
Site Address:	24 Alexandra Avenue, Hayling Island, PO11 9AL		
Proposal:	Change of use from mixed use residential children's home and ancillary education facility to sole use as residential children's home.		
Application No:	APP/14/00107	Expiry Date:	28/03/2014
Applicant:	Mr Brown	Team:	Team 2
	Hillcrest Care Ltd		
Agent:	Mr Winzar	Case Officer:	Rachael McMurray
	Axis Architecture Ltd		
Ward:	Hayling West	DMC Lead Member	

Reason for Committee Consideration: At the request of Councillor Lenaghan following receipt of five objections against the application.

Density:

HDS Recommendation: **GRANT PERMISSION**

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1 Site Description

- 1.1 The application site is located at the south western corner of the junction of Alexandra Avenue with Victoria Avenue and comprises a large detached, three-storey property of white render and tile construction used as a residential children's home. There is a single storey classroom wing to the west side of the building, which was added following a grant of planning permission in 2009. This lies alongside the boundary with the neighbouring house no. 32 Victoria Avenue.
- 1.2 Vehicular access to the site is from Victoria Avenue and the frontage to the property provides a parking area. The site is enclosed by a variety of boundary treatments, principally comprising walling and fencing. The area is predominantly characterised by

large, low density residential dwellings of varying design. There is on site parking at the front of the building for 14 vehicles.

2 Planning History

APP/13/01042

Retention of play equipment in back garden. Approved. 18/12/2014

APP/12/00682

Variation of Condition 6 of Planning Permission 08/51588/008 to allow a maximum of 12 children to use the classroom facility. Approved 17/09/2012

APP/11/00095

Detached double garage. (Revised application). Approved 25/3/11

APP/10/00633

Variation of Condition 6 of Planning Permission 08/51588/008 to permit the classroom facility to be used by a further 4 no. children accommodated in a neighbouring home. Temporary Planning Permission Granted (12 months) 25/2/2011

APP/10/00406

Detached double garage. Refused.

APP/10/00041

Discharge of condition 2 of Planning Permission 08/51588/008. Approved.

09/51588/009

Discharge of condition 8 of Planning Permission 08/51588/008. Approved.

08/51588/008

Erection of a single storey side extension to provide classroom facilities. (Resubmission) Approved.

08/51588/007

Continued use as a care home with an ancillary education facility (D1) by the addition of a classroom block attached to the main building, Withdrawn.

08/51588/006

Detached single storey classroom block, Withdrawn.

07/51588/005

Construction of a detached 1.5 storey building providing two classrooms and offices with the roof. Refused.

06/51588/003

Erection of a single storey rear extension. Approved.

05/51588/00

Demolition of existing garage /store and erection of temporary classroom. Temporary permission granted.

02/51588/001

Outline application for the demolition of existing care home and erection of a 3 storey block comprising of 6no. 2 bed flats and associated parking utilising access onto Victoria Avenue. Refused.

91/51588/000

Rebuilding of brick boundary wall alongside Alexandra Avenue to match existing wall.
Approved.

3 Proposal

Change of use from mixed use residential children's home and ancillary educational facility to sole use as a residential children's home.

The ancillary educational facility, which is a single storey wing on the west side of the site, (along the boundary with the neighbouring dwelling no. 32 Victoria Avenue) would be converted into a self contained, living accommodation unit comprising two new bedrooms, bathroom, kitchen and lounge for occupation by two children, supported by staff who would be based in an office within the converted space. The only physical external changes would be the addition of two windows in the west elevation to light office and toilet.

The total number of children residing at the home would therefore increase from 8 to 10. During term-time Monday to Friday, the children would be collected and transported up to the new educational facility in Waterloooville and returned home at the end of the day.

The number of staff would also alter. The loss of the educational facility would mean the loss of 5no. full time staff. However, the addition of 2 further children in the self-contained unit would mean an increase in the overall staff numbers at the children's home from 20 to 23. The staff would work on a shift rota throughout the day and night.

4 Policy Considerations

National Policies

NPPF 2012

Core Strategies 2011 forming part of the HBLDF

CS16 (High Quality Design)

DM10 (Pollution)

DM14 (Car and Cycle Parking on Development (excluding residential))

Saved Policies of HBDWLP 1996 - 2011 forming part of HBLDF

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Development Engineer:

No objection to the application in terms of increase in resident numbers.

Environmental Health:

There has been no complaints to Environmental Health regarding this site in relation to noise. The increase of 2no. children would not in general be noticeable in acoustic

terms. The most appropriate way to manage potential noise would be to have adult supervision when the children are using the garden.

Crime Prevention:

No adverse comments.

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: 11

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 5

Five objections against the application have been received and the points raised in these objections are summarised below:

- a. Whilst there is likely to be a reduction in vehicle movements during the day, in term time, there is still the issue of enforcement of the existing planning terms with visitors / staff not using the car park and parking on the street, making it difficult for residents to access their driveways.
- b. Existing children also misbehave and defy staff and there have been incidence's of children entering onto neighbours sites. An increase in resident children could increase these occurrences and would be unreasonable given the existing management issues.
- c. On site managers of the home should be more vigilant in enforcing the planning terms.
- d. It is the evenings and weekends which is generally quiet time, which would be most impacted on by the increase in children residing at the home.

