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10 October 2023

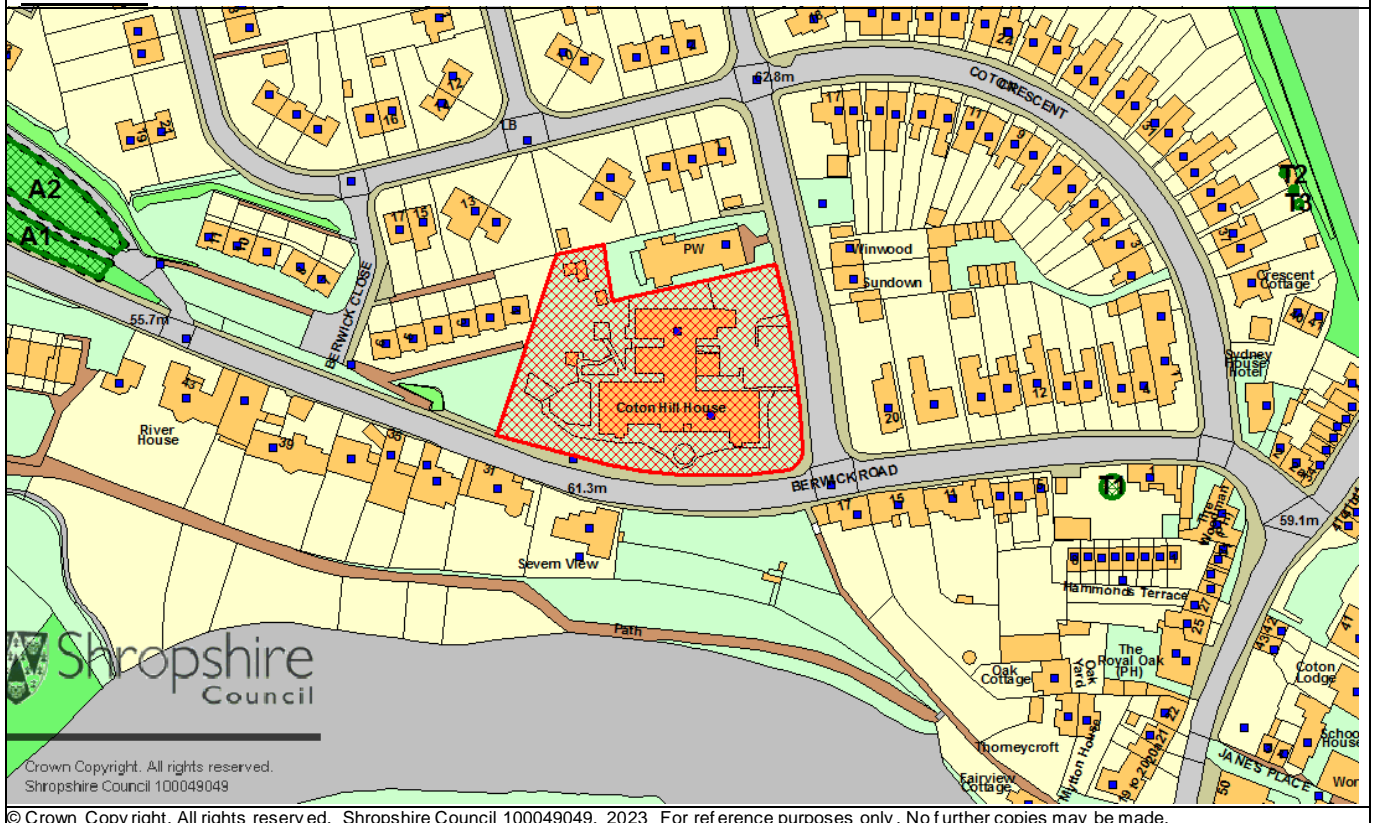
## Development Management Report

Responsible Officer: Tracy Darke, Assistant Director of Economy & Place

### Summary of Application

<b>Application Number:</b> 23/03074/FUL	<b>Parish:</b> Shrewsbury Town Council
<b>Proposal:</b> Conversion of former residential care home to provide 25 no. self contained supported housing apartments (1B1P) and associated staff offices and training room	
<b>Site Address:</b> Coton Hill House Berwick Road Shrewsbury Shropshire SY1 2PG	
<b>Applicant:</b> Shropshire Towns and Rural Housing Ltd	
<b>Case Officer:</b> Jane Raymond	<b>email:</b> jane.raymond@shropshire.gov.uk

**Grid Ref:** 349074 - 313460



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**Recommendation:** Delegate authority to the Planning and Development Services Manager to **Grant Permission** subject to the conditions as set out in Appendix 1 and any amendments to the conditions that are considered necessary.

## REPORT

### 1.0 THE PROPOSAL

1.1 This application relates to the conversion of a former residential care home use Class C2, to provide 25 self-contained supported housing one-bedroom apartments for single occupancy with associated staff offices and training room and outside shared amenity space use Class Sui Generis. The apartments are proposed to be occupied as part of the homeless pathway to independent living described in the submitted statements, with a minimum stay of 6 months and maximum stay of up to 2 years.

1.2 Minimal external alterations are proposed to the building and include:

- New external doors to the 6 ground floor apartments in place of existing windows.
- Replacing the existing external aluminium trim to the top of the walls with a grey, powder coated aluminium trim to allow for insulation of the flat roof and replacement of the covering with a single ply waterproofing
- Removal of the two bays on the Berwick Road elevation and replace with new windows.
- Replace all existing windows with new white UPVC windows for improved energy efficiency and acoustic performance.

1.3 The proposal also includes minor alterations to the external layout including:

- Provision of a screened bin store.
- Secure cycle parking for up to 12 cycles
- 13 parking spaces that includes 2 disabled bays
- 2 smoking shelters
- New boundary fencing to the rear and side boundary and acoustic fence around the 2 smoking enclosures.
- Removal of existing sheds and smoking shelter
- landscaping including provision of a vegetable patch

No change is proposed to the existing access to the site off Corporation Lane.

1.4 The former residential care home was used during the period March 2021 to June 2023 to provide temporary accommodation for single person homeless households without the required planning permission for change of use but has been closed since the end of June. A revised Management Plan has recently been submitted that sets out staffing levels, how future residents will be selected, the support and training that will be offered and how the site will be

managed in addition to the ongoing management of the relationship with residents.

1.5 An Applicants Additional Supporting Statement has also recently been submitted that provides information on Shropshire Council's statutory obligations surrounding homelessness, explains why the proposed supported housing scheme is needed and how it will operate and how the scheme differs from the period the building was used from March 2021 to June 2023. This statement indicates that the proposed scheme is for single homeless people who are statutorily homeless, and it is not proposed to be a hostel or homeless shelter for rough sleepers. The proposal will enable the Council to provide quality accommodation, communal spaces for training, and experienced on-site support tailored to individual needs. and management staff to facilitate the development of single homeless persons to enable them to move on into settled accommodation.

