

PLANNING, DESIGN AND ACCESS STATEMENT

Change of Use of 9 - 11 St Mary's Road from a Residential Language to School to use as a Residential Care Home for Children

HAVANT BOROUGH COUNCIL
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Hillcrest
Positive Actions, Positive Outcomes

April 2011

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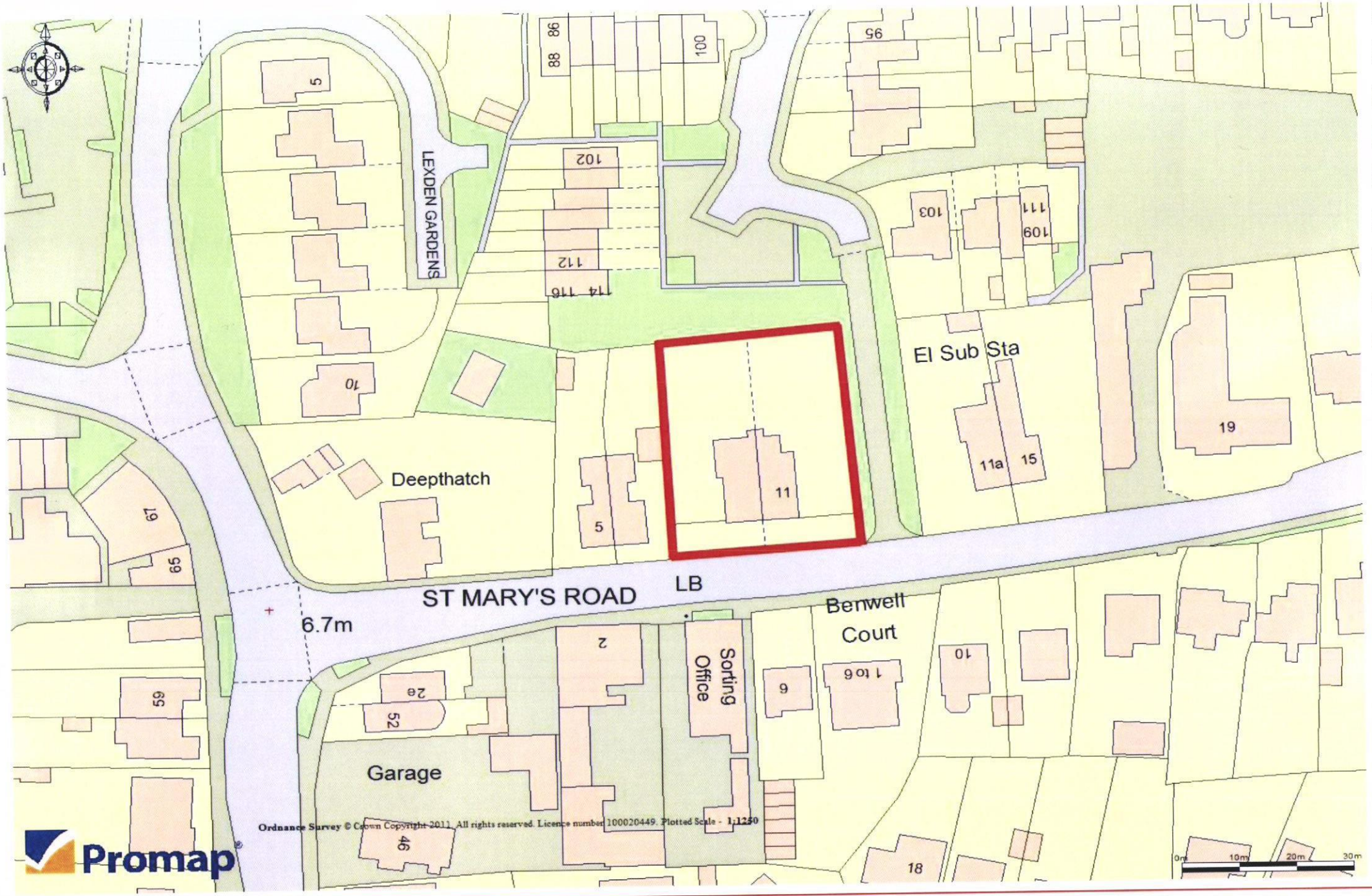

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1.0 INTRODUCTION

Neame Sutton Limited is Instructed by Hillcrest Care Limited to prepare and submit a Planning, Design and Access Statement to support a full detailed planning application on land known as 9-11 St Mary's Road, Hayling Island for:

"Change of use of 9-11 St Mary's Road from a Residential Language School to use as Residential Care Home for Children"

The application site currently comprises two semi-detached properties and have been used as a Residential Language School since 1992. Prior to this the properties had been used as a Residential Care Home for up to 25 Elderly Persons since 1990, although the use of No.9 St Mary's Road as a Residential Car Home for the Elderly has established since 1967.

