

LOCATION: 151 Gordon Avenue, Camberley, Surrey, GU15 2NR,

PROPOSAL: Change of use of a single family dwelling house (C3) to short term accommodation for up to 6 homeless people (sui generis).

TYPE: Full Planning Application

APPLICANT: Surrey Heath Borough Council

OFFICER: Mr Neil Praine

An application of this type would usually be determined under the Council's Scheme of Delegation. However, this application has been reported to the Planning Applications Committee because the Council is the landowner and the applicant.

RECOMMENDATION: GRANT subject to conditions

1.0 SUMMARY

- 1.1 The application is for a change of use of an existing single family dwelling house to short term accommodation for up to 6 homeless people. It is considered that the proposal is acceptable in principle; would result in no adverse impact on the character of the surrounding area or the host dwelling; the residential amenities of the occupiers of the neighbouring dwellings; or, the safe operation of the highway network. The application is therefore recommended for approval.

2.0 SITE DESCRIPTION

- 2.1 The application site is a two storey (with accommodation in the roofspace), detached dwelling. It is located to the south-east of Gordon Avenue. The property is brick-built with a render finish under a tiled roof, it has a rear garden and a front driveway with space for off street car parking. The surrounding area is predominantly residential.
- 2.2 The property is currently vacant and previously in use as a single family dwelling house. Prior to this, the property was in use as a large HMO with 7 bedrooms as indicated in the planning history (see paragraph 3.1 below). The site also falls within the 'Historic Routes' (Victorian/Edwardian Subdivisions) Character area within the wider Settlement Area of Camberley.

3.0 RELEVANT HISTORY

- 3.1 SU/85/917 Change of use to provide seven bed-sitting units and one one-bedroom flat on a permanent basis – approved – 06 January 1986

4.0 THE PROPOSAL

- 4.1 Full planning permission is sought for a change of use of the existing single family dwelling house to short term accommodation for up to 6 homeless people. No material external changes are proposed.

- 4.2 The applicant explains, within their submitted Planning Statement (PS), that the proposed use would be for homeless people who will be placed at the property by an experienced homeless charity, The Hope Hub, who help prevent and end homelessness in Surrey Heath. The proposal will be managed by the charity who are experienced in offering short term accommodation for homeless people and managing such facilities.
- 4.3 This proposal comprises one of the charity's Emergency Accommodation services and will be run in partnership with Surrey Heath Borough Council (SHBC) who own the existing applicant building. The charity and SHBC work in partnership to support homeless people and give them the right support and access to services to be able to move from homelessness to settled lives in the community.
- 4.4 With this particular application, the applicant states there will be a maximum of 6 homeless people occupying the 6 bedroom property at any one time. The proposal will provide short term accommodation for homeless people through a formal tenancy arrangement (likely to be 7-14 days) before they move on to more settled accommodation. The applicant confirms that the property will therefore not provide long term accommodation. Residents will be required to sign a license agreement that will include a number of requirements such as the house is a dry house, abiding by a curfew, not having visitors to the property and engaging with the support that is offered. Any resident in breach of the terms of their license will be required to leave.
- 4.5 The applicant also explains residents will be offered a place by the charity following a full risk assessment to ensure that the accommodation is a suitable placement in terms of staff safety, the safety of other residents and the wider community. The proposed accommodation is not a direct access hostel and will not be available for people to attend without a prior assessment and an offer of a place. Assessments will also not take place at the house. The proposal will therefore not offer a walk-in service, and all guests must have been referred to the site.
- 4.6 The PS sets out that there will be a maximum of 2 staff with further support from volunteers. Residents will not have access to the premises outside of staffed opening hours. The property will be staffed whenever there are people accessing the accommodation.

5.0 CONSULTATION RESPONSES

5.1 County Highway Authority No comments or requirements to make.

5.2 Environmental Health Officer No objection

6.0 REPRESENTATION

6.1 A total of 5 individual letters of notification were sent out on 30 July 2021 to properties in Gordon Avenue and Chillingham Way. At the time of preparation of this report four representations of objections have been received. No letters of support have been received. The letters of objection raise the following concerns:

- Loss of privacy [Officer comment: see paragraph 7.4]
- Concern about noise and anti-social behaviour [Officer comment: see paragraph 7.4]
- Insufficient parking [Officer comment: see paragraph 7.5]

7.0 PLANNING CONSIDERATION

7.1.1 The application site is located within the defined settlement boundary, as set out in the proposals map included in the Core Strategy and Development Management Policies document 2012 (CSDMP). For this proposed development, consideration is given to Policies CP1, CP3, CP8, DM9 and DM11 of the CSDMP and the National Planning Policy Framework (NPPF). The Western Urban Area Character SPD 2012 (WUAC) and Residential Design Guide SPD 2017 (RGG) also have relevant advice.