1.6 In addition to the revised Management Plan and the Applicant's Additional Supporting Statement the application is supported by the following documents:

Design and Access Statement  
Transport Statement  
Travel Plan  
Landscape Management Plan  
Noise Impact Assessment

## **2.0 SITE LOCATION/DESCRIPTION**

2.1 Coton Hill House is a two-storey former care home set within landscaped grounds that fronts Berwick Road to the south with a car park to the side and with access onto Corporation Lane. It was built in the 1970's and ceased being used as a care home in 2019. It was used between March 2021 and June 2023 to provide temporary accommodation for single person homeless households and has been vacant since the end of June 2023.

2.2 To the immediate north of the site is the Quaker Meeting House with residential properties beyond and to the east and west of the site. Immediately in front of the building to the south is a brick wall along the southern side of Berwick Road and the land slopes down to the river beyond this wall.

2.3 The site is just outside of Shrewsbury Conservation Area and the boundary with the conservation area runs along Berwick Road and Corporation Lane.

## **3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION**

3.1 The application relates to Council owned land and although the proposal is in line with statutory functions, the application is a major application which in the view of the Planning Services Manager in consultation with the committee chairman and vice chairman should be determined by the relevant Planning

Committee.

## 4.0 Community Representations

### 4.1 Consultee Comment

#### 4.1.1

SC Affordable Housing: *The challenge of finding suitable accommodation for homeless single people is well documented. The issue not only presents a significant financial challenge to the Local Authority but also can result in unsatisfactory solutions for the individuals and lead to a stagnation to their situation and exacerbate the inability to progress to settled accommodation. The existing permitted use of Coton Hill House is for residential care for up to 45 residents. The proposal provides for internal re-configuration to enable 25 independent units. The external appearance of the building will remain largely unchanged. There is no intensification in the use of the property, given that the residents will be reduced by 20.*

*The principal issue for consideration therefore relates to the cohort of residents. The currently permitted occupants are older residents in need of care, whereas the proposed cohort of occupants falls under 'homeless single'. Specifically, the proposal seeks to provide self-contained accommodation for individuals who will be viewed as being suitable for this 'Pathway' scheme, with the intention that after a maximum of 2 years the individual will be able to maintain independent sustainable accommodation.*

*It is acknowledged that there can be negative images associated with individuals classified as 'homeless single' and concern has been expressed by local residents regarding such provision in this location. However, given that there is an acknowledged need for housing provision for such individuals and an acknowledged challenge in providing such accommodation it is considered that there is justification for such a proposal.*

*It should be noted that the majority of residential areas contain a mix of individuals and households; the backgrounds of many households often remain unknown and could include households with individuals that were once homeless or indeed have a criminal record.*

*The consequences of not providing suitable accommodation for the 'homeless single' cohort could include the individuals continued accommodation in provision that restricts their necessary support, thereby resulting in the individuals situation remaining the same at best or even getting worse.*

*The application submission provides a Management Plan and there is no suggestion that this Management Plan cannot be altered to proactively account for issues raised in response to the consultation on this planning application or indeed experience as any scheme on the site is implemented. It should also be noted that under the section titled 'Community engagement' specific reference is made to regular contact with local residents. As such, on the basis of a continual review and dialogue with the Local Community the conversion works should be*

*supported.*

4.1.2 SC Conservation: *We would limit our comments to advising that the application site occupied by this late 20th Century building is positioned just outside of the boundary of the Shrewsbury Conservation Area where the boundary runs along Berwick Road and also Corporation Lane. Boundary treatments to and any new signage within the application site facing these highways should be appropriate within the street scene of the Conservation Area.*

4.1.3 SC Regulatory Services: *Environmental Protection has reviewed the application and the Noise report provided and has the following comments:*

*Impact of road traffic noise on proposed accommodation:*

*The noise report provided concludes that acoustic glazing and suitable alternative ventilation would be required on the facades closest to Berwick Road in order to achieve acceptable internal noise levels. The report also concludes that the external amenity space will exceed recommended noise levels and has advised that a 1.8m acoustic barrier is required along the boundary facing Berwick Road in order to provide a suitable external amenity space. The proposed site plan shows an acoustic barrier to the rear of the site but none to the front.*

*The nature of the accommodation means that the occupants are more likely to spend a significant amount of time within their accommodation and have less funds to spend time outside of the residence on recreation and leisure activities. It is important that suitable noise environment is achieved to protect the Health and Wellbeing of the residents, this is in line with the objectives the Public Health Outcomes Framework which has an overarching objective of reducing health inequalities. Therefore, I recommend that the mitigation measures detailed in the noise report are fully implemented.*

*Amenity impact on surrounding residential properties:*

*The number of residents and nature of the accommodation means there is potential for noise in the external areas to cause an impact on the amenity of surrounding properties if not appropriately managed. In particular smoking shelters are areas that can result in noise disturbance, the smoking shelters are located in the south west corner which is close to the neighbouring retirement bungalows and the residential properties on the other side of Berwick Road. It is recommended that some acoustic screening is constructed around the smoking shelters to screen the neighbouring properties from noise. The acoustic fence to the southern boundary as recommended by the acoustic report would screen the houses on Berwick Road further screening would be required to screen properties to the west.*

*The management of the accommodation will also be very important in ensuring that the use does not have a noise impact on surrounding residential properties. It is recommended that a management plan is approved and conditioned as part of the planning consent. The management plan provided includes a number of*

*actions design to prevent an amenity impact on surrounding residents. There are a few additional points that I recommend are included:*

*There should be a clear procedure that is followed if residents do not adhere to the rules detailed in the management plan to ensure any breaches that impact on the surrounding community are not permitted to continue unabated. The management plan states that anti-social behaviour will not be tolerated but it does not state how it will be monitored, how breaches will be recorded and what action will be taken.*

*There needs to be a clear complaints procedure which provides a clearly publicised means for the local community to make a complaint about specific incidence and a procedure for recording, taking appropriate action to such complaints and responding to the complainants.*

*The initial assessment of potential residents should consider if their needs and behaviours are likely to have a noise impact on the community. If there is evidence that there is likely to be an adverse impact the resident should not be accepted to this facility.*

Should it be considered appropriate to grant consent recommends conditions.

#### 4.1.4

*SC Highways: Coton Hill House is located within a residential area off Berwick Road and previously operated as a residential care home up to 2019. As part of its residential care home use, 15 car parking spaces were provided with access onto Corporation Lane. The current application seeks conversion of the building to form a 25 one bedroom supported housing apartments and associated staff and common space. The proposal utilises the current access arrangements and proposes 13 car parking spaces of which 2 will be designated for disabled users. The application is supported by a Transport Statement (TS), a Travel Plan (TP) and Management Plan together with a Design & Access Statement.*

*It is acknowledged that the purpose of the development is to provide supported living to individuals and to provide a pathway to independent living, with the minimum stay to be six months as the target length of stay, with the maximum stay being 2 years and tailored therefore to the individuals support needs.*

*The TS indicates that there would be 12 staff employed at Coton Hill House, but that these staff would work shifts with only up to six staff being present on site at any one time. On site staff would provide support and management between 07.00 and 19.00 hours on weekdays with floating support at early morning, evenings, weekends and back holidays. During the period 18.30 to 07.30 hours every night there will be an on-site concierge service that would be supplemented by support and management staff.*

