

Planning Committee – Supplementary agenda no. 1

A meeting of the Planning Committee will be held on:

Date: 2 August 2017

Time: 6.30pm

Venue: Meeting Room 9 - Level 3, Gun Wharf, Dock Road, Chatham ME4 4TR

Items

- 5 Planning application - MC/17/0207 - 2 - 4 Hunters Way West, Darland, Chatham ME5 7HL – Revised report (Pages 4 - 20)**

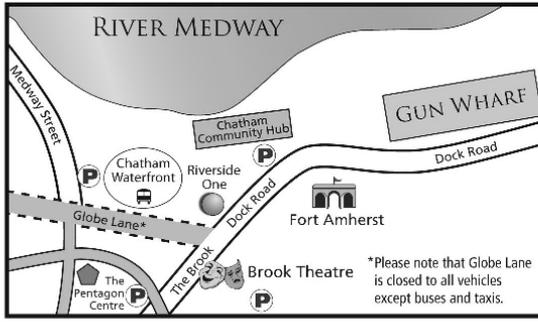
Watling

Change of use from C3 dwelling house to C2A secure residential institution including internal alterations to provide 11 no. en-suite bedrooms, quiet room, main lounge, staff office, training kitchen, kitchen/dining room, gym, computer room, meeting room, staff rooms, office and training room with associated parking.

The attached revised report replaces the version at item 5 of the main agenda dated 25 July 2017.

For further information please contact Ellen Wright, Democratic Services Officer on Telephone: 01634 332012 or Email: democratic.services@medway.gov.uk

Date: 31 July 2017



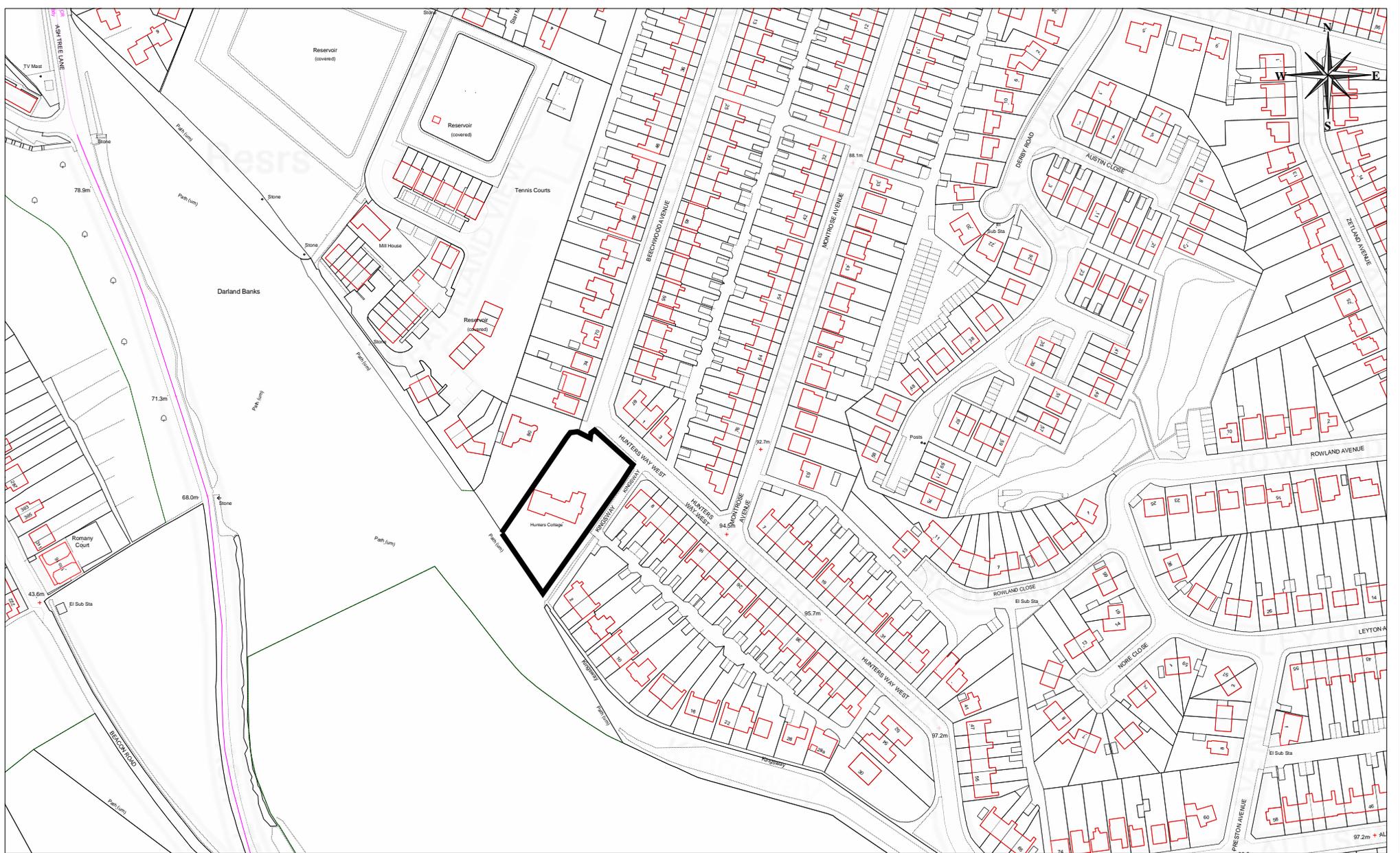
This agenda and reports are available on our website
www.medway.gov.uk