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 on Neighbouring Properties
- (iii) Highway Impacts

(i) Principle of development

7.2 The use of the premises as a residential home (Planning Use Class C2) appears to be a longstanding one. The relevant detailed considerations in the current application are:

the impact on neighbouring amenities and the highway.

(ii) Impact on Neighbouring Properties

7.3 Planning Permission APP/12/00682 granted approval for four children from another home to be transported to the site to use the educational facility along with the eight resident children. This meant that Monday - Friday, during day time, term time hours, there would have been twelve children on site, along with five full-time staff. The removal of educational facility addition of two resident children would therefore result in ten children on site and a consequent slight reduction of activity during these hours.

7.4 However, there would be an increase in the use of the site during evenings and weekends as a result of two additional children living in the converted education space and also, three further staff. The children would reside at the premises and therefore make use of the facilities although they would have their own self contained unit. The consideration therefore is to what extent would these additional children and staff have on the immediate residential amenity.

7.5 Concern has been raised over the existing children at the site causing noise and disturbance to residents and that a further two children would exacerbate and intensify these issues. In consideration of this it is noted that the Environmental Health Officer has raised no objection and advised that a further two children residing at the site are unlikely to have much impact in acoustic terms. They have advised that the most appropriate way to manage potential noise would be to have adult supervision when the children are using the garden. Furthermore, the Crime Prevention Officer does not raise any objections or report incidences of any anti-social behaviour in the area and its use. However, it should be noted that local residents state that they have previously attempted to resolve any issues through direct contact with the manager of the site.

7.6 It is appreciated and noted that the residents have raised concerns with the management of the home and incidences of unsocial behaviour. However, the ongoing management of the home is essentially outside the scope of planning control and furthermore it is very difficult to prove that the additional two children would significantly increase levels of noise and disturbance. It would therefore be deemed unreasonable to recommend refusal of the application on these grounds.

7.7 The conversion would comprise the inclusion of two new windows on the west elevation facing onto No. 32 Victoria Avenue. These windows would be relatively small windows to the office and bathroom. These would be obscure glazed with only the top-hung fan light being openable. They would not serve primary or recreation living spaces and it is not considered that these two windows would result in excessive levels of noise.

(iii) Highway Impacts

7.7 Concerns have been raised that staff working at the home do not use the 14no. parking spaces provided on the site but instead, park vehicles in the road making it difficult for residents to access their driveways. The 14no. parking spaces on site are in accordance with the Council's adopted parking standards. It should be noted that the Highway Engineer has not objected to the proposal. It should also be noted that local residents comment that they have previously attempted to resolve concerns about parking in the street rather than on-site by direct contact with the manager of the site, rather than through making representations to the Council. Again this relies on the quality of management of the premises, the planning function is to ensure that

there is adequate provision on-site. Provided this is met, there is no basis for refusing the current proposal on highway grounds.

8 Conclusion

- 8.1 The proposal to increase the number of children residing at the home from 8 to 10, is considered to be acceptable in principle and there is no evidence to suggest that, in itself, would have any further impact on local amenities.
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9 RECOMMENDATION:

That the Executive Head of Planning and Built Environment be authorised to **GRANT PERMISSION** for application APP/14/00107 subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date on which this planning permission was granted.
Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 No more than 10 children shall reside at the care home at any one time.
Reason: In the interests of the amenities of the area and having due regard to Policies CS16 of the Havant Borough Local plan (Core Strategy) 2011 and the National Planning Policy Framework, March 2012.
- 3 The windows in the west elevation of the extension hereby converted into living accommodation shall:-
 - (i) consist of at least two lights divided horizontally with only the top light capable of being opened, and shall be maintained in that condition at all times; and
 - ii) at all times be and remain glazed entirely with obscure glass, the particular type of which glass shall provide a degree of obscuration no less obscure than that which is provided by Pilkington's Texture Glass Obscuration Level 4.
Reason: In the interests of the amenities of the occupiers of nearby properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 4 The development hereby permitted shall be carried out in accordance with the following approved plans:

Design and access statement - January 2014
Site and location plans - Drwg No. 13-29-01 C
Existing floor plans - Drwg No. 13-29-02 A
Proposed plans - Drwg No. 13-29-04 B
Elevations - Drwg No. 13-29-03 B

Reason: - To ensure provision of a satisfactory development.

- 5 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no additional windows / doors or other openings shall be constructed within the west elevation of the living accommodation hereby approved without the prior written approval of the Local Planning Authority.
Reason: In the interests of the amenities of the occupiers of nearby properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

Appendices:

Appendix A – Site Plan and Block Plan

Appendix B – Existing floor plans and elevations

Appendix C – Proposed floor plans and elevations

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