

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 oragory 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/11/2099)<br>Decision Approval With Conditions<br>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)<br>Decision Refusal<br>Decided 27 September 2011  |
| MC/02/1782 | Construction of two storey extensions to form garages, swimming pool and additional living accommodation<br>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 inappropriate 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 staff 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.

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 site and long views beyond.

It is considered that the proposed 3 m high boundary fence together with other security measures such as CCTV and lighting 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.

Furthermore the inherent nature of the use would have potential negative repercussions 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.

The application would normally be determined under delegated powers but is being referred to Committee due to the sensitivity of the material issues and the need to balance the conflicting issues and at the request of Cllrs Purdy and Saroy.

---

### **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/>