A summary of this information can be made available in other formats from **01634 333333**

If you have any questions about this meeting and you want to speak to someone in your own language please ring **01634 335577**

বাংলা	331780	ગુજરાતી	331782	ਪੰਜਾਬੀ	331784	كوردی	331841	ارو	331785	Русский	332374
中文	331781	हिंदी	331783	Polski	332373	এহ্‌শফ	331786	فارسی	331840	Lietuviškai	332372

This page is intentionally left blank



MC/17/0207 2-4 Hunters Way West, Darland, Chatham



© Crown copyright and database rights 2012 Ordnance Survey licence number 100024225.



Scale: 1:2500 21/07/17

© Medway Council, 2012

MC/17/0207

Date Received: 19 January, 2017

Location: 2-4 Hunters Way West, Darland, Chatham, ME5 7HL

Proposal: Change of use from C3 dwelling house to C2A secure residential institution including internal alterations to provide 11 no. en-suite bedrooms, quiet room, main lounge, staff office, training kitchen, kitchen/dining room, gym, computer room, meeting room, staff rooms, office and training room with associated parking

Applicant: Purecare Care Homes Limited

Agent: Mr Gary Turner Giarti Amphenol Business Complex Thanet Way Whitstable CT5 3JF

Ward Watling

Case Officer Majid Harouni

Contact Number 01634 331700

Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 2 August 2017.

Recommendation - Refusal

- 1 The proposed development by reason of physical features such as tall boundary fence, gates, CCTV, and airlock system would adversely impact on the visual amenities of the surrounding properties and result in creation of an impermeable and hostile environment harmful to the character of this family residential environment. The proposal is therefore contrary to policies H8, CF5, BNE2 and BNE1 of the Medway Local Plan 2003 and paragraph 58 of the NPPF 2012.
- 2 The proposed development by reason of its mode of operation and associated resulting activities would give rise to instances of antisocial behaviour leading to noise, disturbance and a perception of fear within the community, thus resulting in a significant adverse impact on the quality of life and loss of amenities of those surrounding the site and wider residents of this close knit community contrary to policies H8, CF5, BNE2, BNE3 and

BNE8 of the Medway Local Plan and paragraph 58 of the NPPF 2012.

For the reasons for this recommendation for refusal please see Planning Appraisal Section and Conclusions at the end of this report.

Proposal

This application is for the change of use of the property from existing C3 dwelling house to C2A air lock secure residential institution and involves the removal of integral orangery roof lights feature, replacement of double front door with a single leaf door, internal alterations to provide 11 no. en-suite bedrooms, quiet room, main lounge, staff office, training kitchen, kitchen/dining room, gym, computer room, meeting room, staff rooms, office and training room with associated disabled ramp to the front, on site parking to the front, 3 m high secondary security boundary enclosure, gates and CCTV.