Whilst the proposed use as a Residential Care Home for Children and the existing/previous uses all fall with the Use Class C2, the site has a complex planning history that makes it necessary to seek planning permission even for those uses falling within the same C2 use class.

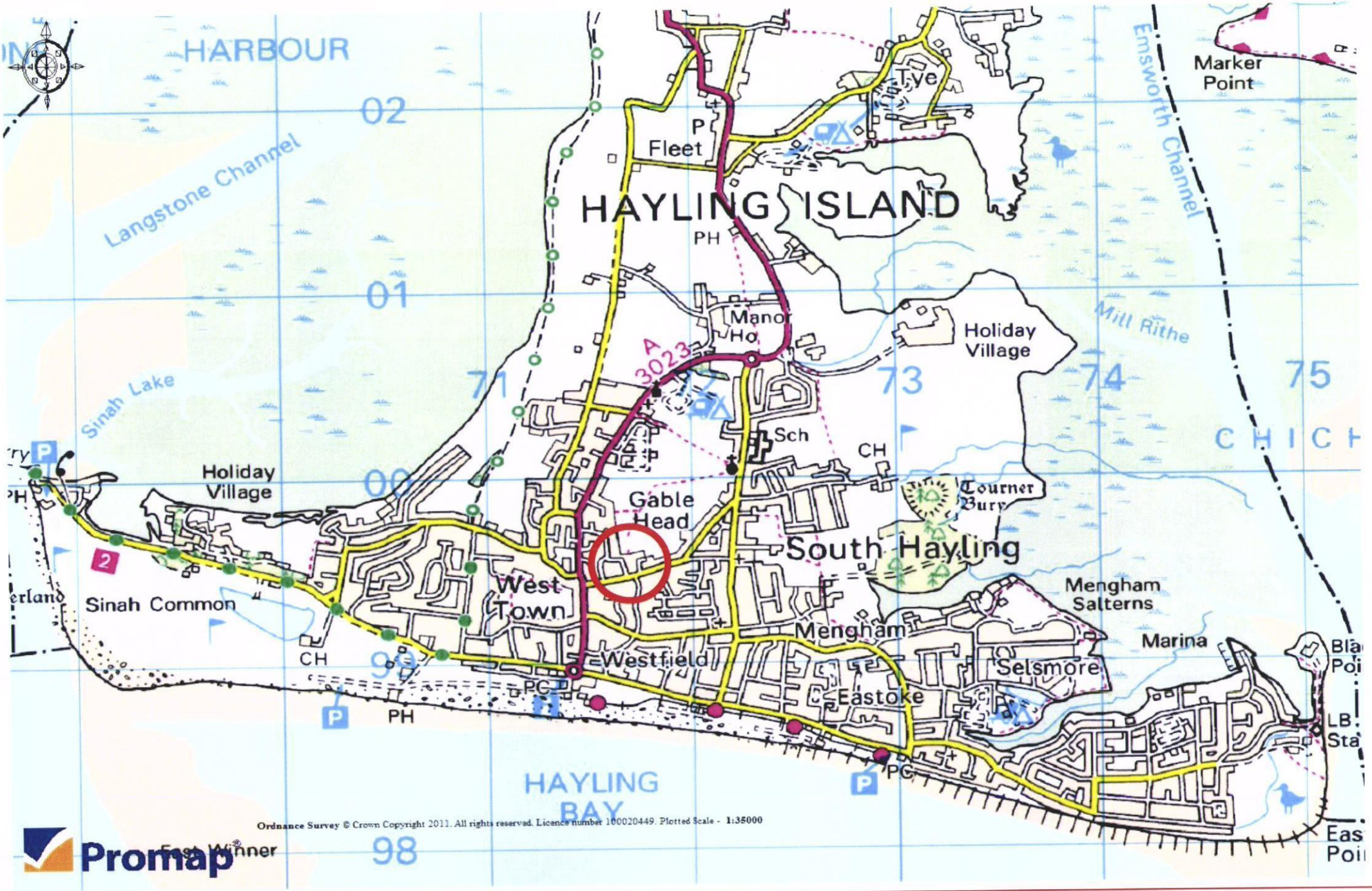
Hillcrest

Hillcrest Care, established in 1994, is one of the few larger child care groups which is still in private ownership and has a real focus on the outcomes for their children.