7.1.2 The main issues to be considered within this application are:

- Principle of development;
- Impact on character and appearance of the surrounding area;
- Impact on residential amenity of neighbouring properties including noise and antisocial behaviour;
- Impact on the safe operation of the highway network and parking; and,
- Other considerations

7.2 Principle of the development

7.2.1 Policy CP1 (Spatial Strategy) of the Core Strategy and Development Management Policies document 2012 (CSDMP) states that development will be directed to areas which make the best use of infrastructure and services whilst respecting the character of the Borough.

7.2.2 Policy CP3 (Scale And Distribution Of New Housing) of the CSDMP seeks to resisting any development that involves a net loss of housing unless it can be demonstrated that the benefits outweigh the harm.

7.2.3 While the site is located within the a sustainable area which makes use of local infrastructure and services, the officer notes that from a policy perspective permanent residential housing (known as Use Class C3 housing) is being lost to short term accommodation which is classified as Sui-Generis (i.e. outside any specific Use Class). As such this loss of C3 housing weighs against the proposal. That said, Policy CP3 allows such a loss if the benefits arising from any proposal outweigh this harm.

7.2.4 Turning to any benefits arising from the proposal, the scheme involves no physical alterations to the appearance of the building and therefore the property will continue to read as a residential building. The impact on the character of the area is considered in more detail at paragraph 7.3 below. In addition the NPPF promotes the provision of social facilities and services to support the delivery of local strategies to improve health and social well-being for all sections of the community (paragraph 93 refers).

7.2.5 The need for housing for homeless people in the Borough has been identified through the Council's Homelessness and Rough Sleeping Strategy 2019- 2023 (HRSS). Homeless people are a vulnerable group that need support to meet their housing needs.

7.2.6 It is noted that Surrey Heath has a small but persistent number of people who find themselves homeless. The HRSS notes that there have been a number of recent amendments to the homelessness legislation which increases the duties of local authorities. Most recently the Homelessness Reduction Act 2017 significantly reformed the legislation by placing duties to provide homelessness services to all homeless people not just those deemed to be in 'priority need'. The proposal will therefore assist the Council in fulfilling its increased duties by providing accommodation to meet the short-term housing needs of homeless people and give them the right support and access to services to be able to move from homelessness to settled lives in the community.

7.2.7 While the technical loss of housing is noted, the benefits of providing accommodation for homeless people to meet a demonstrated need of a small but persistent number of people who find themselves homeless weighs in favour of this proposal. The provision of such accommodation also contributes toward the liabilities of local authorities in respect of homelessness legislation. The application site is located in an area with close access to infrastructure and services and no physical changes are proposed external appearance of the building. The proposal offers social facilities and services to support the delivery of local strategies to improve health and social well-being for homelessness people. These benefits weigh substantially in support of the proposal and in the officer's opinion outweigh harm created by the loss of one dwelling. On this basis no objections are raised on these grounds.

7.3 Impact on character and appearance of the surrounding area and host dwelling

- 7.3.1 The National Planning Policy Framework (NPPF) supports the creation of quality buildings and places which fit in with the overall form and layout of their surroundings. Policy DM9 of the Core Strategy and Development Management Policies document (CSDMP) states that development will be acceptable where it achieves a high-quality design which respects and enhances the local character in its urban setting, paying particular regard to scale, materials, massing and bulk.
- 7.3.2 Principle 7.8 of the Residential Design Guide (RDG) sets out that design which positively contributes to the character and quality of the area will be supported. The Western Urban Area Character SPD 2012 (WUAC) seeks to prevent unsympathetic development which results in the loss of period features, the loss of Victorian/ Edwardian buildings or any negative visual impact the wider character of the area.
- 7.3.3 There are no proposed external alterations or physical extensions to the building, and on this basis there will be no changes to the design, appearance, scale, bulk and massing of the building. Therefore, the proposal will not change the overall form or layout out the immediate area or result in any loss of period features or Victorian/ Edwardian buildings. The proposal will therefore preserve the visual character and appearance of the existing building and surrounding area.
- 7.3.4 In character terms the proposal is considered to comply with Policy DM9 of the CSDMP and the RDG.

