

Item No. 14

APPLICATION NUMBER	CB/18/00615/REG3
LOCATION	Franklin House, Brewers Hill Road, Dunstable, LU6 1UU
PROPOSAL	REG 3: Change of use: from Care Home (formerly known as Greenacre) to temporary accommodation for homeless people (shared facilities)
PARISH	Dunstable
WARD	Dunstable Northfields
WARD COUNCILLORS	Cllrs Freeman & Warren
CASE OFFICER	Debbie Willcox
DATE REGISTERED	15 February 2018
EXPIRY DATE	12 April 2018
APPLICANT	Central Bedfordshire Council
AGENT	
REASON FOR COMMITTEE TO DETERMINE	The Council is the applicant and objections have been received.
RECOMMENDED DECISION	Regulation 3 - Recommended for Approval

Summary of Recommendation:

The site is located in a sustainable location and the change of use has brought an empty building back into use whilst meeting urgent housing needs and contributing towards a mixed and inclusive community. The management regime will ensure that change of use does not have a harmful impact on the character of the area or the amenities of neighbouring residents. No highways issues are anticipated. The change of use is therefore considered to conform with Section 6 of the NPPF, policy BE8 of the South Bedfordshire Local Plan Review and policies H1, HQ1 and T3 of the emerging Local Plan.

Site Location:

The application site comprises a former care home facility located on the south east side of Brewers Hill Road in Dunstable. The area is predominantly residential, but Beecroft Academy lies to the south and Westfield nursery is located to the south east.

The former care home building is a part single, part two storey building, set broadly in a quadrangle, which comprised 42 bedrooms in five blocks, each block being served by communal dining areas and lounges. There is a parking area with 21 parking spaces and a communal garden in the centre of the quadrangle. There is also landscaped open space to the front of the site and around the edges of the buildings.

The Application:

The application seeks retrospective planning permission for the change of use of the site from a Care Home (C2) to temporary accommodation for homeless people with shared facilities (Sui Generis).

There have been no external alterations to the building, but internally, shared kitchens are being provided to each of the communal dining rooms and additional bathing and washing facilities are being provided.

The facility will be used to provide temporary accommodation for individuals and families who have presented to CBC as homeless and in priority need. The accommodation is not supported housing and is not somewhere where people with dependency issues will be sent for rehabilitation. Housing staff are present on site during normal working hours to provide support and guidance and a security guard is present in the evenings and weekends.

RELEVANT POLICIES:**National Planning Policy Framework (2012)**

Section 6: Delivering a wide choice of high quality homes

South Bedfordshire Local Plan Review

BE8 Design Considerations

T10 Parking - New Development

(Having regard to the National Planning Policy Framework, the age of the plan and the general consistency with the NPPF, policy BE8 is still given significant weight. Policy T10 is afforded less weight).

Central Bedfordshire Local Plan - Emerging

The Central Bedfordshire Local Plan has reached submission stage and was submitted to the Secretary of State on 30 April 2018. The National Planning Policy Framework (paragraph 216) stipulates that from the day of publication, decision-takers may also give weight to relevant policies in emerging plans unless material considerations indicate otherwise. The apportionment of this weight is subject to:

- the stage of preparation of the emerging plan;
- the extent to which there are unresolved objections to relevant policies;
- the degree of consistency of the relevant policies in the emerging plan to the policies in the Framework.

Reference should be made to the Central Bedfordshire Submission Local Plan which should be given limited weight having regard to the above. The following policies are relevant to the consideration of this application:

H1: Housing Mix

HQ1: High Quality Design

T3: Parking

Relevant Planning History:

Application Number	SB/85/00418
Description	Erection of Elderly Persons Home and Day Centre
Decision	Planning permission granted
Decision Date	30/08/1985

Consultees:

Dunstable Town Council No objections.

Highways Officer The proposed development is a change of use from C2 care home to Sui Generis temporary accommodation for homeless people (shared facilities).

