

28 Burnham Avenue, Bognor Regis, PO21 2JU

PLANNING STATEMENT

Change of Use from C2 to house for unaccompanied minors (Sui Generis)

February 2017



Application by PA Ark Projects LTD

PLANNING STATEMENT

	Name	Signature	Date
Prepared by	Christine Dadswell		06/02/2017
Checked by	Stephen Clarke		06/02/2017

	Checked by		
Revision	Name	Signature	Date

ASP
Old Bank Chambers
London Road
Crowborough
TN6 2TT

01892 610408

February 2017

INTRODUCTION

1. This statement is submitted on behalf of the applicant; PA Ark Projects Ltd, and relates to the property at 28 Burnham Avenue, Bognor Regis, West Sussex, PO21 2JU. The proposals seek to change the existing use of the property (C2) to a sui-generis use to house unaccompanied minors aged between 16 and 21. The application is submitted in full.
2. Section 2 of the statement provides details concerning the site and surrounding area, with the planning history for the existing property and relevant applications in the local area detailed at Section 3. Section 4 of the statement then sets out the planning policy behind the application with Section 5 describing the detailed considerations for the site before reaching a conclusion in Section 6.

THE SITE AND SURROUNDING AREA

3. The site is located within the built-up area of Bognor Regis within the development boundary. Given the site's location near to the centre of town, approximately 0.7 miles, it is close to several retail, educational and leisure facilities, most of which are within walking distance of the site. The site is located a 0.2 mile walk from Bognor Regis train station, which provides access to London Victoria as well as other destinations along the south coast. In terms of bus stops, there are several located along Linden Road, also a 0.2 mile walk from the site. This demonstrates that the site is seen to be in a sustainable location.

APPLICATION CONTEXT

4. The applicant's PA Ark Projects main line of work is to provide care homes and houses of multiple occupation (HMO's) for individuals with learning difficulties. This line of work has led to them having a good working relationship with social workers within the Directorate of Care, Wellbeing and Education

28 Burnham Avenue, Bognor Regis, West Sussex, PO21 2JU
Change of Use from C2 to Sui Generis
Planning, Design and Access Statement

at West Sussex County Council (WSCC). WSCC thus contacted the applicants to ask them to establish an HMO for unaccompanied minors to enable WSCC to fulfill their statutory obligations. A letter from West Sussex District Council disclosing information regarding this matter, including what they require from the services PA Ark Project LRD provides is attached as **Appendix 1**.

5. Criteria from WSCC in terms of what a suitable property needed to provide guided PA Ark's choice of this property in particular:
- The location of the property was very important in terms of local infrastructure. As discussed previously, the site is close to the train station and major bus routes, which are of key importance for both the young people and the staff who support them. The site is also within walking distance of the town centre where the residents can access supermarkets, shops, doctors' surgeries, dentists, opticians etc.
 - The site was large enough to accommodate up to 18 individuals and this was the closest figure to the 20 that WSCC had asked PA Ark to accommodate in order to meet their obligation to house the unaccompanied minors.
 - The site's previous operation as a residential care facility provided the facilities PA Ark required within the building which meant that there has been very little work required to adapt the property to enable it to become operational and meet the needs of the individuals occupying the property. This enabled the property to be occupied within a shorter time frame than if a property requiring a greater degree of work had been identified.
 - Overall, the property balances the requirements for a town centre location with a large enough property to provide sufficient internal and external space for residents. In particular, the garden area at Burnham Avenue provides a spacious outside environment that is secluded and allows residents to enjoy a private outside area despite being within a town centre location.

PLANNING HISTORY

6. Following the successful application for a change of use to rest home back in February 1988 (detailed below), the site has undergone several extensions and amendments to make the site suitable for its previous care home use; details of which can be found on the local planning authority's website.

- Reference: BR/580/87

Proposal: Change of use to rest home.

Status: Approve Conditionally Decided: 15.02.1988

APPLICATION PROPOSALS

7. The application in question relates to the change of use of the existing C2 nursing home into a sui-generis house of multiple occupation (HMO) to be occupied by unaccompanied minors. Each resident has their own separate bedroom with communal facilities to include a lounge, two kitchens, dining area, laundry facilities and a meeting room as well as various bathrooms within the property.

8. The ages of supported residents range from 16 – 21, however the majority are between 16 - 18. The residents at the property are culturally diverse and come from a variety of backgrounds and nationalities, some have suffered or witnessed significant trauma or have additional learning needs. The current residents are not inhibited by physical disability but there is potential within the property to support anyone with a physical disability in the future.