The premises are not intended to be used solely for the purpose of detention but for the treatment and rehab of the patients admitted.

Relevant Planning History

MC/12/0388	Construction of a two- storey side/part single- storey front extension incorporating raised lantern light and integral double garage together with dormers to front and rear and roof light to side to facilitate living accommodation in the roof space (Demolition of existing side extension and resubmission of MC/11/2009) Decision Approval With Conditions Decided 05/04/2012
MC/11/2009	Construction of a two- storey side/part single- storey front extension incorporating raised lantern light and integral double garage together with dormers to front and rear and roof light to side to facilitate living accommodation in the roof space (Demolition of existing side extension) Decision Refusal Decided 27 September 2011
MC/02/1782	Construction of two storey extensions to form garages, swimming pool and additional living accommodation Withdrawn – 9 September 2002

Representations

The application has been advertised on site and by individual neighbour notification to the owners and occupiers of neighbouring properties.

110 letters of objections together with 5 separate petitions with total 1155 signatures have been submitted to the Council expressing concern about the following points:

- Access to the site is on a 90-degree angle situation and sight lines from the access point are very poor and dangerous.
- There is already car parking problem in the surrounding roads and the proposal would exacerbate the situation by generating additional parking demand from staff and visitors as well as other essential services.
- Darland is a residential area and the proposed C2A residential institutional use would prejudice the safety and security of the elderly residents and parents with young children.
- Introduction of a private business in a middle of a primarily residential area. This would be the thin edge of the wedge for future development.
- This area is primarily family housing and the proposal would alter this for everybody and would create an unfortunate and unnecessary precedent.
- If it is a secure institution are the occupants capable of breaking out? If so where to?
- If the residents have mental health issue then there are security issues for all age groups.
- It is not appropriate to place such an institution in a middle of a primarily residential area.
- Darland estate is a much sought after residential area if permission is granted our properties will be devalued. Will Council compensate residents for financial loss and lower our Council Tax?
- There is covenant restriction on every property in Darland Estate that prohibits running a business on their premises. If there are similar covenant restrictive on the deed of 2-4 Hunter Way it is Ultra vires for the Council to grant any permission.
- Has any risk assessment been carried out, bearing in mind that Chatham Grammar for girls is close by.

Following the submission of additional information and risk assessment report, local residents were reconsulted and additional 68 letters have been received making the following representation:

- The proposal will result in the generation of additional traffic and demand for a parking problem.
- The site is on a very dangerous bend, especially during the winter months. The adjoining roads are already congested.

- The area is mainly family homes and the proposed secure residential institution is in an appropriate here.
- It is suggested that the old fire station place is a better alternative location.
- Children will not feel safe to go out to play.
- Noise generated from the staff and residents as well as noise from the traffic to and from the site including Police and ambulance vehicles will further add to the distress and disturbance of the local residents.
- 3m high fence will not be in keeping and could become an eyesore.
- This development will not fit into this residential area; Residents do have fears about safety and security. There are records of patient escaping from such institutions. Such incidents add to the fear of the local residents about the use.
- The proposal if granted will put residents at risk.
- The use could change in the future to other uses within C2A use and further harm the amenities of the local residents.
- No information has been provided to show how an emergency evacuation would be achieved while maintaining the property secure.
- The use would detract from Darland Bank and its use by residents and walkers.

Representation from Cllr Asha Saroy

I object to the above planning application for a number of reasons including:

Parking - the proposal states there will be eight parking spaces. Parking is a premium and I do not think that eight spaces will be sufficient for this application, particularly for the full-time staff required on site.

Highways and traffic – The land is located on a corner/bend and is a blind spot, and the increased traffic associated with the proposed use will further cause problems in relation to road safety and have a serious impact on residents.

Noise – increased noise pollution in the local area.

Design and character – the 3m "closed off" fence design is completely out of character for this area and will impact how residents feel and view the Darland area.

Most importantly, Darland is a residential area and it is strongly felt that this change of use is inappropriate and is not right for the character of the Darland area.