With ten specialist children's homes in England and Wales catering for children with Emotional and Behavioural Difficulties, Hillcrest also run six fully registered DCSF schools which provide full curriculum coverage through qualified teachers and support staff.

Hillcrest Care prides itself on being able to provide a stable, secure and supportive environment, in which the people they care for can develop the skills and confidence necessary to help fulfil their potential.

Hillcrest also operate national fostering services, specialist education for children with an autistic spectrum condition (ASC) (including Asperger's syndrome) and for individuals with learning disabilities.


HARBOUR
Langstone Channel
Emsworth Channel
Marker Point
Tye
Fleet
HAYLING ISLAND
PH
Manor Ho
A 3023
Holiday Village
Mill Rithe
Sinah Lake
Sch
CH
Holiday Village
Gable Head
Tourner Bury
South Hayling
Sinah Common
West Town
Mengham Salterns
Mengham
Marina
Westfield
Selsmore
Eastoke
PC
PH
HAYLING BAY
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2.0 SITE DESCRIPTION

(i) Surrounding Area

The site is situated within the defined urban area of Hayling Island which forms one of five distinct areas within Havant Borough and also forms part of the Partnership for Urban South Hampshire (PUSH) region.

Hayling Island is separated from the remainder of the Borough by Chichester and Langstone Harbours with the Langstone Bridge (A3023) providing a link to the mainland.

The majority of the island is open countryside and farmland with a concentration of urban development to the south of the island.

In terms of public transport provision, Hayling Island is well served by regular bus services (Nos. 30 & 31) which provide links to Havant Bus and Rail Stations. There is a bus stop situated approximately 120m to the west of the site along Beach Road (A3023).

(ii) The Site

The site comprises two semi-detached properties set within generous plots, with two independent accesses and parking situated to the north of St Mary's Road.

The site lies in close proximity to the West Town Local Centre which provides a local range of services and facilities, including a Post Office.

The boundaries of the site are characterised by mature landscape planting and trees which provide a robust defendable screen. The eastern boundary of the site is abutted by a single track vehicular access which leads to Fathom's Reach to the north. Residential properties lies to the north and west of the site.

No.9 St Marys Road		No.11 St Marys Road	
Reference	**Description**	**Reference**	**Description**
18230 **Granted 15.02.67**	Change of Use to Elderly Persons' Rest Home	4990/3 Granted 16.08.58	Erection of Squash Court at Southleigh Holiday Camp
18230/3 Granted 27.09.84	Residential Accommodation to replace existing	88/51198 Granted 04.08.88	Conversion of existing dwelling into two self-contained flats
89/52772 Refused 19.05.89	Single storey side and rear extension and associated works to rest home	88/51198/2 Refused 21.03.89	Demolish existing squash courts and erect two self-contained flats and provision of parking facility
89/52772/3 (Nos. 9 and 11) – Granted 05.04.90 Demolition of existing 2 single storey buildings at rear, change of use to rest home, erection of 2 storey rear extension to provide 25 bed rest home, associated servicing and parking facilities			
92/52772/4 Permission not required 18.05.92	Section 64 Determination for change of use from residential care home to residential language home	92/51198/3 Granted 13.08.92	Change of use to multiple occupancy for 10 persons
92/53993 (Nos.9 and 11) – Refused 26.08.92 Pair of semi-detached 2 bed houses and garages			
06/52772/5 Refused 22.09.06	Construction of 1 No. detached 2 bedroom bungalow with associated car parking and new access to St. Marys Road	94/53993/1 Refused 23.06.94	Demolition of existing building and erection of 3 bed bungalow with detached garage and access from Fathoms Reach

3.0 PLANNING HISTORY

Those permissions of relevance are highlighted in red in the table opposite and demonstrate that the principle of a Residential Care Home for Elderly Persons was first established in 1967 at No. 9 and then later in 1990 at No.11.