*Based upon the staff levels, it is considered that the level of car parking provision is adequate to cater for the likely demand during the daytime and evening shifts. Whilst no information is provided regarding the previous use of*

*the building as a care house, the current proposals may in actual fact result in a reduction in traffic movements than was previously the case. In any event car parking is not considered an issue that could otherwise result in additional on-street parking demand which is currently high due to the lack of off-street residential parking in Corporation Lane and adjacent streets.*

*It is not anticipated that tenants would have access to a car and therefore this has not been factored into any parking analysis, but this would be a matter for the management of the building.*

*The application is supported by a Travel Plan, which outlines the sustainable credentials of the site in terms of the walking distance and cycling distance to the town centre. Staff lockers and showers will be provided for staff as well as 12 secure and covered cycle stands for use by staff and tenants. It is acknowledged therefore that the site is well located to access the town centre, railway station and bus station.*

*Based upon the supporting information accompanying the application, it is not considered that the development would give rise to any adverse highway related impacts such that would otherwise warrant a highway objection either on capacity or highway safety grounds. On that basis therefore Highways raise no objection to the development subject to the development being implemented in accordance with the approved details and operated in accordance with the Travel Plan which shall remain in force for the lifetime of the development.*

#### 4.1.5

SC Waste Management: *It is vital new homes have adequate storage space to contain wastes for a fortnightly collection (including separate storage space for compostable and source segregated recyclable material). An option for residents to have wheelie bins for recycling has been added to the service in 2022, therefore space for three wheelie bins per property could be required, or communal waste facilities designed for the whole site.*

*Also crucial is that they have regard for the large vehicles utilised for collecting waste and that the highway specification is suitable to facilitate the safe and efficient collection of waste. Any access roads, bridges or ramps need to be capable of supporting our larger vehicles which have a gross weight (i.e. vehicle plus load) of 32 tonnes and minimum single axle loading of 11 tonnes.*

*I would recommend that the developer look at the guidance that waste management have produced, which gives examples of best practice. This can be viewed here: <https://www.shropshire.gov.uk/media/25994/shropshire-refuse-and-recycling-planning-guidance2022.pdf>*

*Residents would also need to be made aware that they would be collection points only and not storage points where bins are left permanently.*

#### 4.1.6

SC Ecology: *I have reviewed the application and I do not believe the change of use of the building triggers any requirements for a bat assessment. The building*

*is flat roofed, so does not provide a loft space for species such as brown long-eared bats, who occupy these spaces. I have not noted any crevices or cracks within the brickwork/mortar that could provide suitable roosting habitat for crevice dwelling species either.*

*The proposal does not involve any alterations to the building, so there would be no impact to protected or notable species and therefore, no trigger for a protected species survey.*

## **4.2 Public Comments**

- 4.2.1 As of 29.09.2023, 289 comments have been received, 288 prior to the submission of the revised management plan including 4 representations, 14 support and 270 object and 1 comment has been received that considers that the revised Management Plan is insufficient and lacks depth and detail.
- 4.2.2 Shrewsbury Town Council (REPRESENTATION): *The Town Council support the principle of the proposal and appreciates the need for such provision in the town. There are elements of the Management Plan, however, that members have great concern about with as well as planning concerns regarding the security of the site. The security plans need to be more precise and increased to at least three members of staff (including one female) being on site all of the time. There is a lack of information regarding the training of the staff on site and concerns for the safety of females in the area. The proposed six entrances that would be left unguarded needs to be explained in greater detail. CCTV in the wider area was also an issue that members would like to see written within the report. If the management plan could be improved it may alleviate the large concerns of local residents in the vicinity of Coton Hill House. Members request that the case officer reviews the Management Plan for this application.*
- 4.2.3 Councillor Nat Green (REPRESENTATION): *As Division councillor, I have been made aware of the proposed development at Coton Hill House over some months.*

*I do understand the concerns of local people, in particular regarding potential anti-social behaviour and criminality that they fear will increase as a result of this development.*

*However, set against this is the critical need for housing for the homeless. Therefore, just like its residents, Coton Hill House must be given a chance.*

*Reading through the application – and the comments – I have to say that one area of concern does come out and that is the robustness of the Management Plan. I believe that the successful running of CHH and its integration into the local community, is entirely predicated upon a sufficiently robust and workable plan. Residents have raised valid concerns regarding aspects of the plan, such as staffing, issues regarding control of drink and drugs on the site and those parts of the accommodation with separate doors.*



*I would like to see the Management Plan tighten up so that staff will have an effective document to work from, and local residents will have confidence that rules will be adhered to.*

*On that basis, while I support the application in principle, I think that a re-worked management plan is essential before I can give wholehearted support.*

#### 4.2.4

*Councillor Alex Wagner (REPRESENTATION): There is a serious shortage of decent temporary and supported accommodation in Shrewsbury, which is having a major consequence for the wellbeing of some of our worst-off residents.*

*I have had too many pieces of casework from individuals and families in genuine need and desperation who have lost their homes or been evicted and have nowhere to stay. Negotiating the existing system with the shortages of space and lack of funding is stressful and unpleasant, and developing a site in town to provide more accommodation is something the council should pursue.*

*This will not be immediate, but over time a larger-scale temporary accommodation scheme will lead to a decrease in anti-social behaviour and homelessness, as it will get more people in Shrewsbury off the streets and reintroduced to mainstream society.*

*The above said, many of the comments made by residents and businesses in the Coton Hill area are valid and well worth genuine consideration, particularly regarding the need for a cross-organisational approach to security in the area. These points were raised in no uncertain terms at both council consultation events, but it is not clear they have been actioned.*

*Pig Trough opposite the site is dark and many residents now avoid it due to safety concerns. There has been a noticeable rise in anti-social behaviour in the Quarry and Coton Hill division which many residents believe to be connected to the recent use of CHH.*

*Even whilst out knocking doors and speaking to Coton Hill residents myself recently, the police had to be called due to anti-social behaviour opposite the Bird in Hand pub. Other landlords in the area have also reported issues with a rise in anti-social behaviour that they believe is linked to the recent CHH scheme.*

*I would urge officers and councillors to take the concerns of residents over this scheme seriously, and consider conditions which could improve the security and safety of both residents in the area and future residents of Coton Hill House, as well as assuaging local concerns. If this is not done, I think damage could be done to community cohesion in the area, especially with those who are very nearby to the scheme.*

4.2.5 REPRESENTATION from members of the public/neighbours with their concerns summarised as follows (Full comments are available on the planning file):

Several of the proposals listed in SC Regulatory Services and SC Waste Management comments would impact on the surrounding Conservation area.

The suggested acoustic fencing to the front facing Berwick Road will completely alter the appearance of CHH from the Berwick Road side, and not for the good of the surrounding conservation area.

The community refuse and recycling bin enclosure and bins will be visible from Corporation Road and concerned that the refuse and re-cycling bins will be a hazard due to overspill and smell to all pedestrians and vehicles passing by on Corporation Road and would be visually unacceptable.

Concerned that the loss of amenity already inflicted on the community by the building's most recent use (for which no planning consent was sought or given) will be made permanent by this proposal.

Loss of amenity through an evident increase in anti-social behaviour associated with the building's current use and the way it has been managed.