7.4 Impact on residential amenity of neighbouring properties including noise and disturbance

- 7.4.1 Policy DM9 of the CSDMP states that development will be acceptable where the proposal respects the amenities of the occupiers of neighbouring properties and uses. This is supported by para 127(f) of the NPPF, which seeks to create a high standard of amenity for existing and future users. The importance of appropriate design for extensions, so as not to result in a material loss of amenity for the occupiers of neighbouring properties, is set out in principles 8.1 and 10.1 of the RDG.
- 7.4.2 There are no proposed external alterations or physical extensions to the building. On this basis no objections are raised in respect to any overshadowing, overbearing impacts or loss of privacy.
- 7.4.3 Turning to concerns regarding noise and disturbance, as set out at paragraphs 4.4, 4.5 and 4.6 above, there will be a maximum of 6 homeless people occupying the property at any one time and residents will be required to sign a license agreement that will include a number of requirements such as the abiding by dry house rules, a curfew, not having visitors and engaging with the support that is offered. Any resident in breach of the terms of their license will be required to leave. The applicant also confirms that they will have full operating procedures in place with the accommodation staffed at all times during occupation.

- 7.4.4 Indeed the officer also notes that residents will only be offered a place following a full risk assessment to ensure that the accommodation is a suitable placement and residents have the skills to stay at the accommodation and abide by the rules. The accommodation is not a direct access hostel and will not be available for people to attend without a prior assessment. Furthermore, the applicant confirms that in the unlikely event of an escalating situation procedures are in place including accessing emergency services, if necessary. The applicant confirms that they seek to run a courteous temporary home for people and will encourage respect and acceptable behaviours at all times.
- 7.4.5 Therefore, having considered the applicant's submissions it is concluded that the proposal will cause no adverse impact upon neighbouring amenities in compliance with Policy DM9 of the CSDMP, the RDG and the NPPF. In addition, given that the management of the accommodation falls under separate legislation, it is not considered appropriate to impose any management conditions.

7.5 Parking and Highway Safety

- 7.5.1 The applicant confirms that there will usually be 1-2 staff members on site at any one time plus a volunteer so it is anticipated up to 3 cars to be on the drive at any one time. This is not dissimilar to the existing parking pressures of a family dwelling house.
- 7.5.2 In applicant also explains that in their experience most homeless people do not have the use of a car but if they do, the applicant will work to find a solution where they are not parking on the road. It is noted that the site is also well served by public transport and walking distance from Frimley Road shopping parade and the Town Centre.
- 7.5.3 In respect of parking and traffic generation, the proposed development is considered to be acceptable and accords with the provisions of Policy DM9 and DM11 of the CDSMP.

7.6 Other considerations (Community Infrastructure Levy (CIL) / Thames Basin Heaths Special Protection Area (TBHSPA)

- 7.6.1 The proposed development does not generate a net increase in dwellings, nor is it for a residential extension of over 100 square metres, as such the proposal will not be CIL liable or impact on the TBHSPA.

8.0 POSITIVE/PROACTIVE WORKING AND PUBLIC SECTOR EQUALITY DUTY

- 8.1 In assessing this application, officers have worked with the applicant in a positive, creative and proactive manner consistent with the requirements of paragraphs 38-41 of the NPPF. This included the following:-
a) Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
b) Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered.
- 8.2 Under the Equalities Act 2010, the Council must have due regard to the need to eliminate discrimination, harassment or victimisation of persons by reason of age, disability, pregnancy, race, religion, sex and sexual orientation. This planning application has been processed and assessed with due regard to the Public Sector Equality Duty. The proposal is not considered to conflict with this Duty.

9.0 CONCLUSION

- 9.1 It is considered that the proposal is acceptable in principle; would result in no adverse impact on the character of the surrounding area and the host dwelling; the residential amenities of the occupiers of the neighbouring dwellings; or, the safe operation of the highway network. The application is therefore recommended for approval.

10.0 RECOMMENDATION

GRANT subject to the following conditions:

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: To prevent an accumulation of unimplemented planning permissions and in accordance with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004.

2. The proposed development shall be built in accordance with the following approved plans: 01, 02 and 03 unless the prior written approval has been obtained from the Local Planning Authority.

Reason: For the avoidance of doubt and in the interest of proper planning and as advised in ID.17a of the Planning Practice Guidance.

Informative(s)

1. The applicant is advised that this permission is only pursuant to the Town and Country Planning Act 1990 and is advised to contact Building Control with regard to the necessary consents applicable under the Building Regulations and the effects of legislation under the Building Act 1984.
2. The decision has been taken in compliance with paragraphs 38-41 of the NPPF to work with the applicant in a positive and proactive manner. Further information on how this was done can be obtained from the officer's report
3. The applicant is advised that the use approved by this permission is classified as *sui generis*. Consequently, any future change of use will require planning permission.