

2 Planning History

20650/1- Two storey side extension Permitted 14/04/1978

3 Proposal

Change of use of from a residential dwelling (Use Class C3) to a small children's home (Use Class C2).

4 Policy Considerations

National Planning Policy Framework
Havant Borough Council Borough Design Guide SPD December 2011
Havant Borough Council Parking SPD July 2016

Havant Borough Local Plan (Core Strategy) March 2011

CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS7	()
DM10	(Pollution)
DM14	(Car and Cycle Parking on Development (excluding residential))
DM7	(Elderly and Specialist Housing Provision)

Havant Borough Local Plan (Allocations) July 2014

AL1	(Presumption in Favour of Sustainable Development)
AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Councillor Daniel Berwick

None received

Councillor Gillian Harris

None received

Councillor Phil Munday - St Faiths

None received

Crime Prevention

None received

Environmental Health

No comments to make

Hampshire Highways

The applicant seeks the change of use of the application site from a residential dwelling to a small children's home. It is considered that the proposed use of the site is similar to the existing use and the children's home is unlikely to generate a significant number of vehicle trips compared to that of a residential dwelling. The proposed use is likely to only generate trips associated with staff and therefore the Highway Authority raise no objection to the proposal

HCC Children's Services

None received

Housing Manager (Development)

This application is to effect a change of use from a residential dwelling to a small children's home housing up to 3 children aged 8-16, plus 3 staff in attendance daytime, but only 2 staff through the night.

This type and size of property, & request for change of use, does not trigger any affordable housing obligations so I have no comments to make other than it will provide valuable facilities and services to a very vulnerable group in our community.

Planning Policy

The following policies are of particular relevance to this proposal:

CS7 Community Support and Inclusion

DM7 Elderly and Specialist Housing Provision

DM14 Car and Cycle Parking on Development (excluding residential)

Change of Use

The application site falls within the defined urban area and is sited within an established residential area, which is not restricted by specific area policies. The proposed change of use from use class C3 to C2 is considered acceptable in principle.

Policies CS7 and DM7 support development which provide facilities and services for vulnerable groups and specialist supported housing needs. Policy CS7 specifically supports development for community support and inclusion, which emphasises the need to address the specific needs of the community, particularly the young community.

The proposal should be assessed against the Council's Parking SPD, which sets out the requirement of parking provision for Children's homes.

Conclusion

In conclusion, there are no policy objections to the proposal.

Public Health Team

None received

6 Community Involvement

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 9

Number of site notices: 2

Statutory advertisement: Not applicable.

Number of representations received: **4** - 3 of objection; and 1 neutral

Comment	Officer Comment
<u>Objections:</u>	
<u>Parking Concerns</u> road narrow; property only has 1 parking space; owners already blocking drive and access to drives; would increase traffic and need for parking for staff and visitors; if double parked restricts emergency vehicles, refuse and delivery lorries; young children could run out into traffic if not properly monitored	Enforcement of yellow lines a police matter; Blocking of drives a civil matter See section 7 below

<u>Noise Concerns</u> Trosnant Road a quiet environment ideal for a peaceful retirement; already noise from college but this stops when college ends, and KwikFit if wind from that direction - concerned a children's home will introduce continuous noise that would disrupt the tranquility of the neighbourhood, esp during evenings and weekends; concerned will be disruptive & abusive behaviour, swearing, loud music, screaming & shouting; if regular changes in children neighbours will have to contend with differing noises, behaviours and emotional issues.	Noted - see section 7 below scale of development for just 3 children considered similar to a family dwelling - see section 7 below
<u>Antisocial behaviour</u> Concerned that residents and their friends will result in gangs of youths congregating causing behaviour, language, litter and crime issues - making elderly residents fearful; as site close to busy bus stop used by college students, future residents could be misled by these older students, especially as they will be vulnerable	Noted - see section 7 Any anti-social behaviour should be reported to the management and/or police
<u>Business in Residential Area</u> Property appears to have been bought as a business venture - object to this occurring in a semi detached property - should be in a detached dwelling; not the right location for a children's home	It would remain a home for children in a residential area ie a compatible use
<u>Intensification of use</u> Concerned that owners will later extend property to create more bedrooms exacerbating issues & concerns	Can condition number of children and would need planning permission for any future extensions - see section 7 below
<u>Queries</u> could it be changed from C2 to another use without approval? is the number of children restricted to 3 in the future? Are there rules about children sharing rooms? could the office change to a bedroom in the future? 184 has had an extension; could the property extend further if C2?	Can condition to a C2 childrens home only, for just 3 children, to maintain some control over the use of the site; Not a planning matter; Internal alterations do not need planning permission but could maintain control over number of children via condition As a C2 use any future extensions would require planning permission

