Application No: 2016/2797
Application Type: FULL
Case Officer: Rachael Thorold
Ward: Molesey West Ward
Expiry Date: 11/11/2016
Location: 413 Walton Road West Molesey KT8 2EJ
Proposal: Change of use from Residential (C3) to Children's Residential Care Home (C2)
Applicant: Mrs Camilla McInnes
Agent: Mr Mircea Vlad
34 Harefield
Esher
Surrey
KT10 9TQ
Decision Level: If Permit – Sub Committee
If Refuse – Sub Committee
Recommendation: Permit

Representations: 28 letters of representation have been received raising the following concerns:

- Noise and disturbance
- Increase in crime and anti-social behaviour
- Similar negative impact at other foster homes (e.g. Sutton Coldfield)
- Loss of privacy
- Road safety, increased traffic and insufficient parking
- Overcrowding
- No sunlight to two bedrooms
- Loss of a family home
- This is for a commercial use
- Not compatible use in a residential area
- Setting of a precedent for other care homes within the Borough
- Use of an outbuilding for staff accommodation
- Professional credentials of applicant
- Use of residents money via grants

16 letters of support have been received.

The application has been promoted by Cllr Axton if the recommendation is to permit

***This application qualifies for Public Speaking***

Report

Description

1. The site consists of a detached chalet bungalow located on the north side of Walton Road, east to the junction with Weston Avenue in the Design and Character Sub-Area of MOL06: West Molesey Residential Suburbs.

2. The existing dwelling includes a self-contained annexe at first floor; access is from an external rear staircase.

Constraints

3. The relevant planning constraints are:

- Flood Zone 3a
- B Classified road
Policy

4. In addition to the National Planning Policy Framework and the National Planning Practice Guidance, the following local policies and guidance are relevant to the determination of this application:

Core Strategy 2011
CS1 – Spatial Strategy
CS7 – East and West Molesey
CS17 – Local character, density and design
CS25 – Travel and Accessibility
CS26 – Flooding

Development Management Plan 2015
DM1 – Presumption in favour of sustainable development
DM2 – Design and amenity
DM5 – Pollution
DM6 – Landscape and trees
DM7 – Access and parking
DM8 – Refuse, recycling and external plant
DM10 – Housing

Design & Character SPD 2012
Companion Guide: East and West Molesey

Flood Risk SPD 2016

Developers Contributions SPD 2012

Relevant Planning History

<table>
<thead>
<tr>
<th>Reference</th>
<th>Description</th>
<th>Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>BN/2008/1745/0</td>
<td>Erection of detached leisure building.</td>
<td>Building notice accepted but works not implemented.</td>
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Proposal

5. Planning permission is sought regarding the change of use from an existing C3 (dwellinghouses) use to a C2 (residential institutions) use as a specialist children’s residential care home. The six children would be permanent residents in foster care and 24/7 care would be provided by staff on a rota with two staying overnight within the accommodation.

6. The applicant states that there will be 15 staff (10 full time and 5 part time) on rotate but this will depend on need of the individual residents. All staff will be CRB checked and have the relevant qualifications.

7. With the exception of the insertion of a flank ground floor window no other external alterations proposed to the house, just the internal re-configuration of the rooms to better provide for the new use.

8. The layout of the dwelling will be reconfigured to provide 6 bedrooms, 2 bathrooms, lounge, study, kitchen and storage at ground floor. The first floor which is accessible from a separate rear access will be reconfigured to provide a staff room, kitchen and utility, bathroom and an individual care room and group care room.
Consultations

9. Environmental Health: No comments in relation to pollution and contamination. Advise that they business may need to register with the Council as a food business.

10. Surrey County Council Transportation: Awaiting response. Verbal update to be provided.

Positive and Proactive Engagement

11. In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of 186-187 of the NPPF by making available pre-application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.

12. Pre-application advice was sought prior to the submission of this application in which the Officer advised that there would likely be no objection in principle to the proposed change of use but further detail would be required in order to fully consider the impact on neighbour amenity, highway safety and flooding in particular.

Planning Considerations

13. The main planning considerations in the determination of this application are:

- Principle of development
- Impact on character of the street scene and locality
- Provision of a suitable residential environment for future occupiers
- Impact on neighbour amenity
- Highway implications and parking provision
- Managing flood risk

Principle of development

14. The proposal does not involve the net loss of housing as the children in occupation would be in permanent residential care.

15. It is considered that the application site is a suitable location for a children’s care home due to its siting within the developed area and proximity to local bus routes.

16. The applicant has prepared a supporting statement outlining the why such a facility is needed and further information of specialist care that would be provided at the care home.

Impact on character of the street scene and locality

17. The care home would be the permanent residential address for the children. The use of the building would remain with a residential classification which is considered to be compatible within this primarily residential area. The ownership or management of the building is not material to assessment.

18. No significant external alterations are proposed and the appearance of the building would remain as a dwellinghouse, and, as such, there would be no visual impact arising from the proposed change of use.

19. Concerns in relation crime and anti-social behaviour and the reference to a residential institution in Sutton Coldfield are noted. It is acknowledged that the site is located within a residential area, however, there is no evidence to suggest that the proposed use of the dwelling (children’s care home) in this location would automatically result in an increase of crime or that the children in care would commit crime and cause anti-social behaviour. The media based example from Sutton Coldfield is not relevant to this application. If
individual instances of crime and anti-social behaviour were to arise this would be a matter for the police.

**Provision of a suitable residential environment for future occupiers**

20. The proposed plans indicate that there would be 3 bedrooms which would not be served by windows with direct sunlight or with a limited outlook; this is a similar situation to 1 existing bedroom which flank window adjoins the garage. Whilst concerns are raised, on balance, it is not considered to result in unduly adverse living conditions of future residents considering the specialist care that would be receiving.