The proposed management of the building in this application is insufficient to mitigate this loss of amenity.

The evidence over many months has shown that the council has not been a good neighbour to the Coton Hill community, despite having many opportunities to address concerns and manage the building in a way that would help everyone.

4.2.6 SUPPORT from 14 members of the public including 2 from The Ark Trust. All comments of support are available in full on the planning file.

4.2.7 Summary of comments provided on behalf of The Ark Trust:

The proposal would bring the property into a very positive use for individuals who find themselves on the margins of society.

Having provided daily support to those that are homeless, rough-sleeping or at risk of becoming homeless is aware of the lack of suitable housing in Shrewsbury.

Having had to send a young homeless individual into the pouring rain at 4pm on a Friday afternoon, telling him to fend for himself until he can be supported again on Monday morning, you then witness him break down in floods of tears - I would challenge anyone to say no to this application without a very heavy heart.

Would like to think if any family member or friend was in such a predicament

they would be supported and be provided with what is a very basic need - a roof over their head.

With appropriate support and security structures in place this will be a very successful project.

It will show Shrewsbury to be a caring, compassionate and kind community, providing support to those when they are in desperate need and an example to other towns and cities.

The majority of the objectors to this application have responded on the basis of "Not In My Back Yard" - an entirely understandable and defensible position for local residents, particularly the elderly or those with young children, to take; but few have little in the way of positive alternative proposals other than "spread them out in small packages" which would make it next to impossible to provide the supervision needed to minimise subsequent problems.

The innovative RESET team that has been operating for only 6 months is an example of how a new approach can generate encouraging results; and the presence of a training room in the design for Coton Hill House suggests a similar approach is envisaged there.

Commends Cllr Wagner's plea to his elected colleagues to do all in their power to minimise the disturbance to the local community through appropriate security and confidence-building measures.

The Ark has had to face, and is still facing, this very same conundrum: how to provide desperately-needed support for homeless and vulnerable people, and to contribute to a more caring and Christian society, without prejudicing the support of the community.

#### 4.2.8 Summary of individual comments received in support:

The site doesn't have many obvious options for use and given the local authority's financial and environmental challenges it is praiseworthy that they are investing in renovation of the building rather than allowing it to sit decaying and unused.

Represents a positive and proactive approach by Shropshire Council to create a much-needed provision that will support a cohort of some of its most vulnerable residents.

There is a lack of appropriate accommodation options for the growing population of individuals in Shropshire that are becoming at risk of sleeping rough and this proposal would result in much needed accommodation.

Having somewhere to sleep at night will hopefully mean they are in a better position to access support from other services.

Supports this positive action to combat a serious issue of homelessness in Shrewsbury as supported living is the only way to help chronically homeless people beat the cycle of joblessness and homelessness.

A positive and constructive move to support the unfortunate and to make Shrewsbury a better, fairer and more decent place.

Every single person is only a few steps away from being in the same position and no one is exempt from the potential needs for temporary accommodation.

Homelessness is a prominent issue in the town due to the rising costs of living, providing such a constructive and positive space for people to be supported in their journey from homelessness to their own home is a great thing and one that we shouldn't be turning away.

Has lived next to refugee and supported housing in Cardiff, and the community was a better place for it.

Getting a roof over your head is the first step to getting your life on track and to suggest that housing the homeless will lead to more anti-social behaviour is the quite opposite to reality.

It will not only give hope to the homeless, but also be a beacon of example to many other counties in exactly how to handle their homelessness issues.

Not every person in temporary accommodation is a rough sleeper and the people in those situations need help like anyone else.

Housing in general is already in crisis and it is great to see the council working hard to provide provisions to cater for everyone.

Doesn't see any evidence of increased anti-social behaviour that is directly tied to the use of this property as a shelter.

Considers that it has been used for a similar purpose for long enough with no serious impact on the community.

Shrewsbury in general has a problem with crime and anti-social behaviour and it is actually much worse in the Ditherington area.

Although supports the provision of supported housing to encourage those who are homeless back into normal accommodation is concerned about the size of this scheme and the staffing levels envisaged.

Shares the fears of some regarding potential increase in crime and ASB and suggests there is a need to monitor impact on the local area and for the project be phased.

Phasing would allow for a trial regarding the quality and quantity of specialist support and security and for assessment in collaboration with West Mercia Police and reaction and adjustment as required.

That it is being proposed to save money does not provide reassurance that the increased level of support, that many who find themselves homeless will require to deal with underlying causes, will be provided.

Suggests involving representatives (not politicians) of the local community to be involved in formulating the criteria that will be used to identify suitable residents, drawing up the residency agreement and the sanctions that will apply in the event of breaches.

An emergency contact number that would produce in person support in the event of any incidents would provide reassurance to residents as there is not sufficient confidence that the Police, who have stretched resources will respond in a timely fashion.

Recommends the implementation of a second, or widening of the current, Town Centre Public Spaces Protection order to cover the immediate vicinity, including Pig Trough and The Flash.

Any provision must be actively supported and monitored by an increase of community policing and CCTV of public areas.

Suggest it goes ahead along with a focused community engagement project to break down, barriers, assumptions and potential difficulties.

If done well with great partnership working, then it will dispel the fears for future similar projects and any disruption to the community will be minimised.

4.2.9 OBJECTION from 270 members of the public/neighbours including a representation from P.O.R.C.H . (Project Overview and Response to Coton Hill House proposal) which indicates is a neighbourhood community group of over 100 Coton Hill residents created for discussing and responding to the proposed Coton Hill House Project. All objection comments received are available in full on the planning file.

4.2.10 Summary of comments provided by P.O.R.C.H (prior to the submission of the revised management plan):

The site has been used unlawfully by the Council as a hostel for 5-10 homeless people and the application makes no mention of this history.

There is testimony after testimony of consequential anti-social behaviour committed by the residents of CHH in the Coton Hill area and beyond during the period it was unlawfully occupied.

Residents reported a sharp increase in burglaries, car break-ins, petty theft, street issues of litter, defecation, open drug and alcohol abuse, with used syringes and wrappers in the garden area of the Flash, and open drug dealing within Corporation Lane and the junction of Berwick Road. Clients often used the rear garden for drinking sessions with their containers being thrown over the hedge.

When previously occupied the people of Coton Hill began to feel threatened in their own neighbourhood, anxious about walking particularly around Pig Trough and the Flash, and many becoming fearful even within their own homes.

There was an attack on the landlord of the local pub, a stabbing and calls from CHH to the Police, Ambulance and Fire services on a number of occasions at various times of day and night

Reports a sharp downturn in Anti-Social behaviour since the building was boarded up at the end of June.

Concerned about the impact on the residential area of Coton Hill if 25 single people drawn from the homeless, alcohol and substance abusers, and previous offenders are thrown into the community without due diligence or care.

Considers the community and visitors will suffer a serious loss of amenity and there will be an increase in Anti-Social Behaviour.

A significant number of residents were not notified of the community consultation events prior to the application being submitted.

Considered the high level of attendance by local residents referred to in the submitted documents is inaccurate and does not correspond with the view of the community.

The inadequate involvement and engagement of the local community in the 'pre-application' stage means the present application does not reflect the community's viewpoints or promote improved outcomes based on their concerns or feedback.