The consultation by the applicant has been poor. Did not approach the local community at the beginning about this application and has caused ill-feeling; reports provided post-submission (Mr. Konzon's report in particular) have done little to build relations with the community

The Applicant's agent has provided the following representation in support of the application:

- The submitted block plan shows that minimum of 7 parking spaces together with existing garaging spaces total of 8 car parking will be made available

prior to the commencement of the development. The front garden area has the potential to provide overspill additional car parking should it become necessary.

- The parking would be for staff and visitors.
- Our clients always look to recruit staff locally and like the staff in our client's other care homes staff generally walk, cycle or rely on public transport to get to work rather than driving to and from work.
- The existing fencing and hedging will be retained to the rear gardens and a further 3m high secondary fence will be erected on the inside if the existing fence, hedge and trees.
- When residents go into the rear garden areas they would be supervised by a member of staff at all times.
- We would also like to confirm that PureCare will be providing an environment commonly referred to as a "locked rehabilitation service", where clients with mental health issues (ranging in age from 18 years upwards) will be admitted from low secure hospital services. The clients will spend a period of time in this safe environment learning or reacquainting themselves with daily living skills with input from nurses, psychiatrists, occupational therapists and social workers. From here, clients typically move into social care settings before moving into the community.

Further supporting letters and a risk assessment report have also been submitted.

Dr Michael Kingham (Consultant Forensic Psychiatrist), comments on the proposal by PureCare to develop a locked rehabilitation hospital in Medway. Please note that the following are his personal views and he does not represent Kent and Medway NHS and Social Care Partnership Trust

Rehabilitation hospitals (whether locked or unlocked) can form a vital link between acute and/or secure psychiatric hospitals and the community, preparing patients for community living before they are ready to be discharged. Rehabilitation is at its most meaningful when it occurs close to a patient's home area as it supports them to be reintroduced to the opportunities available locally while avoiding flooding them with responsibility, which can bring with it destabilising stress to jeopardise their progress. PureCare staffs have strived successfully to produce positive outcomes for residents and have enabled them to achieve greater independence.

Risk Assessment Report

Celia Dunn a qualified social worker in Mental Health has on behalf of the applicant prepared this report. She has concluded that PureCare has taken extremely seriously all aspects in respect of safeguarding issues in respect of the wider community surrounding the proposed unit at Hunters Lodge. They are working within all appropriate legislative guidelines to ensure optimum safety for mental health clients and the local community.

PureCare as an organisation has a proven track record of providing supported accommodation to forensic mental health service users in the community. It is a community-minded organisation that is proposing to support vulnerable individuals with mental health issues and work with the local community. In order to achieve this, any concerns expressed by the local community will be taken seriously and addressed appropriately.

PureCare wishes to work closely with the community for the overall betterment of society. Given the expected very high standards, severe restrictions and robust legal framework in place for individuals who require locked rehabilitation she would consider that the risk in respect of safety to the community to be low.

Kent Police

Kent Police welcomes the increased provision of mental health services to support members of the community and reduce the demand on frontline public services. Like any business or service based within the community, the management of the premises need to be effective and any law, legislation or governance adhered to. Kent Police would be happy to work with any owner of such an establishment should they require any advice on the change of use design, access and security principles, before such an application is approved, thus allowing relevant stakeholders the confidence of what is being proposed will be implemented for them to take a decision on the application.

In relation to your question of whether the 'presence of a lockdown mental health institution in a primarily residential area (as the application site and its surrounding) would or could potentially lead to disturbance and fear of increased crime'. Whether such premises could lead to a disturbance or an increase in the fear of crime, is very much dependent on the engagement and communication that the application and Medway Unitary Authority (MUA) have with the local community, coupled with effective management and governance of the premises. Therefore it may be prudent for MUA to conduct a Community Impact Assessment which includes the communities concerns, so the applicant can design out any potential issues at an early stage.

Having read the risk assessment from Celia Dunn, there is nothing that Kent Police would like to comment on at this time.

The Council's Environmental Health Section

Has not raised any concerns about noise impact and officers are satisfied that there would be no unacceptable impact on the amenity of surrounding properties due to noise from the proposed development.

Medway Council Social Services

Social Services have made general comments that Medway Council area is in need of such facilities and that the proposed development would be very similar to Glenhurst Lodge in Maidstone.

