

Planning Statement



NATIONAL FOSTERING GROUP

VERNON HOUSE, 10 MALTRAVERS DRIVE, LITTLEHAMPTON

APPLICATION FOR CERTIFICATE OF PROPOSED LAWFUL USE AS A RESIDENTIAL FAMILY ASSESSMENT CENTRE (USE CLASS C2)

Introduction

This Planning Statement has been prepared by Alder King on behalf of National Fostering Group in connection with an application for a certificate of lawfulness for the proposed use of Vernon House, Maltravers Drive, Littlehampton as a residential family assessment centre (Use Class C2).

Site Description

The application relates to Vernon House, Maltravers Drive, Littlehampton.

The site comprises a long established residential care home, with an associated garden to the rear and car parking to the front.

The substantial building, which includes a large single storey range to the rear, is a residential care home for adults with moderate to severe learning disabilities and comprises a mix of bedrooms, living spaces, dining spaces and kitchen areas, as well as ancillary office space. It has provided long-term care and support for up to 14 residents at any one time.

Application Proposal

This application seeks a certificate of lawful proposed use of the site as a residential family assessment centre (Use Class C2).

As allowed by the relevant legislation, the application solely seeks confirmation that the proposed use of the property is lawful, rather than any specific internal layout (given that internal alterations, if required, would not need planning permission).

Relevant Planning History

The planning history available on Arun District Council website has been reviewed, noting that only applications since 1992 are available online. However, copies of earlier planning permissions have been provided by the Council.

The following planning permissions are of relevance here:

- LU/261/69 – Residential home for blind persons – Approved September 1969
- LU/384/69 – Extensions and alterations Approved January 1970
- LU/284/97 – Alterations to front elevation, 2 new windows, ramp access to recessed front door – Approved February 1998
- LU/183/12/PL – Conversion of existing store into office space – Approved September 2012.
- LU/57/13/PL – Rear extension and internal alterations to form new living accommodation – Approved May 2013.
- LU/59/20/PL – Kitchen extension – Approved May 2020

Existing Lawful Use

The application site has been used as a residential care home for several decades. The 1969 planning permission (Ref: LU/261/69 and included at **Appendix 1**) consented to the use of the property as a 'residential home for blind persons'. The planning permission does not restrict either the specific use within Class C2 or the nature of the residents and, since the early 2000s, the property has provided residential care accommodation for adults with learning disabilities. More recent planning applications related to the site, including those determined in 2012, 2013 and 2020, refer in the Planning Officer's reports to the continued use of the premises as a residential care home.

It is, therefore, clear that the authorised and lawful use of the site is as a residential care home falling to be considered as a Class C2 use having regard to The Town and Country Planning (Use Classes) Order (1987) (as amended). Furthermore, there is no restriction limiting use solely to a residential home and, therefore, any use of the site falling within Class C2 is lawful.

Proposed Use

The applicant wishes to occupy the premises as a residential family assessment centre, a use which falls within Use Class C2.

A family assessment centre is a form of residential accommodation which is defined through the Care Standards Act 2000 (Section 4(2)). It is a use that provides residential care and accommodation for children and their parents in a managed environment. An assessment centre allows the observation and monitoring of parents with their children by a multi-disciplinary team of professionals in terms of safeguarding and welfare. The proposed centre would be registered with Ofsted as a residential centre and will have access to a range of staff, including a team on site 24/7 which may consist of therapists, psychologists, keyworkers, night staff, social workers and education/support staff.

Key to a family assessment centre is the provision of care to parents and children whilst residing at the centre. They are offered 24/7 care in the form advice, guidance and counselling as necessary. This takes the forms of life skills coaching, clinical support, workshops and community activities. The home environment provided by the assessment centre offers opportunities as closely aligned as possible to everyday situations so that supervision and support can be offered for all manner of activities - i.e. bed times, meal times, trips, community appointments etc.

Families who are accommodated at the site would be there in receipt of residential care for a minimum of 12 weeks but often for much longer.

A residential family assessment centre, as described above, is clearly a use that falls squarely within Class C2 having regard to The Town and Country Planning (Use Classes) Order (1987) (as amended). Confirmation of such is provided at **Appendix 2**, which is a copy of a planning permission (Ref: 18/0076/FULL) granted by Wyre Forest District Council for a 'Class C2 Family Assessment Centre'.

No external works are being proposed, just the reuse of the existing building.

Planning Analysis

Given the planning history and background described above, and included at **Appendix 1**, it is clear that the site has an existing lawful planning use for all uses falling within Class C2 of The Town and Country Planning (Use Classes) Order (1987) (as amended).