It does not meet the threshold and qualitative requirements of the 'Pre-application engagement and front-loading' criteria in the National Planning Policy Framework.

When submitted and validated in July many residents were unaware of the application until P.O.R.C.H. was formed and delivered 700 flyers to local residents.

Management Plan does not articulate the vetting process for the 25 lodgers and does not provide detail on the risks associated with this for the most vulnerable

residents.

It does not reference where funding will be drawn from. The Council received £1.4m from RESET in November 2022, and if they use this funding then the clients must be homeless and have a history of substance abuse.

The scale of introducing 25 vulnerable people into an entirely residential community is unprecedented.

The proposed staffing provision is insubstantial to deal with the sort of problems that these residents may have and will be detrimental to both the residents of CHH and the local community.

Concerned that the Council will create an unsafe and detrimental environment for its most vulnerable due to no resident selection criteria, or information on staffing selection, or robust security provision or a proper analysis of long-term funding.

The noise assessment only references noise within the building and does not consider noise from the grounds affecting residents and neighbours.

It will not protect and enhance existing facilities, amenities and services and quality of life and will not safeguard residential and local amenity.

To add 25 people suddenly into a community will place a burden on many local resources including GPs, dentists, police and street-cleaning.

The location is unsuitable as it is entirely residential and lacks appropriate infrastructure.

It would surely make sense to house these people further from the town centre in a place that has suitable infrastructure and where most of these vulnerable people would be walking away from town rather than into town and a lot of the ASB interactions could be avoided.

If the proposal goes ahead clients will still congregate in certain places such as around the station, and along Pig Trough and the Flash which will have a negative impact for visitors to the town and the showground.

If the intention is to clear the town centre of homeless, it will not work as they will still need to congregate in town to get provisions. They will also, doubtless, continue to meet their friends near CHH and at the Ark.

Understands that the Council also wants to relocate the drugs medication centre to the Grade II listed building Blowers Repository, 1a Castle Gates. This would create a potential triangle of despair for residents of Coton Hill.

Housing insurance and car insurance has risen astronomically in the area and

many now feel they are trapped as at least one house sale has fallen through citing the proposed plan as the reason.

The application makes no mention of consultation with the police, and the community will be expected to police behaviour outside of the grounds and the management plan does not show how they will be supported.

The proposal will significantly increase the fire risk at CHH, both in terms of likelihood, spread, and severity and no fire risk assessment has been supplied at this stage.

The 'Transport Statement' and 'Travel Plan' are not fit for purpose and do not address the pedestrian routes and patterns of movement that will be affected by the proposed change of use.

The increased fear of crime will dramatically impinge the accessibility and viability of the use of existing pedestrian routes by residents and these statements have not assessed this impact.

A concentration of 25 one-bedroom dwellings does not provide a mix of different type of dwellings that has regard to local evidence and community consultation.

There are many people including families who require assistance with their housing and not just single problematic individuals.

The proposal is not balanced and only takes care of one group of homeless people.

Limiting the use to single individuals will create more problems.

It has not been demonstrated how it will provide community benefits.

No reference to lighting which may impact on neighbouring properties and wildlife.

Bats have been seen flying around the area and questions whether a bat survey is required.

Contrary to MD2, MD3, CS6 and CS8 for the above reasons.

#### 4.2.11

The document received from P.O.R.C.H on behalf of the community covers in detail most of the issues raised by residents and the following summarises the objections that have been individually received prior to the submission of the revised management plan:

Inadequate community consultation prior to submission as the meetings that have been held have been poorly advertised, and the timing has made it difficult for many residents to attend.



Did not receive notification when the planning application was submitted.

The consultations and unlawful change of use has left much of the community feeling powerless and their concerns ignored.

The Council is not being transparent about the proposal, where the funding is coming from and selection of future tenants.

The £1.4 million awarded to Shropshire County Council under RESET, dictates that only those individuals who fall into specific categories including those supported by the Shrewsbury Ark can benefit from the funding.

Many references have been made to personal experience of crime and anti-social behaviour in the area (including drug taking and dealing, assaults and burglary) when run unlawfully for 2 years as a homeless shelter and hostel housing problematic individuals, and that it made parts of the community no go areas.

It resulted in increased litter, bottles, and drug paraphernalia littering the streets and the pedestrian routes into town.

The Coton Hill area also suffered similar disruption when Sidney House Hotel was used to accommodate people with social problems.

It was clear when the home was previously open that the council didn't manage this properly and the community suffered. The Council were unable to prevent significant levels of crime and disorder occurring both within this facility and the surrounding area and also failed in their duty of care to safeguard the residents.

Due to experience of crime and ASB when CHH housed ten there is a fear regarding what will happen with 25 tenants and with inadequate support.

Questions the comments of the CEO of 'Shropshire Supports Refugees' regarding previous experiences and the likely success of the proposal.

Questions effectiveness of the Management Plan and whether it would work.

Inadequate staffing (insufficient and not qualified) particularly at night with only 2 staff after 7pm.

More clarity required regarding the support for residents and that it needs to be well planned and managed by agencies that have high levels of successful experience of managing such schemes.

Support will need to include medical professionals and suitably qualified personnel with real experience of dealing with vulnerable adults with complex issues rather than the unqualified personnel Shropshire council intend to staff

CHH.

It is not reasonable to assume that Coton Hill would be able to absorb a large, potentially disruptive group, with only limited professional support.

The Management plan is too vague about how any occupancy agreement and house rules would be enforced including residents being in CHH by midnight.

No provision for increased security or accountability outside of CHH.

Insufficient detail with regard to the eligibility criteria for being accommodated at CHH,

Concerned about placing 25 people with complex trauma, addictions, offences and sexual deviances in one building and the effect it will have on their safety and wellbeing.

There needs to be a risk assessment regarding the suitability of placing a mix of individuals with too many different complex issues and varied support needs in one location.

Individuals have a lesser chance of succeeding when they are surrounded by other vulnerable individuals and in particular with the same addictions.

A yearly review of the management plan is inadequate when Shropshire Council has no previous experience of running such a proposal successfully.

Even if rules are successfully enforced inside CHH, what will be done to prevent an increase in the ASB similar to that experienced in the local community previously observed by residents around Pig Trough, Coton Crescent, Corporation Lane and the Woodman P.H.

The nature of the residents will be a magnet for others with anti-social behaviour therefore exacerbating the potential for crime and other issues.

The Ark is a magnet for people who are not just from Shrewsbury but further away and fear that this attraction would be centred around CHH.

High density of similar resources in close proximity, and association with the Ark will not clear the streets of the homeless and drug addicts as they will be walking between CHH, The Ark, the methadone dispensary and town centre.

Questions the success of the Ark.

Criticism of the recently amended and extended Shrewsbury Town Centre Public Spaces Protection Order.

The children in the area could be at risk from alcohol, drugs, county lines and

violence, residents will be constantly in fear of their security and in fear of intimidation and it would not be safe to use the Pig Tough to walk into town.

There are many elderly residents and families with young children in the area and the elderly need to feel safe, and children should be able to play without coming across drug use or other anti-social behaviour.