Highway Authority

Parking

The Council's Parking Standards indicate that the development should provide a maximum of one parking space per six residents and one space per staff member. Based on the information submitted, this would generate a requirement for up to 22 spaces. The layout plan shows provision for eight car parking spaces, including a garage. The site is located a short walking distance from the A2, a strategic public transport corridor with bus services to Chatham and Gillingham operating at least every 10 minutes. Notwithstanding this, the site is large and there is scope to increase the number of spaces significantly in order to meet the standard. It is suggested that details of additional, overspill car parking spaces within the site could be secured by planning condition.

Trip Generation and Access

The trip generation database indicates that this type of use would generate in the region of 15 vehicle trips per day, which would intensify the use of the access. Whilst the access is on a bend in the road, the adjoining footway to the south ensures that vehicles can emerge and see approaching vehicles from this direction without encroaching on to the main carriageway. Vehicles at the access would have clear sight of vehicles approaching from the north.

In light of the above, the vehicle trips generated by this proposal are unlikely to have a significant impact on conditions of highway safety and the free flow of traffic on the local network. Subject to the provision of an overspill car parking area within the site, the impact on kerbside parking for existing residents in the vicinity of the site would be negligible.

On this basis, no objection is raised in respect of Policies T1, T2 and T13 of the Medway Local Plan.

Development Plan

The Development Plan for the area comprises the Medway Local Plan 2003 (the Local Plan). The policies referred to within this document and used in the processing of this application have been assessed against the National Planning Policy Framework 2012 and are considered to conform.

Background

The application site consists of a large two storey detached house with associated garaging and on site car parking provision within an extensive ground (about 0.42 hectares). The site is roughly rectangular in shape and forms part of the curtilage of 2-4 Hunters Way West and with the exception of sharing a boundary with the property to the west, it does not share boundary with the other surrounding residential properties. However, it is situated in a predominately residential area and backs onto Darland Banks public open space.

The dwelling is set well back from the road and is almost in the centre of the plot on the south side of the junction of Beechwood Avenue and Hunters Way West which is sharp 90-degree bend. The site is enclosed by 1.8m timber fence along its southern boundary with Darland Bank and low-level boundary wall, fence together with hedging and tall trees along its northern, western and eastern boundaries. The building is partially screened by the existing boundary treatment.

Pedestrian and vehicular access to the site is from the existing access driveway on the north-west corner of the site on the junction of the Beechwood Avenue and Hunters Way West.

The site currently has provision for 3/4 on site car parking spaces (these comprise spaces within the existing garage buildings and parking on the driveway).

The site is a short walking distance south of A2 (Roman Road) where there is the good public transport, shops and services.

The application seeks planning permission for the change of use of this building from C3 (dwelling house) to used as class C2A (secure residential institution) purposes involving erection of a 3m high security fence and gates on the inside of the existing hedgerow and tree lines, internal alteration to provide accommodation for up to 11 patients and overnight stay of staffs, new ramp to the front of the building and provision of 7 additional car parking spaces.

The proposed unit would care for up to 11 male adults over 18 years old. All of the adults would be detained under the Mental Health Act 1983 as amended. The adults will have a diagnosis of mental disorder and learning disability. Their illnesses will present in many different ways and will require care including appropriate medication.

PureCare would provide a rehabilitation programme for each patient. Each patient works with a multi-disciplinary team of psychiatrists, psychologists, occupational therapists, behavioural therapists, nurses, social workers, support workers, educational professionals and family members to build skill and insights to return safely to the community.

PureCare Home Ltd also runs two other sites in the borough (these facilities treat a completely different patient group, some of the skill sets of the professionals that work there could be transferred to working with patients at the application site. There would be a high staff to patient ratio, to encourage rehabilitation and the opening of this unit would create additional jobs.

Medway Council Social Services has stated that Medway is in need of such facilities. PureCare has not stated that the unit would service Medway area only. However, the existence of such facility in Medway would help to increase opportunity for people from Medway not to be placed outside the borough, in other similar facilities, allowing them to be closer to their families and aid their recovery.

