

MC/16/1003

Date Received: 2 March, 2016

Location: Mayfield House Hotel, 34 Kingswood Road, Gillingham, ME7 1DZ

Proposal: Retrospective application for the proposed Change of Use from 10 Bedroom Guest House (Class C1) into 12 bedroom Hostel (sui-generis) for temporary housing accommodation.

Applicant: Paramount Independent Property Services

Agent: Miss Killeen, JK Designs, 44 Ward View, Chatham, Kent ME5 7FD

Ward Gillingham North

Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 29 June 2016.

Recommendation - Approval, subject to:

A. Section 106

i) Secure a sum of £223.58 towards wildlife mitigation;

B. And the following conditions:-

1 The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing 025.1058.06 proposed block plan 025.1058.07, proposed lower ground floor and ground floor plan 025.1058.08, proposed first floor, second floor and roof plan received 2 March 2016.

Reason: For the avoidance of doubt and in the interests of proper planning.

2 The number of people who reside within the building shall not exceed 15 people at any one time and a register of occupants for each room shall be kept and available at all times on the premises for inspection.

Reason: To ensure that the development accords with the provisions of Policy BNE2 and T13 of the Medway Local Plan 2003, in terms of amenity and highway safety.

- 3 Within two months of this decision notice, full details of the refuse storage design shall be submitted to and approved in writing by the Local Planning Authority. The storage provisions shall be implemented in accordance with the approved details within one month of the approval of details and retained thereafter.

Reason: To ensure that the development is provided with appropriate waste facilities and management accord with the objectives of Policy BNE2 of the Medway Local Plan 2003.

- 4 The area shown on the submitted layout 025.1058.06 for vehicle parking and turning shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking or re-enacting that Order) shall be carried out on that area of land or in such a position as to preclude its use.

Reason: In accordance with the highway and amenity considerations and objectives of Policy T1 and BNE 2 of the Medway Local Plan 2003.

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

Proposal

This planning application relates to the change of use of an existing guest house (Class C1 use) into a 12 bedroomed hostel for use as temporary accommodation for homeless people. The site has recently been occupied for this purpose and is retrospective. The development is proposed to incorporate administration offices at basement level with 12 bedrooms proposed above for guests with a mix of single and double rooms. The bedrooms would be served by a communal kitchen, living and dining room situated at ground floor level. A shower room and w.c facilities would be provided with some being dedicated to individual rooms. Six parking spaces are proposed to the rear (off road) with access via an undercroft from the front of the property.

Two full time employees would be employed on a rota to ensure that the site is managed on a 24 hour basis. The applicants initially intended to provide 12 rooms for up to 16 people with a mix of both single and double bedroom accommodation but have accepted that this should be limited to 15 persons on account of the size of rooms.

The property would be used solely for individuals and families who find themselves in challenging or difficult circumstances and require emergency housing. The rooms would become the residents' permanent sole address until accommodation more suited to their needs is found. The premises would be managed by Paramount Independent Property Services from the office in the basement and a maintenance manager is proposed to inspect the building weekly from an off-site office. They also have a dedicated anti-social behaviour officer, who is available on 24 hour call if needed. The building would have full CCTV throughout and a digital door-entry

system to all main doors. The company advise that are in the process of securing train permits for residents to enable them to commute back to their local areas.

The applicants have confirmed that residents presently are from outside the Medway area (Sevenoaks, Maidstone and Tonbridge and Malling). They intend to work with the NHS to provide a private facility for clients that are bed-blocking hospitals. Bookings have been taken for work placements for charity organizations commuting from Dartford to the area as well.

It should be noted that the applicants submitted the application describing the use as a House in Multiple Occupation, but due to the nature of use where residents are placed following being made homeless and where the building is supervised, the use is considered to be of a hostel use for planning purposes. A hostel differs from self-contained flat conversions where flats are accessed separately and contain all the facilities (such as bathroom and kitchen) necessary for separate habitation. A hostel is composed of private areas, with bedrooms, used only by certain occupants, plus shared facilities, such as bathrooms, WCs and kitchens. A management facility is provided on site to support them and ensure that the premises are supervised at all times.

The applicants also operate from 1 Stopford Street Gillingham, but it is no longer a licensable HMO.

The applicant has offered a clause to be included in the S106, to prevent them from obtaining parking permits, if it is felt that this is necessary.