Concerned about the risk to children in care that live in the local area.

People have a right to feel safe and secure and this proposal threatens the right to peaceful enjoyment of the area, their homes and family life contrary to the Human Rights Act.

Loss of amenity through anti-social behaviour (ASB).

Not fully considered the impact and associated risks the proposal might have on the residents and the visitors to the town centre and The West Midlands Showground.

There is no alignment with the Government's recent ASB policy and if approved will completely undermine this policy whilst denying the members of Coton Hill Community the basic right to feel safe.

Contrary to the National Planning Framework, which states that "Planning policies and decisions should promote public safety and take into account wider security"

Contrary to the spirit of the Shropshire Strategic Plan 2022-2025 which prides itself on community involvement, promotes health and wellbeing for local residents, aims to reduce instances of crime and disorder, wants to help encourage local businesses to flourish, and foster safe and reliable access between areas such as Coton Hill and the town centre.

A concentration of 25 one-bedroom dwellings does not provide a mix of different type of dwellings that has regard to local evidence and community consultation.

The proposal is not balanced and only takes care of one group of homeless people and there are many people including families who require assistance with their housing and not just single problematic individuals.

Would be the first facility of its kind in Shropshire and no data, case studies or relevant examples have been included to evidence what works in similar facilities outside Shropshire and no examples of successful comparable projects.

The proposed model of placing 25 vulnerable homeless units in one place has never been attempted before in a wholly residential area anywhere across the UK and international guidance on best practice recommends smaller clusters for

effective integration into the community.

Compares it to a scheme at Sunnybrae Rehab Unit, nestled in rural fields in Aberdeenshire.

A more appropriate solution would be a more integrated one, with smaller groups spread over a wider area around the town.

An alternative location should be found that is closer to the necessary amenities to help these people that need it most and that is not in a residential area.

Other sites should be explored such as the vacant Shire Hall, Whitehall in Monkmoor or other vacant buildings near industrial sites for example. Considers that these locations have been successful in other areas of the country for exactly this type of housing.

Cheshire Council rejected a similar application in Nov 2020 to convert a building to provide 21 self-contained units and considered that “the development was unsuitable for a residential area particularly one where many children and elderly people live” and would “undermine the community cohesion and resilience due to a fear of crime”

Loss of employment when comparing the proposed number of employees to the larger number of staff required when it was a care home.

No assessment and lack of evidence (no marketing freehold or leasehold) of why a care home is no longer required.

A small contribution in solving the NHS and Social care issue is to revert the building back to its former use as a old persons building or a facility for people coming out of hospital who are well, but don't have anywhere to go in the short term and are currently bed blocking through no fault of theirs.

Questions the Travel Plan and the level of parking provision

Considers it will have an adverse impact on the value of properties within the immediate vicinity and an increase in both property and vehicle insurance.

## 5.0

### THE MAIN ISSUES

- Principle of development
- Visual impact/character and appearance
- Residential Amenity
- Fear of Crime and Anti-social behaviour
- Access and parking

## 6.0

### OFFICER APPRAISAL

## 6.1 Principle of development

- 6.1.1 The established lawful use of the premises is Use Class C2 (Residential institutions) which includes residential care homes, hospitals, nursing homes, boarding schools, residential colleges and training centres. The proposal is for conversion of the existing two- storey building, to provide 25 self-contained one-bedroom, one person apartments plus communal and office space. Although there will be on-site support and training for residents, as each apartment is self-contained, and residents will not be receiving care and will live independently the proposal is not considered to be a C2 use (residential institution) and therefore planning permission for change of use is required. As there is no planning use class for this type of supported housing, the application is considered to be sui generis (in a class of its own), and if the application is approved it would be specifically for the proposed scheme as opposed to another form of supported accommodation and a condition is recommended regarding this.
- 6.1.2 The submitted documents outline the demand for the proposed accommodation which is to meet the Councils 'interim duty to accommodate'. The Council has a duty to provide temporary accommodation where an applicant is owed the main homeless duty i.e. is unintentionally homeless, eligible for assistance, in priority need and has a local connection (resident for six out of the last 12 months or three out of the last five years).
- 6.1.3 The proposal is for a supported housing scheme which forms a fundamental element of the homeless pathway for single homeless individuals to whom the Council has determined are statutorily homeless (including those people who will be determined to be statutorily homeless at the end of the relief duty), but require a period of up to two years to gain skills and confidence to be able to move into general needs social housing or private rented accommodation. The shortage in this type of accommodation results in the use of bed and breakfast type accommodation that is both unsuitable and expensive.
- 6.1.4 The proposed supported housing scheme for homeless single people will help to address the current shortage of this type of accommodation in Shrewsbury. The provision of housing within the urban area of Shrewsbury accords with Shropshire Core Strategy policies CS1 and CS2 that identify Shrewsbury as the primary focus for residential development for Shropshire.
- 6.1.5 The site is located within reasonable walking distance of Shrewsbury town centre and with a range of services nearby within the local area and access to public transport. It is therefore considered to be a sustainable location for the proposed use, and the development would make effective use of a brownfield site.
- ## 6.2 Visual impact/character and appearance

- 6.2.1 SAMDev Policy MD2 (Sustainable Design) and Core Strategy Policy CS6 (Sustainable Design and Development Principles) requires development to protect and conserve the built environment and be appropriate in scale, density, pattern and design taking into account the local context and character. MD13 and CS17 seek to ensure that development protects and enhances the local character of the built and historic environment.
- 6.2.2 The proposed site is situated adjacent to Shrewsbury Conservation Area and the proposal therefore also has to be considered against national policies including section 16 of the National Planning Policy Framework (NPPF). Special regard has to be given to preserving or enhancing the character or appearance of the Conservation area as required by section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 6.2.3 The site has been vacant since June 2023 and has been boarded up and currently does not make a positive contribution to the character and appearance of the area. The alterations to the building are minimal and would have no adverse impact on the appearance of the building. The alterations to the layout and the landscaping of the site are also not significant and the boundaries to Berwick Road and Corporation Lane will remain as existing.
- 6.2.4 An existing smoking shelter will be removed and replaced with 2 new timber gazebos/smoking shelters that will be enclosed by fencing. This fencing will be in line with the building line of Coton Hill House, and it is considered that it would not have an adverse visual impact. A bin enclosure is also indicated adjacent to the access onto Corporation Lane to be enclosed by a 1500mm high close boarded fence that will screen the bins from public view.
- 6.2.5 It is considered that the proposed minor external alterations would have no adverse impact on the appearance of the building or the site as a whole and would not adversely impact on the character or appearance of the locality or the adjacent conservation area. The refurbishment of the buildings and the grounds, and bringing the building back in to use will secure its future maintenance and improve the appearance of the site.
- 6.3 Residential amenity
- 6.3.1 Policy CS6 and MD2 seek to ensure that development contributes to the health and wellbeing of communities, including safeguarding residential and local amenity. Paragraph 130 of the NPPF states that planning policies and decisions should ensure that development '*creates places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users*'.
- 6.3.2 With regard to the amenity of new residents the proposed apartments will meet and exceed the Nationally Described Space Standards that requires the GIA for a 1 bedroom 1 person flat that has a shower room instead of a bathroom to be 37square metres.