Following appropriate risk assessments and treatment, patients may be allowed to leave the unit accompanied by staff either on an individual basis or as part of a group. This would assist the proposed institution in reintegrating the patients back into the community and accessing recreational activities away from the institution's setting.

For security reason access to the building would be via an airlock system in order to control people entering and leaving the building. In addition the regulations regarding low secure units say that these facilities must have a minimum 3.m high-security boundary enclosure together with CCTV. The fence would assist the unit in ensuring the safety of the patients in terms of who has access to the site, as well as maintaining site boundaries and security.

The patients would be permitted to leave the building and access safe outdoor space/the garden area every day for recreational activities/ access the open air area. The management and regulation of the care homes and the mental health services such as the proposal is the responsibility of Care Quality Commission under Health and Social Care Act 2008 (Regulation Activities Regulation 2014) to supervise.

It is important to note that Medway Local Plan was adopted in 2003 and Circular 02/2006 that introduced Class C2A (Secure Residential Institution) came into effect in June 2006 as such the saved policies predate the current Use Classes Order. The Class C2A use is defined as, "Use for a provision of secure residential accommodation, including use as a prison, young offenders institution, detention centre, secure training centre, custody centre, short term holding-centre, secure hospital, secure local authority accommodation or use as military barracks".

The Memorandum to Circular 02/2006 that was superseded by the NPPF provided guidance to local planning authorities in England about Class C2A and in paragraph 84 it said:

"A new C2A development such as a prison, secure hospital or immigration detention centre will require a planning application. These types of development require a large area of ground. Such uses need good road links for staff, visitors and deliveries

and space for car-parking as well as good public transport links. They also provide a significant number of long-term jobs for local people. For these reasons such institutions may not easily be accommodated within existing residential land allocations. The Secretary of State considers that the physical requirements and employment-generating aspects of these schemes are an important consideration and that despite their residential classification, location on land allocated for employment uses is appropriate."

The applicant has not clarified, why this property and location has been identified as to be most suitable for the proposed C2A use.

Members will be aware that the issue of covenant restriction or devaluation of a property is not a material planning consideration.

Planning Appraisal

The main issues to consider are the principle of development, the effect that the proposed use would have on the residential amenities of people living adjacent to the site and in the neighbourhood with particular regard to visual amenity, privacy, noise, disturbance, fear and highway.

There is no specific Local Plan Policy for assessing secure residential facilities. The Medway Local Plan Proposal Map shows the application site to be within a residential area. The provision of saved Policies H8 (Residential Institutions) and CF5 (Nursing and special care) are indirectly relevant. These policies respectively say the development of residential institution and special care unit would be acceptable subject to compliance with following:-

- I) The development would not adversely effect nearby residential amenity.
- II) The property is within reasonable walking distance of shops, public transport and other facilities
- III) Adequate space is provided for residents.
- IV) Adequate parking is provided for staff, visitors and service vehicles, taking into account the accessibility of public transport.
- V) For changes of use, the property is too large to reasonably expect its occupation by a single household.

With regard to special care to meet needs arising in local neighbourhoods will be permitted subject to there being no undue loss of amenity to neighbouring residents. Proposals should be of a size, design and location that will provide a satisfactory environment for future residents.

Policy S2(ii) requires that such development is located in a sustainable location.

In addition, it is considered that Policies BNE1 (General principles for Built development), BNE2 (Amenity protection), BNE3, (Noise) and BNE8 Security and safety are also relevant in consideration of the proposal.

Also relevant are paragraphs 50 and 159 of the NPPF that require Local Planning Authorities plan for a mix of housing based on current and future demographic trends, ... and needs of different groups in the community (such as,...people with disabilities).

In addition bullet point 5 of paragraph 58 of the NPPF says decisions should aim to ensure that developments: - “create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion”.

It is considered that having regard to the above there is no in principle objection to the proposal, however, the relationship of the proposed development with neighbouring residential properties and its surrounding are the critical factor in this case.

The application site is situated on a sharp bend junction and is overlooked and surrounded by family housing, Darland Bank recreation open space is to the rear and there is a girl school nearby.

