

3/14/1584/FP – Temporary change of use for 2 years for a part residential and part ‘Residential Therapeutic Community’ (RTC) for young people (aged 16–25) with drug/alcohol problems and other associated addictive behavioural issues at 25 Castle Street, Hertford SG14 1HH for J Harris

Date of Receipt: 23.09.2014

Type: Full - Other

Parish: HERTFORD

Ward: HERTFORD – CASTLE

RECOMMENDATION:

That planning permission be **GRANTED** subject to the following conditions:

1. The use of the premises hereby permitted shall cease on or 31st December 2016.

Reason: The development is only sought for the period specified and in order that the Council can assess any impacts arising from the development in accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007.

2. Approved plans (2E103) – 286/L/001A, 286/L/005A, 286/L/006A and 286/L/007.

Directive:

1. Other legislation (010L)

Summary of Reasons for Decision

East Herts Council has considered the applicant’s proposal in a positive and proactive manner with regard to the policies of the Development Plan (Minerals Local Plan, Waste Core Strategy and Development Management Policies DPD 2012 and the ‘saved’ policies of the East Herts Local Plan Second Review April 2007); the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2012 (as amended). The balance of the considerations having regard to those policies is that permission should be granted.

_____ (158414FP.LP)

1.0 Background

- 1.1 The application site is shown on the attached OS extract. It is a

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residential property within Castle Street – which forms a street of mixed residential and commercial uses to the south west edge of the town centre.

- 1.2 The application proposes a change of use of the residential property to a mixed use of residential and use for the Residential Therapeutic Community (RTC). In summary, around half of the property will be retained solely for private residential use, whereas the other half will be occupied as shared uses and for purposes solely for the RTC use. It is proposed that there will be up to 5 same sex clients in residence at any one time, who will be accommodated in 3 bedrooms. One other bedroom is to be occupied as a RTC staff office in the day and for sleeping accommodation overnight. Parking will be shared but it appears that the garden will be retained only for the residential use. The change of use is sought for a period of 2 years.
- 1.3 The application is being reported to Committee as Councillor Thornton has involvement with the project.

2.0 Site History

- 2.1 The property has consent for a two storey rear extension with alterations and repairs/replacement of fenestration (LPA 3/13/2226/FP and 3/13/2227/LB).
- 2.2 There is no other relevant planning history pertinent to this application.

3.0 Consultation Responses

- 3.1 None.

4.0 Town Council Representations

- 4.1 Hertford Town Council raise no objection *‘providing the permission was for a maximum of three persons at any one time. When the two year period is over, the Committee requested that the change of use did not remain on the property’*.

5.0 Other Representations

- 5.1 The application was publicised by way of neighbour notification, site notice and press notice. 3 letters have been received raising the following objections:
- Location not suitable for use (Road has 50:50 ratio of commercial

to residential, Road already has Future and Hope centre, too near to public houses and children's park),

- Although this is temporary use, may become permanent and for the whole building, so that should be considered at this stage,
- Fire risk,
- Limited and restricted parking,
- Adverse impact to heritage/attractiveness of street/economy,
- Impact to neighbours from noise, and query if garden is being used.

6.0 Policy

6.1 The relevant 'saved' Local Plan policies in this application include the following:

SD2	Settlement Hierarchy
TR7	Car Parking Standards
ENV1	Design and Environmental Quality

6.2 The National Planning Policy Framework (NPPF) is of relevance in the determination of the application, particularly Section 8 'Promoting Healthy Communities'. The National Planning Policy Guidance (NPPG) is also of relevance.

7.0 Considerations

7.1 The main considerations in the determination of the planning application relate to:

- Principle of change of use/social need for facility;
- Impact to the character of the area;
- Neighbour Amenity;
- Highway matters and Parking;

Principle of change of use/social need for facility

7.2 The site lies within the town centre of Hertford wherein there is no objection in principle to development in accordance with policy SD2 of the adopted Local Plan.

7.3 The principle is also generally supported within the NPPF – Paragraph 17 states that decision making shall take into account, and support, local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to

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meet local needs. The proposal is for a local facility to support young people whose lives have been blighted by the effects of addiction. The facility aims to deliver a tailored residential rehabilitation programme to enable the young people to make the transition to a life free from addictive behaviours and to reintegrate them back into society. Such a provision is almost unique for young people in the UK, and this 2 year period of the pilot project aims to establish a successful model that can be replicated elsewhere. Overall, the principle of the change of use is supported and would meet an identified need.

Impact to the character of the area

- 7.4 Castle Street has a range and mix of uses including A2, A5, B1 as well as residential. Externally, this property would appear as a residential property and the proposal would not result in the loss of a residential dwelling, with 4 bedrooms still remaining for the sole residential use. Whilst therapeutic care is given, it is within a residential situation for a small number of people so the change of use would not, in Officers' view, impact upon the character of the area.

Neighbour Amenity

- 7.5 Policy ENV1 of the Local Plan requires development proposals to respect the amenity of occupiers of neighbouring buildings and those of future occupants.
- 7.6 In terms of future occupiers, Officers are satisfied that the accommodation would be generally well appointed, reasonably spacious given the shared use and provide an acceptable standard of amenity space.
- 7.7 Given that the RTC use will have only a maximum of 5 clients in residence at any one time, which are overseen by a RTC staff member throughout the day and night, Officers do not consider that the proposal would give rise to any adverse neighbouring amenity.

Highway matters and Parking

- 7.8 The site can accommodate 4 off street vehicle parking spaces, allowing for 2 of the cars to be parked in tandem. The property is within 'Zone 2', as defined in the Council's adopted Vehicle parking SPD and as such the maximum parking standard for the resultant 4 bed dwelling would be 2 spaces. An additional 2 spaces would therefore be available for the RTC use and this is considered to meet with the Councils maximum parking standards.

7.9 In any event, the site is within a sustainable location, near to the town centre and in close proximity to public transport links, including Hertford East railway station and the bus station, and there are a number of pay and display car parks within the vicinity for any visitors. The proposal is therefore considered to be sustainable and acceptable in a Highway context.

Other

7.10 Concern has been raised within the third party consultation responses regarding the suitability of the site for the intended users, being close to public houses and children's parks. Members will be aware, however, that these are not material planning considerations in the determination of this application.

7.11 Although the application suggests that the garden area would be used for the private residential element of the dwelling only, Officers have considered whether any use of it by other RTC residents would be detrimental to the amenities of any nearby residents. However, given the location of the garden away from the nearest residential dwelling at 23 Castle Street, and the limited nature of the use, it is not considered that the use of the garden would, in any event, result in any adverse impact on the residential amenities of that property such as to warrant the refusal of planning permission.

7.12 Concern has also been raised that the use will become permanent and larger. However, this would require a further application for planning permission and the Council will continue to have control over any future use. Furthermore, the two year period envisaged by this application will enable any impacts from the proposed development to be properly assessed over that time and this would inform any future applications. This application is, however, only for the partial use of the premises and must be considered as such and on its merits.

7.13 Officers consider that the proposal would have no adverse impact upon the character or setting of the listed building or the wider Conservation Area.

8.0 Conclusion

8.1 The proposal would meet a social need and is considered to have no adverse impact on the mixed character of Castle Street wherein the residential dwelling would not be lost. The proposal is considered to provide an acceptable level of accommodation for the intended users with

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no adverse impact upon neighbours' amenity. Highway and parking matters are acceptable.

- 8.2 It is therefore recommended that permission be granted subject to the conditions as set out at the head of this report.