- 6.3.3 With regard to outside amenity space Policy MD2 requires a minimum of 30sqm of open space per person. A proposal of 25 one person apartments equates to a total of 750 square metres and the proposed shared outside space exceeds this requirement.
- 6.3.4 A noise impact assessment has been submitted and reviewed by Regulatory Services who has emphasised the importance of a suitable noise environment to protect the health and wellbeing of future residents both indoors and outdoors. The noise assessment is based on predicted noise levels for the proposed Shrewsbury North-West Relief Road that include increased traffic flows on surrounding roads and routes and includes road traffic noise increases to existing roads, rather than just noise emissions from the proposed new relief road itself. Due to existing road traffic noise along Berwick Road and the predicted noise levels, in order to achieve acceptable internal noise levels acoustic glazing is recommended on the facades facing Berwick Road. All windows are proposed to be replaced and a condition is recommended to ensure that the recommendations with regards to acoustic glazing and ventilation is implemented.
- 6.3.5 Regulatory Services has also commented with regard to the outside space and that in order to provide a suitable external amenity space a 1.8m acoustic barrier is required along the boundary facing Berwick Road. It is considered that a 1.8 metre high fence erected along the frontage above the existing wall would have an adverse visual impact, and would also spoil the view and outlook for residents.
- 6.3.6 The outside space was previously used by the residents of the 45 bedroom care home including the provision of a timber gazebo/smoking shelter to the front of the site forward of the building. This proposal includes 2 gazebos/smoking shelters set back from the front of the building and sited within a larger area proposed to be enclosed by a timber acoustic fence. This will provide a quieter outside area that can be used and enjoyed by both smokers and non-smokers. The outside space to the side and rear of the building and behind the acoustic fence will also be screened from road noise by both this fenced enclosure and the main building.
- 6.3.7 The proposal also indicates planting areas within the grounds and a vegetable patch to the rear of the site where residents will be able to enjoy gardening activities. Seating will also be provided along the frontage where from this elevated position residents can enjoy the view towards the river and the town to the south of the site.
- 6.3.8 It is considered that satisfactory internal living accommodation and outside amenity space will be provided for residents and that the accommodation if provided in accordance with the submitted Management plan will support the safety, health and wellbeing of future residents.

- 6.3.9 Regulatory Services have also commented on the potential for noise in the external areas impacting on the amenity of surrounding residential properties. The nearest properties are the houses immediately opposite to the south in Berwick Road, houses to the north beyond the Quaker Meeting House, houses to the east in Corporation Lane, and bungalows to the west in Berwick Close. There is a grassed area of open space to the front (south) of the bungalows that shares a boundary with the site and the rear garden of No. 1 Berwick Close abuts the amenity space to the rear of Coton Hill House.
- 6.3.10 The main areas that might result in increased levels of noise above that which might usually be expected from neighbouring gardens are the smoking shelters. The acoustic fence around the area of garden where the smoking shelters will be located and referred to earlier will screen the nearest properties from noise and is now indicated on the proposed layout plan, and a condition is recommended to ensure that it is provided.
- 6.3.11 A fence is proposed along the western boundary to help screen the wider outside area from the properties to the west. It is not considered necessary to install a 1.8metre high fence along the Berwick Road frontage to screen properties opposite from potential noise as these houses opposite are separated by the road and would already be subject to traffic noise which would be reverberated and made worse if a fence was erected.
- 6.3.12 No additional fencing is proposed along the Corporation Lane boundary, but an enclosed bin store is proposed adjacent to the existing entrance to the car park. It is considered that the provision of a bin store in this location and the use of the access and car park would not result in any significant rise in noise and disturbance for residents on this street compared to its lawful use as a residential institution including children's home. It is also considered that the bin enclosure would not result in odour or increase in vermin if properly maintained.
- 6.3.13 Regulatory Services in commenting on the initial management plan indicated that the management of the accommodation will also be very important in ensuring that the use does not have a noise impact on the residential properties surrounding the site and made recommendations for amendments. An amended Management Plan has been received that includes details of an Occupancy Agreement and House Rules that are required to be agreed and signed by residents.
- 6.3.14 In relation to noise in the outside amenity areas and use of the buildings the House rules and Occupancy agreement include a number of measures to ensure that use and activity within the building and the outside areas do not result in noise and disturbance to nearby residents. The Management Plan indicates if there is any breach in the occupancy agreement or house rules residents will be served a notice to quit and lose their accommodation if they continue to break their conditions of occupation.
- 6.3.15 In addition, CCTV is proposed to be installed to provide surveillance of the



external areas around the building and internally to corridors, stairs and entrances. The only access to the scheme will be by the main front door, or for the 6 no. apartments with external doors through the new access-controlled gate off the car park where admission will be controlled by staff. Maintenance of the building and external areas will be managed and undertaken by STAR Housing, the Council's Arms' Length Management organisation.

- 6.3.16 The management plan also indicates that Council staff will work closely with the residents of Coton Hill House to get their feedback and engagement on the management of the building and support being provided. The management plan will be reviewed annually and in the first year of operation the Council will hold resident meetings to discuss plans and answer any questions. This commitment to community engagement will allow residents to be involved in discussions on how the scheme is running and/or what revisions might be required to the management plan.
- 6.3.17 It is considered that provided the Management Plan is strictly adhered to (including the commitment to liaise with residents and review the plan) the use of the grounds and the building by up to 25 residents would not result in noise and disturbance for the immediate neighbouring properties that would be significantly different than if the site was occupied as a residential institution (that could include use as a children's home) which is the current lawful use of the building.
- 6.4 Fear of Crime and Anti-social behaviour
- 6.4.1 Paragraph 92 and 130 of the NPPF indicates that planning decisions should ensure that development creates healthy, inclusive and safe places that *'promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other'* and *'where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience'*.
- 6.4.2 Many of the public objections received refer to the potential for crime and anti-social behaviour (ASB) that the proposed use might bring to the local community. Many have also reported that there was a rise in crime and ASB experienced in the locality and the wider area when the building was occupied from March 2021 to June 2023.
- 6.4.3 Fear of crime can be a material consideration if there is clear evidence linking the proposed use or occupiers with criminal activity. The case that established this was the West Midlands probation case (West Midlands Probation Committee v Secretary of State for the Environment CA (1998) 76 P. & C.R. 589) which held that it is only material where the use by its very nature would provide a reasonable basis for concern. Caselaw has subsequently said that fears cannot be taken into account where they rest not wholly on extrapolation from past events, but on an assumption not supported by evidence as to the characteristics of the future occupiers. N Smith v (1) First Secretary of State (2)

Mid-Bedfordshire District Council: CA (Civ Div) (Lords Justice Buxton and Sedley, Mr Justice Rimer): 21 July 2005