The property was originally granted consent in 1969 as a residential care home for the blind. In more recent years, the premises have been occupied by our client as a residential care home for adults with learning disabilities. As noted above, the 1969 permission does not restrict use of the site solely to a residential school for the blind or, indeed, have any restriction on how the site can be used within Class C2.

The Town and Country Planning Act 1990 states that planning permission is only needed if the 'work' being carried out meets the statutory definition of 'development', as set out in Section 55 of the Act. 'Development' includes a material change of use of land and buildings.

Section 55(2) of the Act sets out the categories of 'work' that do not constitute 'development'. These include a change in the primary use of land or buildings where the before and after use falls within the same use class. So, in short, planning permission is not required to move between two uses where they both fall within the same use class, as long as it does not involve any breach of planning condition.

In this case, the proposed use of the site as a family assessment centre would fall within the same use class, Class C2, as the existing residential care home and, therefore, would not constitute 'development' and does not require planning permission.

Accordingly, a lawful development certificate for the proposed use of the application site as a residential family assessment centre (Class C2) should be issued.

Appendix 1 – Copy of Planning Permission Ref: LU/261/69

20 January 2022
JB/SM/96404

Application No. LU/261/69

ADMINISTRATIVE COUNTY OF WEST SUSSEX
 LITTLEHAMPTON URBAN DISTRICT COUNCIL,
 COUNCIL OFFICES,
 LITTLEHAMPTON, SUSSEX.
 Telephone No : 921 - 3973

TOWN AND COUNTRY PLANNING ACTS, 1962 to 1968
 TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDERS, 1963 to 1969

To The North London Homes for the Blind,
 C/o Stanley Roth & Partners,
 32 Little London, Chichester, Sussex.

In pursuance of their powers under the above-mentioned Acts and Orders, the Council, on behalf of the West Sussex County Council, hereby notify you that they PERMIT the following development, that is to say:—

Residential Home for Blind Persons at 10 Maltraverse Drive

to be carried out in accordance with your application and plan No. LU/261/69 (as modified by the undermentioned conditions if any) submitted to the Council on 19th August, 1969 (and in accordance with the relevant correspondence a copy of which is attached*) and subject to compliance with the conditions specified hereunder:—

1. The development for which permission is hereby granted must be begun not later than the expiration of 5 years beginning with the date of this permission.
2. Satisfactory arrangements for access to the site and car parking on the site itself shall be agreed with the local planning authority before the proposed use is commenced.
3. This approval does not purport to give permission for any extensions or additions to the existing building.

The reasons for imposing the above conditions are:—

1. To comply with Section 65 of the Town and Country Planning Act 1968.
2. In order to provide space for residents, employees or visitors' vehicles within the curtilage thus minimising the obstruction to the free flow of traffic on surrounding roads in the interests of highway safety.
3. For the avoidance of doubt and to enable the local planning authority to control the development in detail in the interests of the amenities of the locality.

Your copy of the application, determined as above, is returned herewith for your records.

Date 12th September, 1969

Signed:

Clerk of the Council

* NOTE.—The words in brackets do not apply unless a copy of the relevant correspondence is attached.
 N.B.—IT IS IMPORTANT THAT YOU SHOULD READ THE NOTES ON THE BACK OF THIS FORM.
 M. 1375A (Amended April, 1969)

Appendix 2 – Copy of Wyre Forest District Council Planning Permission Ref: 18/0076/FULL

20 January 2022
JB/SM/96404



Wyre Forest District Council

ECONOMIC PROSPERITY AND PLACE DIRECTORATE

Wyre Forest House, Finepoint Way, Kidderminster, Worcestershire DY11 7WF

EMERY PLANNING
PARTNERSHIP LTD
UNITS 2-4 SOUTH PARK COURT
HOBSON STREET
MACCLESFIELD
SK118BS

KEYS GROUP LTD
MS ADIE PORTER-WEBSTER
C/O AGENT

APPLICATION NO. 18/0076/FULL

IMPORTANT - This communication affects your property

PLANNING PERMISSION

Town and Country Planning Act 1990

Town and Country Planning (Development Management Procedure) (England) Order 2015

In pursuance of its powers under the above mentioned Act and Order, and having regard to the Development Plan, the WYRE FOREST DISTRICT COUNCIL, as Local Planning Authority, hereby **PERMITS** in Full the:-

**Change of Use from Class C1 Bed & Breakfast/ Guest House to Class C2
Family Assessment Centre
VICTORIA VILLA, 4 LION HILL, STOURPORT-ON-SEVERN.**

in accordance with the application received by the Council on 26 January 2018 subject to the following condition(s):-

(1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended by the Planning and Compulsory Purchase Act 2004).

DATED 23 APR 2018