It is worthy of note that Condition 2 imposed 89/52772/3 prohibits the use of the properties for any other use including other C2 uses.

As such a Section 64 application was submitted to the Council to clarify whether a change to a Residential Language School required planning permission. The Council considered that planning permission was not required and In 1992, the properties then became used as a Residential Language School mainly for Italian students resided at the property whilst being taught English.

During 1992, permission was granted at No.11 for an HMO for up to 10 people and it is believed that this use was never implemented.

In light of Condition 2 of 89/52772/3, the Applicant is of the opinion that express permission is required is required for any C2 use other than as a Elderly Persons Residential Care Home.

However it is understood following discussions with the Council that as the use of No.9 has already been established in 1967, the change of use being sought in 1989 related only to No.11 and therefore the imposition of Condition 2 89/52772/3 only applies to No.11 and not No.9

In determining the need or otherwise for express planning permission for the use of the residential care home for children as proposed by the Applicant. Whilst the Applicant and Council have taken a different interpretation, and therefore it is questionable whether permission is required in relation to No.9 (in light of the Section 64 determination), both parties are in agreement that planning permission is required in relation to No.11

For completeness and in order to provide the Applicant with greater certainty it is considered appropriate to seek planning permission for the change of use for Residential Care Home for Children in relation to both properties.

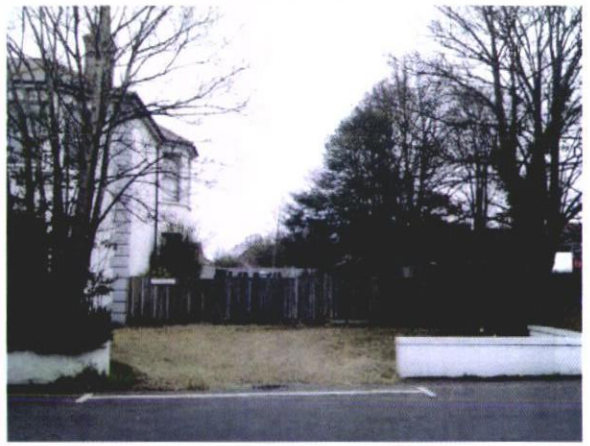













KEEP
CLEAR





4.0 PROPOSED DEVELOPMENT

This full detailed planning application seeks the change of use of 9-11 St Mary's Road to use as a Residential Care Home for Children. The development will provide accommodation for up to 8 children with 4 members of staff present on site at all times to provide care. In addition a Manager will be present on site during the hours of 9am to 5pm.

No staff will be resident on the site as part of the proposed development, who will work a rotational shift pattern comprising of an 8 hour shift.

The total gross external area of the building is 352 square metres and there will no external changes to the exterior building. The residents of the home will benefit from the use of the following communal facilities:

- Kitchen
- Bathrooms
- Lounge
- Garden

The bedroom sizes all exceed the current National Care Standards.

The main entrance to the building will remain unchanged as part of the proposed development, with vehicular, cycle and pedestrian access to be provided to the front of the site directly fronting St Mary's Road.

