

MC/26/1348

Date Received: 15 July 2026
Location: 9 Clive Road, Rochester, Medway ME1 3BZ
Proposal: Change of use of existing dwellinghouse (Class C3) to children's home (Class C2).
Applicant Agent: Folorunso
CHP Architecture Ltd
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Ward: Rochester East & Warren Wood
Case Officer: Stephie Theedom
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 23 September 2026.

Recommendation - Refusal

- 1 The existing property by virtue of its size (internal floor area) and nature as a mid-terrace property is suitable for continued use as a small family home. The proposed change of use to a Class C2 care home of a small terraced property, within a street characterised by the same small family terraced properties with no off street parking and no turning space, is likely to result in comings and goings and movements at times that would be harmful to the residential amenities of residents of this quiet residential cul de sac. The proposal is, therefore, contrary to Policies H8 and BNE2 of the Local Plan 2003, Policy T8 of the emerging Plan 2025 and Policy P3 of the NPPF 2026.

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

Proposal

Change of use of existing dwellinghouse (Class C3) to children's home (Class C2).

The property is a mid-terrace, 2 storey dwelling with a basement. Currently the property comprises:

Basement – lounge, dining room, kitchen, and bathroom;
Ground floor – 2 bedrooms and a bathroom;

First Floor – 2 bedrooms.

The accommodation would comprise:

Basement – lounge, office, kitchen, and bathroom;

Ground Floor – two bedrooms and a bathroom;

First Floor – one bedroom and a carers bedroom.

There is no off street car parking and Clive Road is a cul de sac with terrace properties on either side and no turning facilities. .

Relevant Planning history

No relevant planning history.

Representations

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

27 representations have been received raising the following objections:

- Previously operated as a care home in a manner that caused issues to neighbours and the area;
- Noise and disturbance;
- Impact on surrounding residential homes;
- Not a suitable location;
- Increased coming and goings;
- Previous criminal activity;
- Should be used as a family home;
- Impact on residents' mental health;
- Anti-social behaviour;
- No prevention for anti-social behaviour;
- Inconsistent sqm on the overall footprint;
- Not suitable space for the use;
- Concerns for local resident and children.

Councillor Finch has written to object to the application on the following grounds:

- Not objecting to the need for good quality homes for supported accommodation for vulnerable people but to the lack of suitability of this particular property;
- Previous use of property as children's home caused considerable disruption to residential amenity, with anti-social behaviour and late night disturbance in this quiet road;
- Clive Road characterised by small terraced family properties;
- A staff institution is a different character to family home;

- Staff movement, taxis, deliveries, and emergency service attendance add to that change in character;
- There is limited parking on street which will be under additional pressure due to additional parking demand but support staff;
- Kent Police requirements will impact and will heighten the change in character of the property but if not followed will result in disturbance to residential amenity;
- Being a mid-terrace property will exacerbate impact on amenities of occupiers of adjacent properties through noise and disturbance.

Councillor Howcroft-Scott has written objecting to the application on the following grounds:

- Not objecting to children in care but to the fact that this is an inappropriate property for such use;
- Car parking on Clive Road is pressurised already and there will be unacceptable additional pressure as a result of staff and care needs, as well as lack of parking for any emergency services;
- The rear garden is inadequate for the needs of the children;
- Nearby proximity of foyer accommodation for care leavers and almshouses could result in cumulative harm in the area.

Councillor Murray has written to call the application to Committee due to:

- Concerns regarding previous issues when property used as care home;
- Parking issues in Clive Road;
- Inadequate space at the property for children with complex needs;
- Few amenities in area for resident children;
- Poor track record of applicant.

The City of Rochester Society have objected to the application on the following grounds:

- Previous use as Children's care home caused issues for neighbours;
- Is it 2 or 3 placements?
- Parking issues due to staff and from other visitors and support services;
- Previous concerns re noise, lack of privacy, anti social behaviour, drug misuse, and violence;
- Property inappropriate for this use;
- Noise and disturbance likely in quiet residential street.

Kent Police commented on the application requesting they are consulted as Designing out Crime Officers (DOCO's) to address Crime Prevention Through Environmental Design (CPTED) and incorporate Secured by Design (SBD) as appropriate.

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 December 2026 (NPPF) and are generally considered to conform. Where non-conformity exists, this is addressed in the Planning Appraisal section below.

The Emerging Local Plan has been submitted to the Inspectorate for examination. The policies within this version of the emerging plan have weight in the determination of planning (and associated) applications.