9. The site is staffed 24 hours-a-day/seven days-a-week, with a minimum of two staff on duty at any one time, including two staff that sleep at the site overnight. Staff are employed as support workers; their role is to support the young people to gain independence skills, such as cooking, general domestic tasks, budgeting and money management. Alongside this they have a further role as co-ordinator and advocate for the young person where English is not a first language. They support young people to

attend health and education commitments as well as organising interpreters as required. They also assist in learning language skills and with integration into the local community.

PLANNING POLICY CONSIDERATIONS

10. Section 38(6) of the Planning and Compensation Act requires planning permission to be granted in accordance with the development plan unless material considerations indicate otherwise. This statement demonstrates below that the scheme, taking into account policies that are not out-of-date, is in accordance with the policies of the development plan and therefore subject to a basic presumption in favour of granting planning permission. The Development Plan comprises the saved policies of the Arun District Plan 2003 and the Bognor Regis Neighbourhood Plan 2015. Relevant policies of the emerging Arun District Local Plan 2011-2031 should also be taken into account albeit, given the fact that the Local Plan Examination is currently suspended, can be considered as having little weight in the decision making process.
11. A material consideration of considerable weight in the decision-making process for this application is the National Planning Policy Framework (NPPF). This is relevant because it provides the background framework for how this application should be determined. Paragraph 7 states that there are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles, namely:
 - An economic role
 - A social role
 - An environmental role
12. It is considered the proposed change of use of the site at Burnham Avenue to a home for unaccompanied minors is consistent with these roles, particularly socially, as it will provide a facility that will enable individuals to live in a residential setting and thus aid their integration into society and to

increase the range of accommodation available to meet particular social requirements. Economically, the individuals' presence in the community will aid the local economy and provide employment opportunities. Environmentally, the occupation of the property will not create any adverse amenity impacts as will be detailed later in this statement. The site is also sustainably located in close proximity to community facilities and services.

13. Aside from the above a key consideration in this application is Paragraph 14 of the NPPF which emphasises the presumption in favour of sustainable development and indicates that in making decisions this means:

- Approving development proposals that accord with the development plan without delay; and;
- Where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted

As will be set out below it is considered that the proposed use of this property is in accordance with relevant planning policy and thus it is considered that the presumption in favour of sustainable development applies.

Saved Policies - Arun District Local Plan 2003

14. **Policy GEN2** relates to the built-up area boundary whereby development is only permitted within the built-up area where in accordance with other policies.

15. **Policy GEN7** relates to design it states that planning permission will only be granted for schemes displaying high quality design and layout including the provision of vehicle parking in accordance with Saved Policy GEN12. It also seeks to ensure that development does not have an

unacceptable adverse impact on adjoining occupiers, land, uses or property and also takes account of any unacceptable adverse impacts that may arise from adjoining land uses or property.

16. **Policy GEN9** states that planning permission for development which will materially increase foul and/or surface water discharges will be refused unless the Local Planning Authority is satisfied that either adequate drainage capacity exists or appropriate drainage capacity can be provided as part of the development. Given that there will not be an increase in residents residing at the property, there will be no intensification of the use and the existing drainage should be of sufficient quality to deal with the change of use.
17. **Policy GEN12** requires the provision for on-site parking in accordance with parking standards. The parking standards are maximum parking standards and lower levels of parking provision are sought where development is in a town centre location or other areas accessible by alternative means of transport.
18. **Policy GEN32** sets out policy in regards to noise sensitivity it states that development will not be permitted if its users would be affected adversely by noise from existing or proposed noise-generating uses. Development which is a potential source of significant noise pollution will not be permitted unless the Council is satisfied that appropriate measures have been included in the proposal to reduce noise pollution to acceptable level.
19. **Policy GEN34** relates to development that contributes to air pollution through dust, smell, fumes, smoke, heat, radiation, gases, steam or other forms of pollution will not be permitted unless the Council decides that the health, safety and amenity of users of the site or surrounding land is not put at risk and the quality of the environment would not be damaged or put at risk.