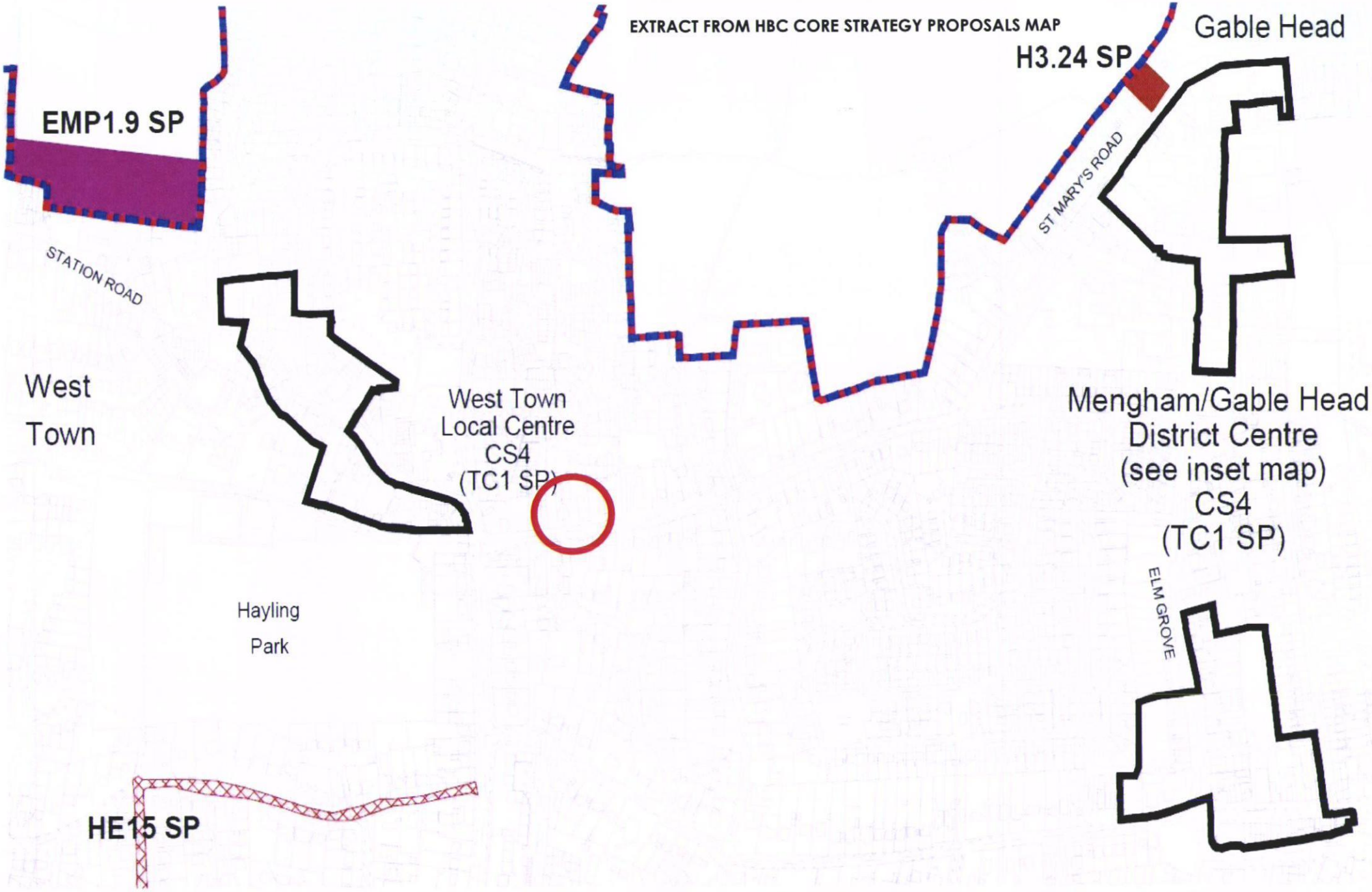
The site currently benefits from two access points onto St Mary's road and it is intended that these are retained to allow vehicles to safely enter and leave the site in a forward gear.

The properties benefit from 10 no. existing vehicular parking spaces and these will be retained as part of the development to the front of the building.

By reason of the young age of the residents there will not be any car owners resident on site. The parking spaces provided are intended for staff and visitors.

Cycle parking will be provided to the front of the site in the form of 2 no. Sheffield stands.

The rear garden will remain unchanged as part of the proposed development and will be utilised as amenity area for use by both residents and staff.


EXTRACT FROM HBC CORE STRATEGY PROPOSALS MAP
EMP1.9 SP
H3.24 SP
Gable Head
STATION ROAD
ST MARY'S ROAD
West
Town
West Town
Local Centre
CS4
(TC1 SP)
Mengham/Gable Head
District Centre
(see inset map)
CS4
(TC1 SP)
Hayling
Park
ELM GROVE
HE15 SP

5.0 PLANNING POLICY FRAMEWORK

The planning policy framework relevant to this Application comprises Planning Policy Statements (PPSs), Planning Policy Guidance Notes (PPGs), the South East Plan and the adopted Havant Borough Core Strategy (March 2011). The following components of which are considered to be of particular relevance:

(i) National

PPS3: Housing (June 2010) PPS3 sets out the Government's policy in relation to planning for housing as part of its overall Sustainable Communities agenda. The Government's key housing policy goal is to ensure that everyone has the opportunity of living in a decent home, which they can afford, in a community where they want to live.