The applicant has also written to advise the following;

- They have a bin store to the rear of the building and refuse is presented to the front of the site on Wednesday mornings for collection. Unfortunately the refuse was not collected and following the same problem the following week the local authority were called to resolve the issue with a private contractor on standby in the event that this was not done. The complaint is understandable and has now been resolved;
- Smoking is not permitted outside the front of the property and is isolated to the rear in a designated area. CCTV is in place to control this and signage is in place throughout the building to manage this. Support to give up smoking is given alongside a ban on alcohol consumption on the premises;
- Fire doors have been provided on site to meet safety standards but will be checked to see if they can be adjusted to be quieter on closing;
- To minimise any disruption to local residents and fully consider our neighbours, the applicants have confirmed that they have a 24 hour telephone line to deal with any complaints;
- The applicants have provided an email form Medway Councils housing services manager in support of their application for such accommodation. They are also in the process of securing discounted rail and bus travel for their occupants, therefore this will be the main means of travel for the residents.

Relevant Planning History

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| GL/87/264 | Part two storey and part first floor rear extension. Decision Approval with Conditions Decided 16/10/1987 |
| GL 85 42B | Three storey extension, new external staircase and associated car parking for use by proprietor and family only Decision Approval with Conditions Decided 29 August, 1986 |
| GL 85 42A | Part single storey and part two storey rear extension to guest house. Decision Approval with Conditions Decided 10 January, 1986 |
| GL 85 42 | Change of use from dwelling house to guest house. Decision Approval with Conditions Decided 17 May, 1985 |

Representations

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

Eight representations have been received, objecting to the proposal on the following grounds:

- Increased parking competition where parking permits are not managed properly;
- Increased housing in the vicinity, increased parking demand close to the station resulting from Station highway works; loss of public parking to a Mosque with less replacement parking provided has added to parking congestion in the locality;
- The access is too narrow for many modern cars;
- Adverse impact on highway safety;
- The proposal will degrade the area;
- The development will not be for local people and will expand existing accommodation for non locals in the area;
- Daily parking permits were issued to occupants previously which increased parking competition for residents;
- Loss of privacy;
- This combined with increased housing in the vicinity, increased parking demand close to the station resulting from Station highway works; loss of public parking to a Mosque with less replacement parking provided has added to parking congestion in the locality;
- Increased litter and poor management of upgrading works have led to paint

- spillage on the highway not being cleared up;
- The site has accommodated a very low number of occupants in the last 7 years and the proposal will intensify this;
 - One letter of representation endorsed that the proposed use will provide much needed accommodation for people and families in need and accepted that many will not own a car.

The previous owner has written to explain the how they managed the site up until the point when they sold last year to the current owners. They confirmed that they had run the business as a guest house for approx. 35 years and provided bed and breakfast accommodation for paying guests in that time. These guests included students, overseas workers, contractors, homeless mothers with babies, medical personnel as well as general public visiting the area. The length of stay varied from days to weekends to full weeks in particular with some contractors staying for months with a reduced rate for the length of their stay. Medway Council's housing department also placed expectant mothers in the property with payment received direct from the council. Accommodation for Medway Hospital staff and NHS GPs was also provided. In 1980s, the building was extended to provide 10 letting rooms where the ground floor reception was used as overflow bedroom accommodation when needed. Occupation ranged between 1 to 18 guests from different countries with a regular turnover of guests. A visitor book recorded guest names and length of stay.

Development Plan

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

Planning Appraisal

Background

Planning permission was granted for the change of use from a dwelling (Class C3) to a guest house (Class C1) under reference GL/85/42 for no more than six adults and five children, with parking to the side/rear providing three spaces in total within a double garage and hardstanding.

A three storey rear extension was approved to enable the provision of rooms available for ten adults and three children as guests, together with the use of the loft space for private residential accommodation (GL/85/42B).

Principle

One of the core planning principles in the NPPF is to improve health and social wellbeing for all. Paragraph 159 places a need on local authorities to identify mix and range of housing that caters for demand for all types of housing. A hostel is a *sui generis* use, which, like HMOs for more than 6 people, requires the benefit of planning permission.

The underlining objective of policy in the Local Plan is to enable such accommodation to come forward on the condition that it provides a good standard of accommodation, whilst minimising possible detrimental effects. This can potentially be achieved by restricting hostels to suitable properties in areas capable of supporting them in consideration of the extra traffic and parking they may generate. The guest house accommodation use is lawful and consideration needs to be given to the difference in use and impact this proposal would have on surrounding character, amenity and highway considerations.

Dwellings intended for such accommodation will be permitted by Policy H8 objectives, subject to the following criteria:

- The proposal would not adversely affect nearby residential amenity;
- The property is within reasonable distance of shops, public transport;
- Adequate amenity space is provided for residents
- Parking is adequate for staff, visitors and service vehicles
- The property is too large to reasonably expect its occupation by a single household.