Emerging Arun District Local Plan 2011 - 2031

20. As set out above given that the examination of the local plan is currently suspended it is considered that its policies should be given limited weight. However, for completeness sake the relevant policies will be outlined here.
21. **Policy D DM1** sets out policy in relation to design considerations. The majority of the considerations relate to new build development and are not applicable to this application. Of relevance it includes provisions to seek minimal impact to users and occupiers of nearby property and land.
22. **Policy H SP4** sets out considerations for planning applications for HMO's including ensuring it does not lead to excessive parking demand and provides adequate areas of open space.
23. **Policy H DM2** relates to independent living and care homes. Whilst the proposed use is not technically a C2 use it is considered that it bears similarities to C2 uses and this policy is considered to be of some relevance. The policy states that new and extended independent living and care homes will be permitted where applications can demonstrate a number of criteria including being located within the Built Up Area boundary and that it is easily accessible either by foot or public transport, to community and social facilities e.g. shops, post offices, healthcare, community facilities

Bognor Regis Neighbourhood Plan (2015)

24. A review of the Neighborhood Plan indicates that there are no relevant policies to this application and the neighborhood plan is considered silent in relation to the proposal subject of this application.

DETAILED CONSIDERATIONS

Principle of Development

25. As can be seen from the relevant policies set out in the previous section there are no policies that seek to constrain the change of use of C2 units, meaning that the development plan is silent on the matter. In this respect the main consideration is whether the proposal represents sustainable development in line with paragraph 14 of the NPPF. As has already been set out above it is considered that the proposed use represents sustainable development. Socially, it will provide a facility that will enable individuals to live in a residential setting and thus aid their integration into society and to increase the range of accommodation available to meet particular social requirements. Economically, the individuals' presence in the community will aid the local economy and provide employment opportunities. Environmentally, it is considered that the lack of physical change to the building and the similarities between existing and proposed use means that the building can be occupied for its proposed use without creating adverse amenity impacts as will be detailed later in this statement. The site is also sustainably located within close proximity to community facilities and services. Whilst not technically a C2 use the site's location within the built-up area boundary and in close proximity to community facilities and services is also in accordance with **Policy H DM2** of the emerging local plan which sets out criteria in relation to C2 uses, with which the proposed use has similarities.

26. Overall it is considered that the proposed development represents sustainable development in line with paragraph 14 of the NPPF and that in principle, the development is acceptable.

Design

27. As set out above no changes are proposed to both the external fabric of the building or the internal layout. The main considerations in terms of design are therefore whether the proposed use of the site will maintain the existing residential amenities and whether the current facilities at the site are

sufficient. As will be set out in more detail below it is considered that the proposed use will maintain existing residential amenities and provide sufficient vehicle parking. In respect of the existing drainage facilities at the site given that there will not be an increase in residents residing at the property, there will be no intensification of the use and the existing drainage should be of sufficient quality to deal with the change of use. Overall therefore it is considered that the proposed use is compliant with **Saved Policies GEN7 and GEN9** of the 2003 Plan. The proposed use will also maintain the existing garden area to the rear of the property in line with **Policy H SP4** of the emerging local plan.

Transport

28. The access and parking provision will remain as existing with space for 2-3 cars being available on site and a further 2-3 cars directly in front of the site. This is considered to be sufficient provision for a number of reasons. Firstly, it is anticipated that the visitor numbers to the site will be less than the previous use given that the unaccompanied minors are unlikely to have family members visiting them and are also likely to require less medical visitors than the occupiers of a care home. The residents will also not have access to their own cars. Therefore, the parking mainly needs to provide sufficient space for staff, given that there is usually between 2-4 staff on site at any one time, some of whom use public transport to access the site, there is therefore sufficient provision of parking at the site. The parking provision is also considered to be in line with **Saved Policy GEN12** of the 2003 Plan which set out that where sites are accessible by alternative means of transport a lower level of parking provision will be sought. It is also in line with **Policy H SP4** of the emerging local plan which seeks to ensure that HMO's do not lead to excessive parking demand.

Residential Amenity

29. In relation to potential noise impacts on adjacent occupiers given that the proposal is to convert the existing nursing home which was able to cater for the same number of residents and that the layout

of the site will remain as existing it is not considered that the proposed scheme will lead to any adverse impact by way of noise. There have not been any complaints of antisocial behaviour or noise disturbances in relation to this change of use at present. The site has staff on site 24 hours a day and part of their role is to recognise and provide early intervention to stop any excessive noise. Anti-social behaviour of any kind is not tolerated and staff members operate a three-part warning system to all of the young people ensuring that they receive a clear message when their behaviour is not acceptable whilst providing an opportunity to change. Where a young person doesn't change through the warning process, then their placement is ended. Where behaviour may be considered more serious, the warning systems are bypassed and placement is ended immediately with the support of the local authority. These procedures which have been put in place by the staff already demonstrate that the appropriate measures have been taken in order to alleviate any concerns the Council may have regarding noise pollution from the site. In this respect the proposed use is considered to be compliant with **Saved Policies GEN7** and **GEN32** of the 2003 Plan which seek to protect the amenities of current and future occupiers.