When determining planning applications paragraph 69 of the PPS states that LPAs should have regard to:

- Achieving high quality housing
- Ensuring developments achieve a good mix of housing reflecting the accommodation requirements of specific groups
- The suitability of a site for housing, including its environmental sustainability
- Using land effectively and efficiently

PPG13: Transport (January 2011) PPG13 sets out the Governments objectives for the integration of transport and development in order to ensure sustainable patterns of transportation, with an emphasis on maximising opportunities for sustainable modes of travel such as walking, cycling and the use of public transport.

PPG24: Planning and Noise (October 1994) PPG24 sets out advice on how the planning system can be used to minimise the adverse impact of noise without placing unreasonable restrictions on new development.

(ii) Regional

The South East Plan was adopted in May 2009 and provides the strategic planning framework for the region up to 2026.

Under the Coalition Government it had been intended that Regional Spatial Strategies would be revoked, confirmed in a letter to Chief Planning Officers dated 06 July 2010.

However, following a High Court Challenge mounted by Cala Homes (South) Limited against the decision of the Secretary of State, Mr Justice Sales found in favour of the claimant that the South East Plan had been revoked unlawfully. In light of this decision the South East Plan remains part of the Development Plan for the purposes of Section 38 (6).

Whilst not set out in detail here the Applicant's design team has had full regard to the policies and proposals of relevance in preparing this application proposal.

(iii) Local

The recently adopted Havant Borough Council Core Strategy (March 2011)sets out the detailed framework for development in the District until 2026. The DPD also contains Development Management policies which provide guidelines for specific developments

The policies of relevance to this application comprise:

Policy CS1	Health and Wellbeing
Policy CD2	Employment
Policy CS7	Community Support and Inclusion
Policy CS14	Efficient Use of Resources
Policy CS17	Concentration & Distribution of Development with the Urban Areas
Policy CS21	Developer Requirements
Policy DM7	Elderly and Specialist Housing Provision
Policy DM14	Car and Cycle Parking on Development

The above policies seek to ensure that proposals for new development are situated in the most sustainable locations and achieve a high standard of design that balances the need to make best use of urban land whilst respecting the character and appearance of the surrounding area.

Policy DM7 is most relevant to the proposed development and states that within the defined urban areas development specific to the requirements of the elderly, people with disabilities or other forms of specialised supported housing provision will only be permitted provided that the following relevant criteria are met:

- It is demonstrated that appropriate levels of on-site amenity space are accessible for residents' use which provides a satisfactory outlook for all residents.
- A setting for the building is provided which is in keeping with the surrounding area.
- Sufficient space for servicing is provided.
- Services that may generate noise and disturbance (such as laundry rooms, kitchens and refuse storage) are located and designed to avoid undue disturbance to the amenities of neighbouring properties.
- The development would not result in a concentration of such uses in one of the five areas of the borough or an over-concentration within each of these areas.

Policy DM14 sets out the parking standards with respect to non-residential development and these are detailed in Appendix 5 to the Core Strategy.

In the preparation of this application full regard has been had the above policies and these are examined in detail in the next section of this Statement.

6.0 PLANNING, DESIGN & ACCESS CONSIDERATIONS

(i) The Principle of Development

As a starting point, it is relevant to note that historically the Council has considered the provision of a Residential Care Home for the Elderly for up to 25 persons (C2 Use Class) to be acceptable on this site, albeit that the properties are not currently used as such.

In addition, the current lawful use of the site (as a Residential Language School) establishes the principle of a C2 use on the site. Both these uses operate a more intensive use of the site especially when considered in terms of the number of vehicular movements.

The application site is located within the urban area of Hayling Island wherein the principle of a Residential Care Home for Children are acceptable in principle in accordance with Policy DM7 of the Havant Borough Core Strategy.

Policy DM7 sets out five criteria by which the proposed development should be assessed against.

1. *It is demonstrated that appropriate levels of on-site amenity space are accessible for residents' use which provides a satisfactory outlook for all residents.*

By virtue of the combination of both properties gardens the children will benefit from a large private amenity space for their recreational needs.

2. *A setting for the building is provided which is in keeping with the surrounding area.*

The street scene will remain unchanged and there will be no external changes to the building and therefore it is considered that the setting of the building is appropriate having regard to the surrounding area, thus satisfying the requirements of criteria 2.

3. *Sufficient space for servicing is provided.*

The existing driveway to the front of the properties provides ample space for servicing. There will be a maximum of five deliveries per week and waste will be collected by a private contractor. On this basis it is considered that the requirements of criteria 3 are satisfied.