Planning Appraisal

Principle

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise.

The site is located within the urban area of Gillingham. The National Planning Policy Framework (NPPF) seeks to support sustainable development through Policy S3, whilst Policy HO7 seeks to ensure that the planning system delivers a sufficient supply and variety of homes to meet identified housing needs.

Policy H2 of the Local Plan relates to the retention of housing and states that the loss of existing residential accommodation will not be permitted unless the proposal would provide facilities of significant benefit to the immediate local community.

Policy H8 sets out that residential institutions and hostels will be permitted subject to the following criteria:

- (i) the proposal would not adversely affect nearby residential amenity; and
- (ii) in appropriate cases, where the occupants have a degree of mobility and independence, the property is within reasonable walking distance of shops, public transport, and other facilities; and
- (iii) adequate amenity space is provided for residents. and
- (iv) parking is adequate for staff, visitors, and service vehicles, taking into account the accessibility of public transport; and
- (v) for changes of use, the property is too large to reasonably expect its occupation by a single household.

Policy T4 of the emerging Plan relates to supported housing, including looked after children and states that proposals will be supported where:

- It meets a proven need;
- Is well designed to meet the needs of residents;
- Incorporates dementia friendly standards where required;
- Is accessible to public transport;
- Does not adversely affect the character and amenity of an area;
- Rooms for looked after children meet space standards.

Policy H8 of the Local Plan sets out that residential institutions would only be supported where they are too large to reasonably expect occupation by a single household. The reasoned justification to the policy states that a dwelling of more than 120sqm is large enough for conversion.

Policy H09 of the NPPF relates to specialist forms of accommodation and seeks to provide living conditions and access to services appropriate to needs of residents supported by a management plan.

Policy P3 of the NPPF relates to living conditions and states that proposals should be appropriate for their location taking into account likely effects and paragraph 2 specifically relates to providing adequate amenity for residents without harming amenity of neighbours.

There is a significant need for small care homes which facilitate children being supported in an environment as close to that of a “normal” family and this would facilitate that.

However, the existing property is a 4-bedroom mid terrace dwelling spread over 3 floors with an overall floor area of only approximately 112 Sqm which is 8 sqm below what is considered acceptable for conversion in the reasoned justification to Policy H8 of the Local Plan. The property, therefore, does not meet the size requirement to be large enough for conversion and provides a good-sized small family home.

The property is not considered large enough for conversion and, therefore, the principle is not considered acceptable, and the property should remain as a small family home.

The policies also refer to the need for adequate parking, amenity, access to services and impact on the character of the area and neighbour amenity. These issues will be discussed further within the amenity and highways sections of this report.

Design

Any external changes are minimal to the dwelling and will not alter the character of the property or the area. Therefore, there are no visual or design concerns regarding Policy BNE1 of the Local Plan and Policy DP3 of the NPPF.

Residential Amenity

Policy P3 of the NPPF states that achieving well-designed places should include creating a high standard of amenity for existing and future users. Policy BNE2 of the Local Plan expects all development to secure the amenities of its future occupants and protect those amenities enjoyed by neighbouring properties. The design of the development should have regard to privacy, daylight and sunlight, noise, vibration, light, heat, smell and airborne emissions and activity levels and traffic generation.

There are two main amenity considerations, firstly the impact of the proposed use on neighbouring amenity and secondly the living conditions which would be created for the potential occupants of the development itself.

Neighbouring Amenity

The proposal and accompanying submission make it clear that the use would make provisions for three children/young persons. There would be four staff members working in the care home over a 24-hour period. This could result in seven children/young persons and staff members on site at shift changeover times. In addition, other visitors would visit the home including OFSTED, local social services and family and friends.

Comments have been received in relation to the concern around disturbance to the existing residents in this residential cul de sac.

Two of the carers will operate a 12-hour staffing rota designed to balance supervision with consistency. Day shifts run from 08:00–20:00 with a minimum of two staff on duty, while night shifts run from 20:00–08:00 with one awake staff and one sleep-in. To ensure safe transitions, there will be a short period of overlap during handovers when up to three staff may be present. This system minimises disruption, avoids gaps in supervision, and ensures that staff are consistently available. Staff will be encouraged to car-share or use public transport where possible, minimising the parking impact on local residents.

The resident children are also likely to be travelling to/from school/college. Most of these movements will be during the normal day time but depending on the needs of the looked after children, could potentially be via taxis.