21. Moreover, the Design and Access statement advised that the applicant is of the view that the house fits the proposed use well with some changes to some of the rooms to meet Ofsted requirements.

22. It should be noted that as a children’s home the property would be registered with and closely regulated by Ofsted and Surrey County Council.

**Impact on neighbour amenity**

23. It is considered that the day to day activity associated with the proposed children’s care home with 6 residents, would be similar to that of a detached 3 bed family dwellinghouse plus the additional 1 double bedroom self-contained annexe. The Supporting Statement advises that any shift handover times for staff members and any coming and goings of visitors (specialist health visitors) would likely occur during the daytime, when there is generally a higher traffic and pedestrian movement within the locality and along Walton Road (a B classified road).

24. The proposed use would be subject to a 24 hour management and supervision regime. Therefore, provided the facility is well managed, the use is unlikely to lead to significantly greater levels of noise that which could arise from a detached family home. Therefore it is considered that the proposal would not lead to an adverse impact upon the residential amenities of the neighbouring occupants.

25. With the exception of one additional flank window which would be screened by the boundary fencing there are no windows proposed which would permit views into the neighbouring properties or gardens. The existing rear facing windows and decking area at first floor level are in situ.

**Highway implications and parking provision**

26. The Design and Access Statement advises that 6 off street parking spaces would be provided. These have not been outlined on the proposed plan. However, the Officer’s site visit confirmed that the existing driveway could accommodate at least 3 vehicles and this would accord with Elmbridge Parking Standards (as part of Policy DM7) which requires a maximum provision of 1 car space per 2 residents. Furthermore, it is noted that there are no parking restrictions along this part of Walton Road.

27. Notwithstanding this, it would be prudent to attach a condition requiring landscaping details including the layout of the front driveway and parking area to any forthcoming decision notice.

28. No changes are proposed to the existing access onto the site. It should be noted that the plans do not include proposed gates as refer to in supporting information and therefore they do not form part of this assessment or any forthcoming permission.

**Managing flood risk**

29. The application site is located within Flood Zone 3a. The proposed use (care home) falls within the same vulnerability classification as a dwelling as set out within the NPPF. The
The proposal does not include development that could increase flood risk at the property or elsewhere beyond the site boundaries.

30. It is noted that the application has been supported by a Flood Risk Assessment, outlining the risk and the proposed measures which would be undertaken in a flood event. However, given the needs of the residents, it would prudent to condition the submission of the full details of a Flood Plan including an egress route prior to occupation, were planning permission forthcoming.

Matters raised in Representations

31. The ownership, management and funding of the care home as well as the professional accreditation of the applicant are not material planning considerations.

32. In relation to the application setting a precedent for similar residential institutional uses to operate in the area. All planning applications are assessed on their own merits against the relevant local and national policies.

Conclusion

33. On the basis of the above, and in light of any other material considerations, the proposal is considered to be in accordance with the development plan. Accordingly, the recommendation is to grant permission.

Recommendation: Grant Permission

Conditions/Reasons

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

Reason: To comply with Section 51 of Part 4 of the Planning and Compulsory Purchase Act 2004.

2 LIST OF APPROVED PLANS
The development hereby permitted shall be carried out in strict accordance with the following list of approved plans: Existing and Proposed Plans 2, Existing and Proposed Plans 1, Existing and proposed elevations 3, Existing and proposed elevations 2, Existing and proposed elevations 1 & Existing and Proposed Plans 3 received on 24 August 2016 and Block Plan & Location Plan received 23 September 2016.

Reason: To ensure that the development is carried out in a satisfactory manner.

3 LANDSCAPING - SCHEME
NO DEVELOPMENT SHALL TAKE PLACE UNTIL FULL DETAILS OF BOTH HARD AND SOFT LANDSCAPING WORKS HAVE BEEN SUBMITTED TO AND APPROVED IN WRITING BY THE BOROUGH COUNCIL AND THESE WORKS SHALL BE CARRIED OUT AS APPROVED. THIS SCHEME SHALL INCLUDE INDICATIONS OF ALL HARD SURFACES, WALLS, FENCES, ACCESS FEATURES, PARKING LAYOUT, THE EXISTING TREES AND HEDGES TO BE RETAINED, TOGETHER WITH THE NEW PLANTING TO BE CARRIED OUT, AND DETAILS OF THE MEASURES TO BE TAKEN TO PROTECT EXISTING FEATURES DURING THE CONSTRUCTION OF THE DEVELOPMENT.
Reason: To preserve and enhance the visual amenities of the locality and to ensure suitable off street parking provision in accordance with Policy DM6 and DM7 of the Elmbridge Development Management Plan 2015.

4 FLOOD WARNING AND EVACUATION PLAN
NO DEVELOPMENT SHALL TAKE PLACE UNTIL DETAILS OF A FLOOD WARNING AND EVACUATION PLAN INCLUDING DETAILS OF AN ESCAPE ROUTE HAVE BEEN SUBMITTED TO AND APPROVED IN WRITING BY THE BOROUGH COUNCIL

Reason: To manage the residual risk of flooding to comply with policy CS26 of the Elmbridge Core Strategy (adopted 2011) and the Flood Risk SPD (adopted 2016).
Produced 22 Aug 2016 from the Ordnance Survey MasterMap
(Topography) Database and incorporating surveyed revision
available at this date.

The representation of a road, track or path is no evidence of a right
of way. The representation of features as lines is no evidence of a
property boundary.

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Version 1.0 Unversioned directory PDF
Existing LHS Elevation
Scale 1:100@A3

Proposed LHS Elevation
Scale 1:100@A3