Visual and Residential Amenities

The physical changes to the premises comprising 3m high boundary fence and gates would result in a very severe reduction in visual amenity for the local residents. Although the proposed fence would be located on the inner part of the existing hedgerow and trees which would be partially soften its appearance when viewed from outside the site and when the vegetations are green. Also there is no vegetation along substantial part of the southern boundary of the site towards Darland Bank and some section of the western boundary. Thus the proposed fence would be visible. Moreover, the new access gates along the north-west corner of the site would be completely exposed and visible from the road. It is considered that the corner of the site is situated at the sharp bend of the road, where the proposed 3m high gates would appear very incongruous and out of character in this residential area. It is, therefore, considered that these changes would have a detrimental impact in visual terms, albeit softened in part and to some extent by the existing hedges and trees and any additional landscaping that might be proposed to be introduced.

It is considered that the proposed 3m high fence would still represent a very substantial impenetrable visual feature restricting views into the site. In addition such a fence would appear quite imposing to the residents of the bungalow dwelling to the west and the users of Darland Banks to the south, particularly as the land drops away from the southern boundary and this boundary would be visible from the public right of way that runs along the southern boundary of the side and long views beyond.

It is considered that the proposed 3m high boundary fence together with other security measures such as CCTV would add to the isolation of the site from its surroundings in contrast to the relatively open welcoming appearance of the current situation. Furthermore, such a long length of high boundary treatment would appear

out of keeping with the general frontage and garden boundaries of the surrounding residential area and would give the premises a hostile appearance. It is considered that this would materially detract from the visual amenity of neighbours and wider surrounding.

Privacy

The proposal would not introduce any new windows at first floor level. The proposed bedroom no 5 which would be created from an existing first floor bedroom has a large window that faces eastward. Next to bedroom 5, bedroom no 4 would be created from conversion of an existing bathroom with a large window that faces eastward (here the existing obscure glazed would be replaced by a clear glaze). It is considered that no substantial new over looking beyond the current situation from the location of these first floor windows would result from the proposed conversion.

The submitted risk assessment report has referred to the requirement for the installation of a CCTV at the application site to comply with regulations for the proposed C2A use. However, no details have been provided with the application and in reply a request for information about the CCTV equipment, applicant's agent has stated that installation of CCTV does not require planning permission. It is therefore not possible to establish how many and where these CCTVs will be installed.

It is envisaged that such a CCTV system would be directed inward and be for the surveillance of the premises grounds and patients while in the garden, boundary fence, main gates, front doors and windows. As such, it is considered that the proposed CCTV would not intrude into the privacy and harm the amenities of the surrounding residents.

Fear and Public Safety

Many of the objections received are concerned with the use itself and the risk to the sense of cohesion of community with the potential harm from noise, general disturbance, intrusive sound of panic alarm, siren from arrival of ambulance and police vehicles, use of strong language by future occupiers, noise and shouting due to kerfuffle and attempts by staffs to restraint patient(s) or patient escaping. Although public concerns about safety are capable of being a material planning consideration, there has to be a judgement made on the weight to attach to such fears.

Paragraph 58 bullet point 5 of the NPPF states planning policies and decision should aim to ensure that development:-

"Create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion".

It is considered that while the concerns of local residents might be quite genuine, it is possible that many of the fears of residents have arisen out of a misunderstanding of

the intended use and comparison with the more secure unit. Even if those fears are based on the use as set out by the applicant, it is likely and inevitable that incidents of anti-social behaviour would occur from time to time and this type of patient might occasionally sound off and be heard from outside particularly when using the gardens. Also, it is likely no matter how competent Pure Care Ltd are at managing their operation; such incidents would not be prevented from taking place.

As mentioned in the background section above, C2A uses (secure residential institutions) and adult social care in England is administered by the Care Quality Commission (CQC). The applicant/operator would require a license from CQC before the building could be brought into operation for its intended use. There are security standard guidelines to facilitate service registration by the CQC. It is the CQC who have the powers and duty to assess the facilities provided, competency of staff, and level of care provided. The CQC also have a wide ranging and stringent enforcement policy, including the ability to withdraw a license or initiate prosecutions against organisations or individual members of staff.