The issue of impact on neighbour amenity is finely balanced. The existing property is 4 bedrooms and, therefore, could accommodate a fairly large family with all the associated comings and goings. However, the proposed use as a children's care home will come with associated movements of support staff along with other care and social staff/visitors. This is a small terraced property within a street of the same character and within a road that is a cul de sac with no turning. It is considered, on balance, that this small terraced property within a street of this design and character is not an appropriate location for a care home and that the associated comings and goings of support staff, many of whom would drive (in a road with no turning facilities) would be likely to cause

disturbance to neighbour amenity in the street and, therefore, this links to the principle objection to this change of use.

Amenity of Future Occupiers

The proposed bedrooms have been considered against the Technical Housing Standards - Nationally Described Space Standard dated March 2015 (the national standard). The gross internal floor area (GIFA) for the property has been measured from the submitted floor plans and totals 112sqm. This is an appropriate floor area to serve the needs of 3 children and 2 staff members, with all the bedrooms exceeding the minimum national space requirements for floor area and room sizes.

The layout of the care home would provide the children with a communal kitchen area and lounge. Additionally, there is a rear garden. For the staff, there is an office space and a sleeping room would be provided. Overall, the premises is considered to offer an acceptable amount of space with provision to allow the children to live as one household, eat together and socialise together, as well as, offering the staff office and sleeping space.

As such, it is considered that the premises would offer a high level of occupier amenity in accordance with Policies H8 and BNE2 of the Local Plan and paragraph P3 of the NPPF.

Notwithstanding the conclusions on amenity for prospective residents and carers, on balance it is not considered that the proposal is acceptable in neighbour amenity terms and is, therefore, contrary to Policies BNE2 and H8 of the Local Plan, Policy T4 of the emerging Plan and Policy P3 of the NPPF.

Highways and Parking

Policy H8 states that residential institutions should provide adequate parking for staff, visitor and service vehicles taking into account the accessibility of public transport. Whilst Policy T13 relates to vehicle parking standards and states proposals will be expected to make vehicle parking provision in accordance with the adopted standard.

There are no off-street parking facilities. The existing property would generate a need for 2 parking spaces based on the Council's adopted parking standards.

The proposal will operate a 24-hour staffing rota designed to balance supervision with consistency. Day shifts run from 08:00–20:00 with a minimum of two staff on duty, while night shifts run from 20:00–08:00 with one awake staff and one sleep-in. In terms of car parking need it is possible that both staff members on site would drive separately while at shift change over here would be a need for an additional two cars to be parked. There will also be parking demand arising from support social workers and others.

In pure car parking need terms, it is difficult to argue that the care home would be fundamentally different from a 4-bed family home. The difference is though one of amenity impact caused by the fact that this is a small residential cul de sac with no turning. It is likely that a family choosing to live here would do so on the recognition of the parking and movement restrictions. This would be different for a care home where there will be a need for staff and support workers to drive to the property. This will have an impact on the residential amenity of the street as set out in the amenity section above.

Biodiversity Net Gain

As of 2 April 2024, all sites were subject to Biodiversity Net Gain (BNG) as per the conditions of Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021).

In this instance, no onsite habitat is impacted by the proposal and, therefore, no objection is raised to this with regard to policy N2 of the NPPF.

Climate Change and Energy Efficiency

Policy DP3 of the NPPF on key principles of well-designed places refers specifically in paragraph 2b to well-designed places contributing to climate change mitigation and adaption. Policy CC2 states that in order to contribute to climate change mitigation, proposals should accord with policies TR3 and TR4 regarding sustainable patterns of movement; support good access to facilities; and use design approaches to conserve energy.

The proposed application is for a change of use of an existing property in a sustainable location and is considered to comply with policies DP3 and CC2 of the NPPF.

Conclusions and reasons for the recommendation for refusal

This is a balanced application. However, it is considered that the property is a small terraced dwelling of limited floor area suited to continued use for family accommodation, while its location within a small residential cul de sac comprising of terrace properties with no off street parking facilities and no turning facilities would mean that the use of the property as a care home with associated staff and welfare movements would result in harm to neighbour amenity. The proposal is, therefore, unacceptable in principle and contrary to Policies H8 and BNE2 of the Local Plan, Policy T4 of the emerging plan and Policy P3 of the NPPF and is recommended for refusal.

The application would normally be determined under delegated powers but is being reported to Planning Committee for determination due to the balanced nature of the considerations and at the request of local councillors.

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 on Medway Council's Website <https://publicaccess1.medway.gov.uk/online-applications/> .