

2.8 REFERENCE NO - 16/504460/FULL		
APPLICATION PROPOSAL Change of use from Care Home (Class C2) to House of Multiple Occupation (C4) with minor internal alterations		
ADDRESS Mill House, Salters Lane, Faversham Kent ME13 8ND		
RECOMMENDATION: Approve		
SUMMARY OF REASONS FOR RECOMMENDATION: Town Council objection		
REASON FOR REFERRAL TO COMMITTEE: TOWN COUNCIL OBJECTION		
WARD Watling	PARISH/TOWN COUNCIL Faversham Town	APPLICANT Mrs Renuha Francis AGENT Lusher Architects
DECISION DUE DATE 29/07/16	PUBLICITY EXPIRY DATE 12/07/16	
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites): All previous applications relate to the use of the building as a care home		

1.0 DESCRIPTION OF SITE

- 1.01 The site is located to the south of the A2 on the outskirts of Faversham. To the north are the gardens and residential properties of Westwood Place; to the east is Faversham Town Football Club and its ground. It is sited adjacent to a KCC Highways Depot and a Household Waste Recycling Centre is located to the south of the site further along Salters Lane.
- 1.02 Mill Cottage is the closest residential property located approximately 12m to the west of Mill House, this property sits between the application site and the KCC depot.

2.0 PROPOSAL

- 2.01 The application is for the change of use of a currently empty Residential Care Home to a House of Multiple Occupation (HMO).
- 2.02 The proposal will only require minimal internal alterations to effect this change of use, it will provide 20 bedrooms and communal kitchens, living area and bathrooms.

3.0 SUMMARY INFORMATION

The applicant provided additional information regarding the site and stated:

Mill House first began to face difficulty with CQC just over a year ago. During this period of time the former operators invested tens of thousands of pounds into the renovation of the building and business. As this was still not good enough, the business was in the process of a sale, one that was stopped by CQC. CQC stopped the sale as they had place a NOP on the home, which is when they begin the process of removing the license for the home thus shutting the care home. During this period of time Carport was placed as the management of the building. During the

last 12 months of the trading Care Home, operational losses exceeded £15,000 a month. Due to the large operational losses of the home, it was deemed nonviable, with all lenders and investors pulling funding for the care home.

This is when Urban London Developments came on board and offered the chance for the building to serve the community in another form. Urban London Developments experienced team decided the best option would be for the building to become a home for 24 persons. This would be in line with the former registration that CQC granted for 24 persons to live on the premises. We must also remember that along with the residents, there was over 8 staff working on a shift.

The development is aimed to be cycle friendly and to promote the use of public transport. We will be installing new cycle racking and have personally tested the public transport links to London. With the station just a 5 minute walk away with a High speed train to St Pancras and two trains every hour to London Victoria.

4.0 PLANNING CONSTRAINTS

Potential Archaeological Importance
Conservation Area Preston-next-Faversham
Landfill Waste Disposal Site PRESTON FORGE

5.0 POLICY AND OTHER CONSIDERATIONS

The National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)
Development Plan: Saved policies E1 and T3 of the Swale Borough Local Plan 2008
Supplementary Planning Document (SPG): The Conversion of Buildings into Flats or Houses in Multiple Occupation.

The Council's SPG on HMOs acknowledges that HMO's provide a useful means of housing for a growing number of single person households. Its states that properties suitable for conversion are ones with a floor area above 110m² with their own off street parking facilities and outside amenity area. Additionally if the location of the proposed HMO is an area of predominantly single family houses the property would need to be a detached house in substantial grounds. A more suitable location would be streets where a significant proportion of the properties are no longer in single family use. In considering an application the use of properties either side of that proposed for conversion is an important material consideration.

6.0 LOCAL REPRESENTATIONS

6.01 None.

7.0 CONSULTATIONS

7.01 Faversham Town Council deferred the original decision stating that no Design and Access statement has been provided and that no description of the new use or reasons for change of use has been provided. Upon second consultation with additional information and clarification regarding the information, they objected to the application as they consider that no proper description of the proposed new use has been provided. Members should note that the relevant regulations do not require a Design and Access Statement for a change of use application like this one.

- 7.02 Kent Highway and Transportation has commented that the application does not meet the criteria to warrant involvement from the Highway Authority
- 7.03 The Council's Environmental Health Manager has considered potential concerns over increased noise from use of the building as a House in Multiple Occupation (HMO) in this location.

He has noted that the building is located adjacent to a KCC Highways Depot and opposite Faversham Football Ground together with a Household Waste Recycling Centre nearby. The existing use as a Residential Care Home will generate noise from vehicle movements to and from its existing car parking area.

He notes that there is no evidence to support an argument that individuals occupying a HMO will produce an unacceptable impact in terms of noise compared to the existing use. This together with the background noises associated with existing nearby uses has led me to the conclusion that he has no adverse comments or objections to this application.

8.0 BACKGROUND PAPERS AND PLANS

- 8.01 Application papers for application 16/504460/FULL

9.0 APPRAISAL

- 9.01 The site is located on the outskirts of Faversham and is accessible to the town and the variety of facilities, services and public transport it offers, the application requires minimal internal alterations and as such the main consideration is the potential impact on residential amenity of the proposed change.
- 9.02 There will be no additional visual impact as the building is to retain its current external appearance and only minimal internal changes are required to implement this change of use.
- 9.03 I note the property Mill Cottage is located as the nearest residential property to the site and advice was sought from the Environmental Health manager. He advises that given the location of the site surrounded by high use facilities and services he considers that there is no evidence to suggest that the individuals occupying the property would produce an unacceptable impact in terms of noise compared to the existing use. This is in line with the SPG which states that the use of properties either side of the HMO is an important consideration. Here, given they are predominantly uses other than residential I consider it to be an acceptable location.
- 9.04 I am conscious that the property is shown to accommodate 20 bedrooms and as such I do consider it necessary to attach a condition to ensure that the number of residents is restricted. I note the previous care home had permission for 24 residents; however the circumstances of the care home are different to the HMO proposed here and as such I consider 20 to be a reasonable number given this is the same number of bedrooms, and that is likely to accord with relevant licensing criteria.
- 9.05 I am also mindful of the amenity of the future occupiers of the building and note there is amenity space around the property, in line with the requirements of the SPG and I consider that its close proximity to the facilities and amenities of Faversham is of benefit.

9.06 Off street parking exists on the site, in line with the SPG and I note the site is very well situated in terms of pedestrian access to the facilities and services in Faversham and to public transport links locally and to places further afield. There is also sufficient space on the site to accommodate additional parking

9.07 I note the objection from Faversham Town Council, but the applicant has provided all the information necessary for this change of use application. However whilst it is not entirely clear what they mean by “no proper description of the proposed new use has been provided” I consider it to be clear as to what is being proposed.

10.0 CONCLUSION

10.01 The property has historically been used as a care home and this application is for its change of use to a HMO, the required information has been submitted and, with the attached condition restricting the number of inhabitants, I consider the change of use to be acceptable in accordance with the Council’s published SPG guidance.

11.0 RECOMMENDATION – GRANT Subject to the following conditions:

- (1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- (2) No more than 20 people shall reside in the property at any one time.

Reason: In the interests of residential amenity

Council’s approach to this application:

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework (NPPF), the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and proactive manner by:

- Where possible, suggesting solutions to secure a successful outcome.
- As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this instance:

The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the Committee and promote the application

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council’s website.

The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.