Unfortunately, there are no specific parking standards for the proposed use therefore I cannot comment on the parking demand. However, the applicant has stated that there is vehicle parking for 21 cars within the curtilage of the property.

Visibility at the junction of the access on to Brewers Hill Road is acceptable and there are no reported road traffic accidents within the vicinity of the site.

I would not wish to raise any highway objection to the application.

Pollution Team No objection.

Police Liaison Officer (Initial comments) The change of use may raise the crime risk profile for the area. Queries what preventative measures have been included.

Police Liaison Officer (Final comments) Having discussed the application with the Housing Team I now believe that adequate provision for security has been provided in respect of the site's management. My concerns have therefore been addressed.

Other Representations:

Neighbours

70, 83 & 84 Brewers Hill Road, 33 Ashcroft and 57 Westfield Road

Object to the application for the following reasons:

- The site is on a route to school and young children should not have to witness the problems that follow a homeless shelter;

- There is a school, a nursery, a park and elderly residents accommodation in the vicinity, which would be endangered by the proposal.
- Two incidents have taken place at the property which involved anti-social behaviour in one case and a medical emergency in the other. Local residents should be informed about the people who would be housed in the facility. The incidents suggest that safety and potential intimidation of young and old local residents could occur;
- The homeless accommodation will cause crime figures to rise. Properties in Ashcroft are particularly vulnerable as the back gardens adjoin the lane leading up from Franklin House. The lane is likely to become an area of drug and other criminal activity;
- The proposal will cause surrounding house prices to lose value;
- Insufficient local consultation has been carried out;

Westfield Nursery A letter has been received raising concerns about the lack of secure fencing between the nursery grounds and the site.

Beecroft Academy Would like more information about the proposed use. Would like perimeter fencing to be completed where the shrubs and bushes are located to ensure safeguarding of all parties.

194 Southwood Road Supports the application as it would benefit those who are at risk of homelessness.

Determining Issues:

The main considerations of the application are;

1. Principle of Development
2. Affect on the Character of the Area
3. Neighbouring Amenity
4. Highway Considerations
5. Other Considerations

Considerations

1. Principle of Development

1.1 The application site is located within a built-up, predominantly residential area within close proximity to public transport links. Dunstable Town Centre is located approximately 1.2km walk / drive from the site. The site is therefore considered to be in a sustainable location.

- 1.2 Section 6 of the NPPF requires Local Planning Authorities to create sustainable, inclusive and mixed communities and ensure that sufficient affordable housing to meet the needs of their communities. It also encourages Local Planning Authorities to bring empty buildings back into residential use.
- 1.3 Policy H1 of the emerging Local Plan also seeks to meet the needs of all sections of the community and to encourage sustainable, inclusive and mixed communities.
- 1.4 The change of use has resulted in an empty building in a sustainable location being brought back into use to provide accommodation to meet identified housing needs. It is considered that the change of use is in accordance with Section 6 of the NPPF and policy H1 of the emerging Local Plan and is acceptable in principle.

2. Affect on the Character of the Area

- 2.1 As there have been no external changes as a result of the change of use, there is no physical impact on the character of the area.
- 2.2 The change of use may result in some level of change to the character of the area by introducing a different demographic to the site than the previous care home occupants. The positive aspect of this is that this may lead to a more inclusive and mixed community in the area.
- 2.3 The concerns of neighbouring residents are noted and should carry weight, as the perception of crime risk is a material planning consideration. However, the Police Liaison Officer has scrutinised the proposed management arrangements and has confirmed that he no longer has concerns in relation to the application. It is considered that this is sufficient to remove reasonable fears of crime and provide an acceptable level of reassurance to concerned local residents.
- 2.4 It has been confirmed that all potential residents will be risk-assessed before they are offered accommodation at the facility. The prospective residents would not have dependencies such as alcohol or drug addictions requiring treatment, because specialist accommodation exists elsewhere to cater for those people. The management arrangements, including support staff on site during the working day and a security guard out of office hours would minimise any negative impacts on the local community in terms of the change of demographic of residents of the site.
- 2.5 Therefore it is considered that the change of use will not have a harmful impact on the character of the area and will therefore conform with policy BE8 of the South Bedfordshire Local Plan Review and Policy HQ1 of the emerging Local Plan.