4. *Services that may generate noise and disturbance (such as laundry rooms, kitchens and refuse storage) are located and designed to avoid undue disturbance to the amenities of neighbouring properties.*

In all other respects (I.e. Kitchen and laundry) the property will function as a private domestic dwelling.

The property is situated within a spacious plot and as such benefits from significant separation distances to the nearest residential properties as detailed below:

North: 37 metres
East: 30 metres
South: 27 metres
West: 13 metres

On the basis of the above separation distances it is considered that adverse impact of the amenities of the neighbouring occupiers will arise as a consequence of the proposed development and that criteria 4 is satisfied.

5. *The development would not result in a concentration of such uses in one of the five areas of the borough or an over-concentration within each of these areas.*

In relation to the fifth criteria, it is not considered that the development would result in an over-concentration of such uses within Hayling Island as there are currently 2 other Children's Homes located on Hayling Island. In addition, within the immediate environs of the site there are a number of different land uses which include residential, employment and retail.

In summary, it is considered that the proposed development accords will the provisions of Policy DM7 and represents a less intensive use of the site and therefore development is acceptable in principle subject to other policies contained within the Local Development Framework.

(ii) Parking Provision

Policy DM14 and Appendix 5 set out the maximum parking standards for vehicles and cycles in relation to homes for children and these are:

1 space per residential staff
0.5 space per non-residential staff
0.25 space per client (for visitor parking)
Minimum 2 cycle stands

On the basis there are no residential staff it is considered appropriate to calculate the vehicular parking requirement on the basis of 5 no. non-residential staff will be present on the site at any one time (4 carers working 24 hours on a shift basis and 1 Manager working 9 to 5). This generates a requirement for 2.5 spaces.

On the basis there will be up to 8 children resident on the site this would generate a requirement for 2 no. spaces.

This totals a requirement for 5 spaces when rounded up to the nearest number.

The existing parking layout provides parking for 10 no. vehicles and therefore it is considering that the parking requirement generated by the proposed development is satisfied in accordance with Policy DM14.

Provision will be made on site for 2 no. Sheffield stands in accordance with the requirements of Policy DM14 and Appendix 5 of the Core Strategy.

An indicative layout for parking is shown on Page 17. The Applicant is willing to accept an appropriately worded condition requiring details of car and cycle provision at the site to be approved prior to the occupation of the development.

(iii) Servicing Area and Waste

Waste will be collected by a private contractor. It is proposed the bin storage area (along with vehicular parking) is provided to the east of No.11 and the servicing area is provided to the west of No.9. An indicative layout is shown on Page 17. This will necessitate the removal of the existing fences to the side of the properties as shown in the accompanying site photographs.

The Applicant is willing to accept an appropriately worded condition requiring details of bin storage at the site to be approved prior to the occupation of the development.

The location the bin storage and servicing area are considered appropriate and therefore no adverse impacts from neighbouring amenities will arise.

