



Appeal Decision

Site visit made on 22 July 2019 by Andreea Spataru BA (Hons) MA MRTPI

Decision by Susan Ashworth BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 August 2019

Appeal Ref: APP/E5330/W/19/3226596

107 Griffin Road, Plumstead SE18 7QE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Ms S Campbell against the decision of the Council of the Royal Borough of Greenwich.
 - The application Ref 17/3516/F, dated 4 November 2017, was refused by notice dated 26 October 2018.
 - The development proposed is described as "change of use from C3 dwellinghouse to C2 (Child Care Home)".
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Decision

1. The appeal is allowed and planning permission is granted for a change of use from C3 dwellinghouse to C2 (Child Care Home) for 3 children aged between 10 & 19) simultaneously; installation of 4 security cameras to the front and rear elevations and railings to the front, at 107 Griffin Road, Plumstead SE18 7QE in accordance with the terms of application ref: 17/3516/F, dated 4 November 2017 and subject to the following conditions:
 1. The development hereby permitted shall begin no later than three years from the date of this decision.
 2. The development hereby permitted shall be carried out in accordance with the following approved plans: 0001, 0002, 0003, 0004, 0005, 0006, 0007, 0008, 0009, 0010, 0011, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, Design & Access Statement and Site Plan.
 3. The premises shall be used for a residential child care home and for no other purpose including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).
 4. The number of children cared for and resident on the premises shall not exceed 3 at any one time.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.
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Preliminary Matter

3. The description of development was changed during the course of the application. I have used that on the Council's decision notice and repeated on the appeal form, in the formal decision above.

Main Issue

4. The main issue is whether the development would be in accordance with planning policy, having particular regard to housing needs.

Reasons for the Recommendation

5. The appeal site relates to a Victorian mid-terrace dwelling located within a predominantly residential area characterised by long terraces of houses in traditional forms. The property has a garden to the rear, very good access to the public transport system, and is within proximity of shops and schools.
6. This proposal seeks to use the property as a child care home. The submitted plans show that the unit would provide four bedrooms over three floors, along with other rooms and internal facilities necessary to facilitate the proposed use. The dwelling would be intended for occupation by up to three children at any one time, who will be monitored by two staff and a live-in manager. The external alterations consist of the installation of railings to the front of property and the provision of four security cameras to the front and rear. There would also be minor alterations to the existing openings. No objection to the proposed railings, security cameras and other minor alterations have been raised by the Council. From all I have seen, it seems to me that these elements of the proposal are acceptable. The main issue in this case therefore relates to the principle of the change of use.
7. Policy H(a) (Protection of Existing Housing) of the Core Strategy 2014 states that planning permission will only be granted for a change of use that would result in the net loss of housing in several circumstances, which include the change of use to another form of housing consistent with Policy H (d) (Supported Housing). The Council is satisfied that the development accords with all the points of Policy H(d) except the third point which requires that there is an identified local need for that specific use. I note that the reasoning behind this point is to avoid over-concentration of any one type of housing provision and to show whether there is a need for that specific use. Whether or not a particular scheme will lead to over-concentration is determined by taking into account the number, scale and type of provision and levels of need for the type of scheme proposed that exist in the immediate area. Smaller scale schemes are more likely to fit in with existing residential communities.
8. Based on the evidence submitted by the appellant, there is only one other child care home within the Borough. On that basis the proposal would not result in an overconcentration of such uses. The proposed use would comprise a bespoke form of residential accommodation occupied by children and young persons in need of care. The information provided by the appellant indicates that there is an increasing demand for places for children in care across London. This is not disputed by the Council. Whilst the proposal would not necessarily provide accommodation solely for the Royal Borough of Greenwich, the use of the building as a child care home would play an important role in

partially fulfilling demands for children placements both within and outside the Borough. This flexibility is inherent in ensuring that care can be provided for vulnerable children as demand and circumstances dictate, as an emergency accommodation.

9. Whilst I have noted the concerns of the Council, the regulatory requirements for an organisation to be approved as either an open or secure home for children, which I understand is a rigorous and lengthy process, is not a planning matter and has no bearing on whether or not the change of use is acceptable in planning terms. Moreover, the fact that the business was not registered at the time of the application does not imply that there is not a need for a child care home within the Borough.
10. In light of the above, even though I accept that the development would result in the loss of a family home in a predominantly residential area, it would accord with Policy H(d) of the Core Strategy 2014 by providing housing for vulnerable people. In this context, the change of use would provide a specialist type of residential accommodation whilst serving an important function in meeting the variety of housing needs in the Borough. I am satisfied that the residential child care home proposed would justify the loss of a family home. Furthermore, I find no conflict with Policy 3.17 of the London Local Plan (2016) which states that proposals that provide high quality social care facilities are supported in areas of underprovision, and particularly in places easily accessible by public transport, cycling and walking.

Conditions and Recommendation

11. I have considered the conditions suggested by the Council in the event of the appeal being allowed, in the light of the guidance on conditions in the Planning Practice Guidance. In the interests of proper planning and to provide certainty I have recommended the standard time limit condition and have specified the approved plans. A condition to ensure that the premises will be used for a residential child care home and for no other purpose including any other purpose in Class C2 is also necessary, to enable the Local Planning Authority to regulate and control any such further change of use. Finally, to protect the living conditions of neighbouring occupiers a condition restricting the number of children cared for and resident on the premises is reasonable and necessary.
12. The Council also suggested a condition for the external materials of the development to match the existing building. Given the minor scale of the external alterations and the fact that the details of the development are covered within the approved plans, it is not necessary to impose a condition for materials.
13. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed subject to these conditions.

Andreea Spataru

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed subject to the above conditions.

S Ashworth

INSPECTOR