CONCLUSION

30. The proposals will secure appropriate accommodation for the intended occupiers. The use will address a specifically identified need and secure appropriate re-use, without extension or alteration, of an existing building.

31. The previous use of the site and building as a care home is akin to the proposed use. The physical impact of the building on the neighbourhood will not change. It is likely that associated traffic generation for the proposed use will be lower than that of its former care home use, with a beneficial consequence for the local road network. Appropriate management safeguards will be put in place by the site operators and as set out in this statement there will be trained supervisory staff on site at all times. The amenities of occupiers of neighbouring residential properties will therefore not be unacceptably adversely affected.

28 Burnham Avenue, Bognor Regis, West Sussex, PO21 2JU
Change of Use from C2 to Sui Generis
Planning, Design and Access Statement

32. The site is ideally suited for the proposed use, and was specifically selected for its quality of existing accommodation. The property is located close to regular bus and cycle routes within Bognor Regis, therefore it would not be isolated. The proposed use would ensure the ongoing maintenance of the property to the benefit of the wider setting and to its immediate neighbours. The proposal complies with the relevant planning policies, in particular the NPPF which encourages local authorities to meet the housing needs of specialist groups in the community. It has been demonstrated that this property is best suited to the needs of the proposed future occupiers and it is anticipated that planning permission is granted accordingly.

APPENDIX 1

Letter from WSCC

Martin Cross
Children's Contracts and Commissioning
Manager
Directorate of Care, Well-being and Education
0330 222 3795 (Direct)
Martin.cross@westsussex.gov.uk
www.westsussex.gov.uk

West Wing
First Floor
Centenary House
Durrington Lane
Worthing
West Sussex
BN13 2QB



Planning Department
Arun District Council
Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex

24th January 2017

BN17 5LF

Dear Sir/Madam,

I am writing with regards to the provision of supported housing for Unaccompanied Asylum Seeking Children (UASC), who are currently provided with this by PA Ark Project Ltd, at Burnham Avenue, Bognor Regis.

This provision is at the request of West Sussex County Council, in order that we fulfil our statutory obligations towards UASC. It is important that these properties are suitably equipped to be able to meet the needs of young people, and therefore need to have sufficient rooms, bathrooms and cooking facilities to be able to meet a range of needs, including facilities to allow for a culturally diverse group.

Young people will require accommodation which provides sufficient privacy, as well as communal areas. The accommodation will also benefit from being within a residential area, allowing the young people to integrate more fully into the community. Support will be provided to young people to enable them to integrate quickly into the local community, and the accommodation will be staffed sufficiently to ensure that any concerns that arise can be dealt with proactively.

We have been very satisfied by the service offered to these young people. The properties are well maintained, and any concerns quickly addressed. As a provider, PA Ark have delivered such services in a number of locations, and have always maintained a high quality service.

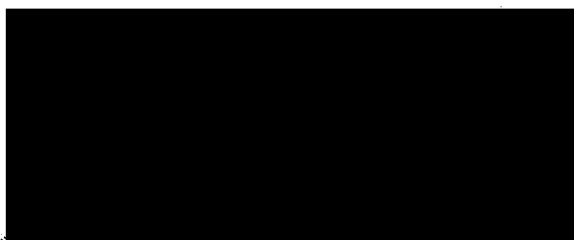
In response to the Central Government we recognise that additional provision, such as this, will be required across wider areas of the County Council in order to meet future obligations.

We would be very concerned if there was any decision in respect of the property that would mean that children and young people had to move from the current provision, where there are well settled, linked to local services in terms of education etc., and to disrupt this would be detrimental to their welfare at present.

The County Council will be providing oversight and support of this provision, and there will be regular reviews through our contract management arrangements.

If you wish to discuss the arrangements surrounding this provision, please contact me at the address above.

Yours faithfully



Martin Cross
Children's Contracts and Commissioning Manager
West Sussex County Council