It is also acknowledged that there is a perceived fear about the unit and the risk to public safety and consideration should be given to the rationale of such fears and although normally, the planning system should operate on the basis that other statutory control regimes will operate in an effective manner and that it is reasonable to assume that authorities with statutory responsibilities for the registration of such facilities operate in an effective manner and would ensure that public safety is not put at risk. It is considered that having regard to the location of the application site, being on a very sensitive junction, in a quiet and tight knit residential environment, any disturbance and commotion will be strongly felt by those residents adjoining the site and wider community.

Moreover, it is also considered that, although some issues like noise from inside the building can be addressed by appropriate planning conditions, it is not possible to address all the concerns and anxieties raised by the local residents and at the same time enable the applicant to operate satisfactorily.

The proposal to convert the building to satisfy the requirement of the regulatory bodies and be fit for purpose would be a very expensive undertaking; therefore any permission would have to be a permanent one. As such there would not be any prospect for retrospective action to remedy harm resulting from C2A use of the premises.

It is, therefore, considered that given the high density residential character and tight relationship of the application site with its residential surrounding, it is highly likely that the amenities of the adjoining and nearby residents would adversely be impacted upon by the proposal and therefore in this instance would not be appropriate to rely upon other regulatory provisions to protect residential amenity of the locals and cohesion of Beechwood Avenue, Montrose Avenue and Hunters - Way- West community.

Therefore, the loss of amenity for local residents must be weighed against the undoubted benefits of the proposed facility for Medway and wider area. It is acknowledged that the proposed development would provide much needed rehabilitation facility for patient; however, this does not outweigh the identified harm to the amenities of the local residents that will result.

Taking all these matters into account, it is considered that the benefits of the proposed change of use would strongly be outweighed in this case by the densified harm on the character and general amenity of the surrounding residents and the area. The proposal therefore would be contrary to the Medway Council Local policies H8, CF5, BNE2, BNE3 and BNE8 of the adopted local plan and paragraph 58 of the NPPF.

Highway Safety

It is acknowledged that there would be an increase in the volume of vehicle movements than normal, a property of this size could attract a family with a high level of car ownership. The timing of the majority of vehicle movements would coincide with normal daily activity related to work journeys, as well as leisure and shopping trips in the afternoon and evening. The evening staff changeover would occur during the day time or evening, and would not involve movement of large number of vehicles and this would be spread over half an hour period. The timing of the evening changeover / activities could be controlled by a condition to ensure it takes place as stated and no later. However, as mentioned above, highway officer is satisfied that any increase in traffic movements would not prejudice highway safety or lead to unacceptable pressure on on-street parking levels. The proposal therefore accords with Policies T1, T2 and T13 of Medway Local Plan.

Conclusions and Reasons for refusal

The proposed low secure residential institution would provide a facility that help in the recovery and rehabilitation of people with mental issues. Comments from the Social Services suggest that there is a need for facilities like this in the Medway area. It is recognised that the objective to secure an inclusive community would have clear benefits and that the site is in a relatively sustainable location with access to shops, local facilities and public transport. The development would also provide some employment opportunities.

However, it is considered that such considerations are strongly outweighed in this case by the harm that would result to the character of the area and amenities of the local residents by the physical manifestation of the use such as amongst other things, tall boundary enclosure, gates, secure garden, secure lobby/airlock system and CCTV which would make the premises look isolated, hostile and out of character in this family dominated close knit residential location.

Furthermore the inherent nature of the use and the potential negative repercussions associated with the proposed use such as anti social behaviour of the future residents on the amenities of the surrounding residents and adverse affects on the community cohesion. The proposal therefore is considered to be unacceptable and contrary to the local plan policies H8, CF5, BNE2 of Medway Local Plan and the aims of paragraph 58 of the NPPF and is recommended for refusal.

Background Papers

The relevant background papers relating to the individual applications comprise: the applications and all supporting documentation submitted therewith; and items identified in any Relevant History and Representations section within the report.

Any information referred to is available for inspection in the Planning Offices of Medway Council at Gun Wharf, Dock Road, Chatham ME4 4TR and here <http://publicaccess.medway.gov.uk/online-applications/>

This page is intentionally left blank