<u>Neutral comment:</u> Parking has been a concern in the road for some time as there is a no parking restriction weekdays until 3.30 pm. Providing reassurance can be given that;- a) the road will not be "clogged up" with the road with additional commercial traffic b) the premises will not be altered from Class C2 and that the number of children placed residentially being increased in future.	See section 7 below

7 **Planning Considerations**

- 7.1 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:
- (i) Principle of development
 - (ii) Impact upon the character and appearance of the area
 - (iii) Impact upon residential amenity
 - (iv) Highways and parking matters
 - (v) Biodiversity Net Gain (BNG)
- (i) Principle of development
- 7.2 The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria. By virtue of the 1978 extension, the existing C3 dwelling has 5 bedrooms and as such could be occupied by a large family, or a small C4 house in Multiple occupation for up to 6 unrelated individuals, without requiring planning permission. This level of use represents the fall-back position against which this application must be assessed.
- 7.3 The proposal is for a C2 children's home and it is stated that there would be 3 children between the ages of 8 to 16 and 3 members of staff on a rota basis. There would be 2 support workers and 1 manager during the day; and 2 staff overnight (one waking, one sleeping). Internally the small first floor bedroom would become a staff bathroom, and the home would therefore operate with 4 bedrooms.
- 7.4 Policy CS7 supports development that provide services for vulnerable groups, and Policy DM7 is a criteria based policy supporting specialised housing provision. The criteria relate to:
1. appropriate levels of on-site amenity space provided - *site has a large garden so complies*
 2. setting is in keeping with surrounding area - *site within a largely residential area and would provide housing for children - so a compatible use and complies*
 3. sufficient servicing space is provided - *this is aimed at ambulance, catering, laundry servicing etc associated with large nursing homes - as a small family sized home, not considered relevant*
 4. noisy services located to avoid disturbance to neighbours - *as above*
 5. not result in a concentration of such facilities - *it would not*

- 7.5 It is considered that the provision of a small children's home, that would be operated as a family home, with the children attending school, shared meals etc would be akin to a standard C3 dwelling. In terms of the principle of the use, at the scale proposed with just 3 children, there would be minimal difference to a C3 family dwelling and therefore the use is considered acceptable in principle.

(ii) Impact upon the character and appearance of the area

- 7.6 As noted above the aim of the children's home is to provide as normal a family setting for the children as possible, and therefore it is considered appropriate that the site be located in a residential area. There would be no external change to the existing dwelling which would continue to operate essentially as a family home, albeit occupied by staff and unrelated children. Overall the site would retain its character and appearance as a dwellinghouse, in accordance with policy CS16.

(iii) Impact upon residential amenity

- 7.7 Third party comments raise concern about the noise and disturbance associated with behavioural issues of the occupiers of a children's home. But this could be said of any future large family occupying the dwelling, or its use as a C4 house in multiple occupation, and is not directly a land use planning matter which cannot control behaviour. As a small children's home, with only up to 3 children, then it is considered the likely land use implications of this small scale use would be limited. It is unlikely that excessive noise and disturbance would result from 3 children over and above a standard family dwelling - there would be staff present to manage any issues, just as there would be a parent or carer. It is however considered reasonable to condition the occupation of the dwelling to the 3 children proposed, to retain control over any future intensification of use of the site, having regard to amenity and highway concerns.
- 7.8 With respect to the fear of crime and anti-social behaviour expressed by third parties, there is no evidence that this would occur. There are no other known childrens homes in the immediate area leading to a concentration of such uses, which could compound such fears. The site would be managed with staff present all the time. Unfortunately the Police Crime Prevention Team have not responded to the planning consultation, but either the management company or the police should be contacted in the event of any future issues arising. It is noted that such homes need to be registered and OFSTED approved, so there would be other legislation and bodies controlling the management of the site. Again it is considered that the small scale of the proposal is such that the likely occurrence of crime and antisocial behaviour would be minimal.
- 7.9 The level of comings and goings would be similar to a standard dwelling - the 3 children would go to school and attend groups and social activities. The 2 daytime staff arrivals and departures would not be dis-similar to 2 working parents, although it is accepted that there may be additional staff movements and more visitors than a standard dwelling. But these movements would be less than a C4 house in multiple occupation, occupied by up to unrelated 6 adults, which would not require planning permission.