3. Neighbouring Amenity

- 3.1 As there are no physical changes, there will be no impact on the amenity of neighbouring occupiers in terms of privacy, loss of light or overbearing.
- 3.2 The changing demographic of the facility may result in an increase in activity and noise at the site, however, it is considered that the management regime at the site (described above) would be responsible for ensuring that noise emanating from the site would not be excessive.
- 3.3 The comments of Westfield Nursery School and Beecroft Academy are noted and it is considered reasonable to impose a condition requiring the erection of fencing along the boundaries of the site with Westfield Nursery School and Beecroft Academy, to be retained thereafter.
- 3.4 Among the representations is concern as to the impact of the application on local house prices. This is not a material planning consideration and cannot be taken into account during the determination of this application.
- 3.5 Subject to the imposition of the recommended condition, the change of use of the site is therefore considered to conform with the policies set out above.

4. Highway Considerations

- 4.1 The site has 21 car parking spaces and the comments of the Highways Officer in regards to parking provision are noted. Having regards to the demographic of the occupants, it is considered that the new use is unlikely to generate a materially greater amount of parking demand than the previous care home use and therefore the proposal is unlikely to have an impact on the safety and capacity of the surrounding highway network.

5. Other Considerations

5.1 Human Rights issues:

The application raises no Human Rights issues.

5.2 Equality Act 2010:

On the basis of the use of the site, it is considered appropriate to impose an informative advising the applicant of their responsibilities under the Equality Act 2010.

Recommendation:

That Planning Permission be APPROVED subject to the following:

RECOMMENDED CONDITIONS

- 1 Within three months of the date of this permission secure fencing of either palisade or close boarded style with a height of 1.8m - 2m shall be erected on the boundaries of the site with Westfield Nursery School and Beecroft Academy and shall be retained thereafter.

Reason: To safeguard occupiers of the site and users of the neighbouring sites.

(Policy BE8, SBLPR and Section 7, NPPF)

- 2 The development hereby permitted relates to the details shown on the submitted plan: location plan dated 02 February 2018.

Reason: To identify the approved plan and to avoid doubt.

INFORMATIVE NOTES TO APPLICANT

1. In accordance with Article 35 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the reason for any condition above relates to the Policies as referred to in the South Bedfordshire Local Plan Review (SBLPR) and the National Planning Policy Framework (NPPF).
2. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
3. This permission is granted under the provisions of Section 73A of the Town and Country Planning Act 1990.
4. The applicant's attention is drawn to their responsibility under The Equality Act 2010 and with particular regard to access arrangements for the disabled.

The Equality Act 2010 requires that service providers must think ahead and make reasonable adjustments to address barriers that impede disabled people.

These requirements are as follows:

- Where a provision, criterion or practice puts disabled people at a substantial disadvantage to take reasonable steps to avoid that disadvantage;
- Where a physical feature puts disabled people at a substantial disadvantage to avoid that disadvantage or adopt a reasonable alternative method of providing the service or exercising the function;
- Where not providing an auxiliary aid puts disabled people at a substantial disadvantage to provide that auxiliary aid.

In doing this, it is a good idea to consider the range of disabilities that your actual or potential service users might have. You should not wait until a disabled person experiences difficulties using a service, as this may make it too late to make the necessary adjustment.

For further information on disability access contact:

The Centre for Accessible Environments (www.cae.org.uk)
Central Bedfordshire Access Group (www.centralbedsaccessgroup.co.uk)

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 6, Article 35

Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

DECISION

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