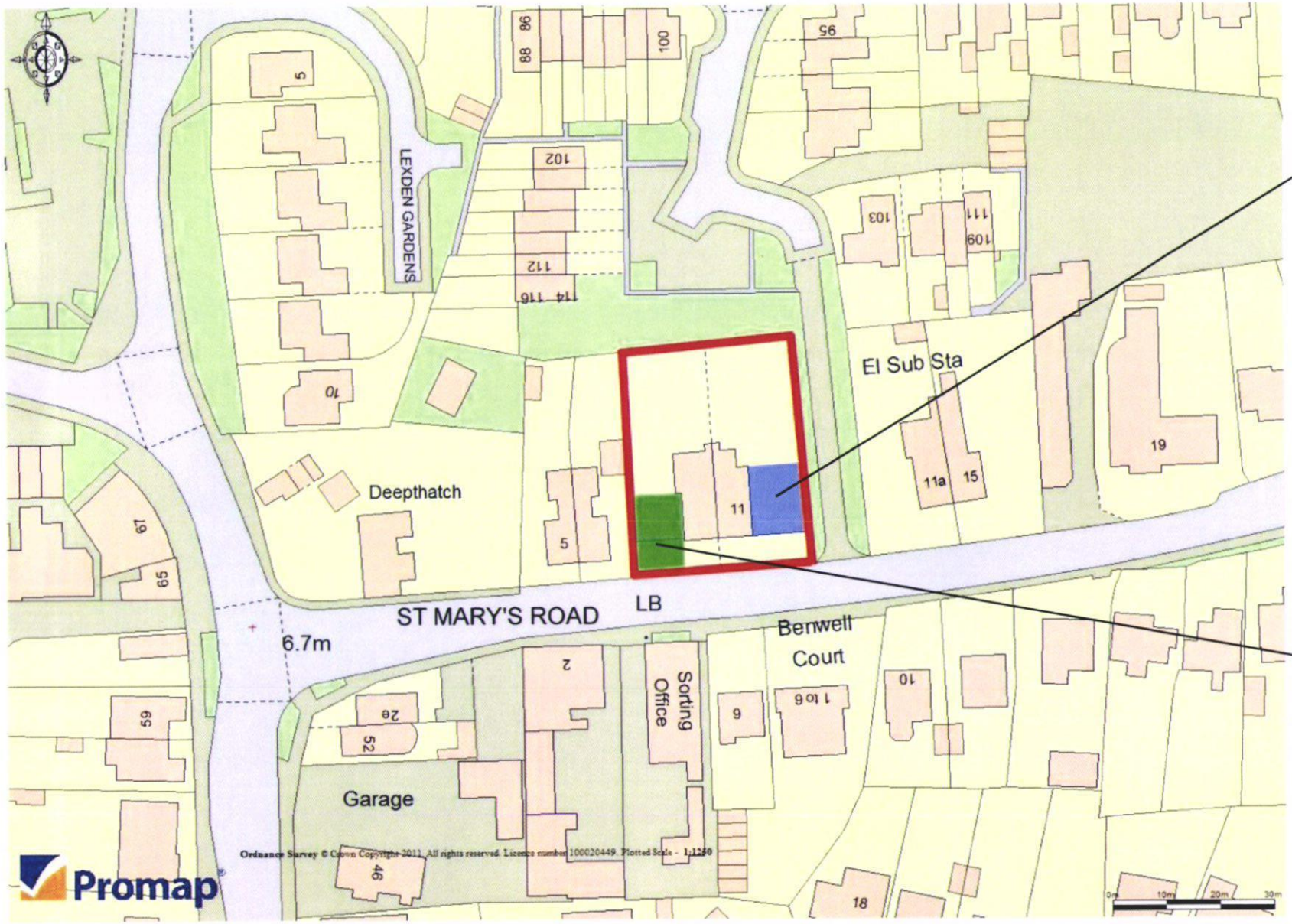
(iv) Impact upon Neighbouring Amenities

The site enjoys the benefit of a generous plot and therefore it is considered that there will no adverse impact upon the amenities of neighbouring occupiers as a result of the proposed development.

It is argued that the use of the site as a Residential Care Home for Children is similar to its current use as a Residential Language School. Furthermore, Hillcrest Care seeks to replicate a family environment for the residents and it is intended the properties will be used as such. It is considered that that the proposed development will not result in undue noise and disturbance to neighbouring properties.

In terms of privacy and overlooking there will be no external changes to the properties and therefore there will be no additional impact upon the amenities of neighbouring occupiers by virtue of loss of privacy or overlooking.

INDICATIVE SITE LAYOUT SHOWING AREAS FOR CAR PARKING, BIN STORAGE & SERVICING



7.0 SUMMARY AND CONCLUSION

In summary, the proposed development comprises the Change of Use of No.9 and 11 St Mary's Road from a Residential Language School to use as a Residential Care Home for Children.

The means of access and external appearance of the building will remain unchanged as part of the proposed development and the existing amenity area to the rear will be maintained for use by both staff and residents.

The principle of a Residential Care Home for Children is accepted under Core Strategy Policy DM7 and the principle of C2 uses on the site has been established by the previous uses as a Residential Care Home for the Elderly and Language School. It is considered that the proposed use represents a less intensive use of the properties.

The proposed development will not have an adverse impact on the amenities of nearby occupiers and will not result in highway safety implications.

The proposed development makes appropriate provision for the storage of bins and servicing and the Applicant is content to secure this by condition, should the Council consider it appropriate.

In conclusion, the application proposals represent an appropriate change of use of the site, which is situated within the defined urban area, and it is considered that the proposed development fully accords with the provisions of the Development Plan.

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