- 7.10 It is considered that the impact on neighbouring amenity from this small scale children's home would not be materially more disturbing than the existing C3 dwelling, or permitted development C4 HMO. With a condition limiting the number of children to 3, then it is considered that the proposal would not cause unacceptable harm to the amenity of neighbours from any loss of privacy, outlook, noise or overlooking, in accordance with Policy CS16.

(iv) Highways and parking matters

- 7.11 The site has one parking space and one garage, although it is noted that the garage is likely to be too small for modern cars, and being behind the space unlikely to be used for the parking of a vehicle, especially by staff that would change at the end of a shift. Realistically the site has just 1 space available. The garden or garage could provide secure bicycle storage.
- 7.12 However it is noted that the site is located close to the town centre, with its bus and rail links, as well as having a bus stop directly outside. It is therefore in a very accessible location for staff and visitors. It is also noted that the children's ages would be up to 16, so they would be too young to drive - compared to a standard family where some adult children may also have cars. Current Parking standards would normally require 3 on site spaces to serve a 4 bedroom dwelling, but it is noted that the site has been occupied as a 5 bedroom house since 1978 with only 1 parking space. Having regard to this history it is considered unreasonable to resist this small scaled development based on a lack of on site parking, when 1 space and alternative modes of transport are readily available for the limited number of staff likely to be present at the site. It should be noted though that any future intensification of use of the site would need to adequately demonstrate that access and parking continues to meet the demands of the site - and hence a condition limiting the number of children to 3 would also maintain control of the access and parking arrangements for the site.
- 7.13 Hampshire County Council also note the similarity of the use compared to a family dwelling, and raise no objection on highway grounds. Third party comments do note the restricted parking due to the yellow lines, and incidents of blocked drives - but any on street parking must be done in accordance with the highway code, otherwise it is a police matter. Similarly any blocked drives by neighbours is a civil matter. There is no reason why the occupiers of the proposed development would exacerbate these issues any more than the residents of a large family or C4 HMO.

(v) Biodiversity Net Gain (BNG)

- 7.14 As a change of use application with no operational development, (the house and garden would remain unchanged), then the development is subject to the De-Minimis exemption of the Biodiversity Gain Requirements (Exemptions) Regulations 2024. To qualify *'the development must not impact an onsite priority habitat (defined as a habitat specified in a published list); secondly, the development must impact no more than 25 square metres of onsite habitat with a biodiversity value greater than zero, and no more than five metres in length of onsite linear habitat.*
- 7.15 The agent has confirmed that the garden will remain in its current form (grassed and shrubbed) and the proposal will not have any impact on onsite habitat. It is therefore considered that the development would be exempt from BNG as it would be de minimis.

8 **Conclusion**

- 8.1 Overall it is considered that compared to the existing large family C3 dwelling, or a permitted development C4 HMO for 6 adults sharing, the proposed C2 use for a children's home for 3 children, would result in minimal additional activity and comings and goings. As such it is not considered that any material harm would result to the character of the area or neighbouring amenity, and since the site is in an accessible location with 1 parking space, there would be no adverse impacts on highway safety or amenity. The proposal is therefore considered compliant with policies CS16, DM10 and DM14 of the Havant Borough Core Strategy and is recommended for permission.
-

9 **RECOMMENDATION:**

That the Head of Place be authorised to **GRANT PERMISSION** for application APP/24/00584 subject to the following conditions

- 1 The development must be begun not later than three years beginning with the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Location & Site Plan, with Parking - Drawing Number PA 03 Rev B
Proposed Floor Plans and Elevations - Drawing Number PA 02 Rev A
Planning Statement
Statement of Operation of Home

Reason: To ensure provision of a satisfactory development.

- 3 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 2015 (as amended) the premises shall be used solely for the purposes of a children's care home for up to 3 children, as defined by Class C2 of that legislation, and for no other purpose.

Reason: To maintain control of any intensification of use of the site, having regard to neighbouring amenity and parking, and policies CS16, DM10 and DM14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.