Impact on residential amenity

The premise adjoins residential accommodation and is within a predominantly residential area.

The provision of 12 dedicated bedrooms, with occupancy levels of up to 15 residents (reflecting also the size of the rooms) would differ from the previous approved use of ten adult guests and three children guests (plus use by family of the former owner).

The increase of five paying adult guests has to be considered carefully, as activity levels and potential parking demand could increase.

The proposed levels of occupancy may intensify when compared to the previous use, although the element of residential accommodation would be removed. It is unlikely that the difference in guest numbers proposed would have a significantly different impact on surrounding residents.

Increased parking competition may result, but due to the nature of occupancy, it is unlikely that future residents will have ownership of a car and if they do, will not be able to park directly in front of the site due to the permit controls in place (which is covered in the highways section of this report).

To ensure that the site is not overcrowded, the imposition of a condition limiting the number of bedrooms and occupiers is recommended to restrict levels of occupation to a maximum of 15 residents only, further measured by the requirement to have a formal register available for inspection on demand.

On this basis, no objection is raised to the scheme in regard to the objectives of Policies BNE2 and H8 of the Local Plan.

Links to shops and public transport

It is considered that the property fits the criteria of a suitable location, being located within the fringe of a town centre, close to main roads and good transport links. It is not considered that the introduction of this hostel use would in itself be detrimental to the character of the area or inappropriate to this town centre location, as the property is large and has been used historically as a guest house. This scheme is considered to meet the criteria of H8 in this respect.

Amenity space for residents

In terms of amenity space, the room sizes meet the Government Standards for room sizes. Due to the nature of temporary stays, the lack of amenity provision within the site is considered acceptable.

Adequacy of parking

The proposed development is close to a town centre location and Medway Council interim standards for the existing use require the provision of one space per bedroom. Based on this criterion, the development would require twelve parking spaces to be provided for the proposed use.

The main issue is whether or not the proposed use would generate a greater parking demand than the existing use. A hostel for up to 15 people is unlikely to generate a higher parking demand overall than a 10 bed guest house with additional accommodation for the owner/occupier. Whilst access to the parking area is not easy, there is evidence to demonstrate that it is usable. It is considered that the proposed development is unlikely to have a significant, material or detrimental impact on car parking in the local area.

Developer Contribution

As the application site is within 6km of the North Kent Marshes SPA/Ramsar Sites, the proposed development is likely to have a significant effect, either alone or in combination, on the coastal North Kent Special Protection Areas (SPAs)/Ramsar sites from recreational disturbance on the over-wintering bird interest.

Natural England has advised that an appropriate tariff of £223.58 per unit (excluding legal and monitoring officer costs, which separately total £550) should be collected to fund strategic measures across the Thames, Medway and Swale Estuaries. The strategic measures are in the process of being developed, but are likely to be in accordance with the Category A measures identified in the Thames, Medway & Swale Estuaries Strategic Access Management and Monitoring Strategy (SAMM) produced by Footprint Ecology in July 2014.

The interim tariff stated above should be collected for new dwellings, either as new builds or conversions (which includes HMOs and student accommodation), in anticipation of:

- An administrative body being identified to manage the strategic tariff collected

- by the local authorities;
- A memorandum of understanding or legal agreement between the local authorities and administrative body to underpin the strategic approach;
 - Ensure that a delivery mechanism for the agreed SAMM measures is secured and the SAMM strategy is being implemented from the first occupation of the dwellings, proportionate to the level of the housing development.

The applicant has agreed in principle to pay for this developer contribution based on a payment per room, but consideration needs to be given to the existing lawful use as having 10 bedrooms and an additional residential unit. On this basis, there would be an increase of one residential unit. This has been agreed by the applicant.

The scheme complies with the objectives of Paragraph 118 of the NPPF and Policy BNE35 of the Medway Local Plan 2003. This can be secured by Unilateral Undertaking.

Local Finance Considerations

None relevant to this application

Conclusions and Reasons for Approval

Having regard to current National Planning Policy and the Local Development Plan Policies, the proposal is considered acceptable with regard to the above mentioned considerations. The proposal is considered to be in accordance with paragraph 159 of the NPPF and Policies H8, BNE2 and T13 of the Medway Local Plan 2003.

The planning application is reported to Planning Committee for consideration by members due to more than two representations having been received against officer recommendation.

This application was considered by Members at the Planning Committee on the 1 June 2016, when it was determined to defer a decision to enable a Members' site visit to be held.

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/>