- 6.4.4 With regards to evidence the applicant has consulted the crime records for the Castlefields and Bagley ward as a whole and within the immediate local area (based on the crime maps) for the months available on the West Mercia police website (August 2020 to July 2023). The statistics indicate that there is no correlation between the levels of reported crime when Coton Hill House was occupied (March 2021 to June 2023) and the number of residents, and when it was not occupied (August 2020 to February 2021). There is no evidenced increase in crime associated with the former use of the building for housing homeless single households.
- 6.4.5 However, it is acknowledged that not all incidents of crime and antisocial behaviour will have been reported. Based on their experience referred to in the objection comments received from residents there is a fear that this proposal will result in an increase in crime and anti-social behaviour within their community and fear for their safety in the local and wider area.
- 6.4.6 The supporting additional statement in addition to the revised management plan sets out how the change of use as now proposed and how residents will be selected and how the site will be managed is different to the period when it was previously occupied without a planning permission in place. The applicants additional statement states that from March 2021 Coton Hill House was used as a temporary measure to provide interim accommodation for single homeless households who were either having their applications investigated or were awaiting an offer of settled accommodation following a decision to owe them the main homeless duty. It indicates that this is significantly different from the proposed approach, whereby the residents will have already progressed through the initial assessment stages and deemed suitable for a pathway project.
- 6.4.7 This assessment and criteria for eligibility is set out in the revised Management Plan and will include a risk assessment undertaken by the Council's Housing Options Team together with staff at Coton Hill House to ensure suitability for the facility. It confirms that individuals considered as too high risk for the proposed supported accommodation at Coton Hill House will not be housed at the scheme and that rough sleepers will not be considered until they have successfully completed the transition from rough sleeping to sustaining and maintaining accommodation in resettlement accommodation prior to making an application.
- 6.4.8 Residents will have to sign up to an occupancy agreement (a non-secure tenancy) and to house rules previously referred to in paragraph 6.3.14 above. The occupancy agreement will be conditional on the individual agreeing to sign up to and engage with a support package, which is designed to address their housing and support needs, and to abide by the house rules. If there is any breach in the occupancy agreement or house rules residents will be served a notice to quit and lose their accommodation if they continue to break their conditions of occupation.

- 6.4.9 Not only will eligibility, selection and conditions of occupancy be different to how it previously operated, but the type of accommodation and how it will be managed and the level of support that will be provided will be different. The proposed scheme offers residents their own self-contained accommodation but with the use of communal spaces for training, and with experienced on-site support and management staff to facilitate their development and enable them to move on into settled accommodation. This is significantly different to how it was previously occupied where residents had their own bedrooms, but shared use of the existing bathrooms and kitchens and with little support, more akin to a homeless shelter, hostel, or HMO. The proposal is not a hostel or HMO and cannot be compared to what is a very different type of accommodation.
- 6.4.10 The proposed staffing levels include 12 full-time equivalent workers employed directly by the Council comprising nine housing support officers (including a senior housing support officer) and three concierge officers that will work on a shift basis to ensure that at any one time there will be an absolute minimum of two members of staff on-site 24 hours a day, seven days a week. During the day there will usually be three or four staff on-site, and there will be capacity for additional floating support provision at weekends, bank holidays and in the evenings. In addition, specialist support workers will also be visiting clients, for example, where a resident has been a victim of domestic abuse or has mental ill health.
- 6.4.11 Staffing levels will therefore be significantly different to how it previously operated where security was commissioned by the Council and provided by a private/commercial entity on a two-officer basis. The Council acknowledges that there may have been issues with this approach in terms of these officers not being supported at all times by qualified specialist housing support staff.
- 6.4.12 Having regard to the above summary of the proposed scheme it is clear that the selection criteria for residents together with the occupancy agreement, house rules and support package that residents will have to sign up to, and the staffing levels and the support that will be provided, and the management of the proposal will be significantly different to how it was previously occupied and managed. It is therefore considered that the fear that the proposal will result in an increase in crime and anti-social behaviour in the local community based on previous experience when it was previously occupied is not substantiated.
- 6.4.13 Having regard to the accommodation proposed and the assessment and selection criteria for future occupiers that is outlined in the management plan, it is considered that the local residents fear and assumptions regarding the future residents of the proposed sui generis use to provide 25 self-contained supported housing apartments cannot be given significant weight in the planning balance. Whilst their fear is appreciated it is considered that there is nothing intrinsic to the proposed use and the proposed future residents that would provide a reasonable basis for concern. It is considered that provided the site is occupied and managed in accordance with the submitted management plan

(and a condition is recommended to secure this) the proposal would not result in anti-social behaviour or criminal activity in the immediate or wider area above that which already exists or when compared to it being brought back into its lawful use as a residential institution, for example use as care home for children or for adults with learning difficulties and/or mental health conditions.

## 6.5 Access and parking

6.5.1 Policy MD2 indicates that adequate on site car parking should be incorporated within a development site to ensure that cars do not overspill onto surrounding roads and therefore negatively impact on the local road network. The proposal includes 13 car parking spaces (2 designated for disabled parking spaces) accessed via the existing access of Corporation Lane.

6.5.2 The application is supported by a Transport Statement and Travel Plan that have been reviewed by Highways. It is considered that based on the proposed staffing levels and that residents are not expected to own a car, the level of car parking is adequate and the demand for parking and vehicle activity will likely be less than the former use as a care home and its lawful use as a residential institution.

6.5.3 The submitted Travel Plan highlights the sustainable location in terms of the walking distance and cycling distance to the town centre, the railway station and bus station. Cycling will be encouraged by the provision of lockers and showers for staff, and 12 secure and covered cycle stands for use by staff and tenants. It is considered that the proposal would have no adverse highway implications subject to adherence to the submitted Travel Plan which it is recommended to be secured by condition.

## 6.6 Other matters

6.6.1 Ecology: The Council's Ecologist has confirmed that a bat survey of the building is not required. No lighting is proposed. The proposed minor external alterations and the proposed change of use would have no adverse impact in respect of wildlife.

6.6.2 Consultation: There has been criticism within the public comments with regard to the consultation with residents prior to the submission of the planning application and that their views are not being listened to or taken into account. An initial consultation was held in May 2022 to discuss conversion of Coton Hill House to provide en-suite bedrooms with shared living / kitchen / dining spaces that would therefore operate more as an HMO or hostel. On the basis of the feedback from the consultation the scheme was revised to the 25 self-contained one bedroom, one person apartments along with a training room and staff facilities now proposed. A consultation on the revised scheme was held on 7 June 2023 at the Gateway Centre, Shrewsbury. The applicant has confirmed that 47 comment cards were completed on the day in addition to informal comments noted by staff in attendance and a number of follow up comments received after the

event, and these have been considered in finalising the proposed scheme. The Management plan has also now been revised having considered the public and consultee comments received following the submission of this application.

- 6.6.3 Funding: The funding for the proposal has been questioned and the Council criticised for not being open and transparent regarding this. The additional statement confirms that the government funding for the proposed scheme is standalone funding and that the proposed scheme and its associated funding does not have any connection to the RESET project nor the Shrewsbury ARK. Funding of the proposal is not a material planning consideration.
- 6.6.4 Comparable proposals: One objection refers to a scheme in Aberdeen (Sunnybrae Rehab Unit) that is in a rural area. That scheme however is a drug rehabilitation centre and is not comparable to the proposed scheme in terms of location or the type of accommodation provided.
- 6.6.5 A proposal has been referred to that Cheshire Council refused in Nov 2020 for a similar proposal. That was not a directly comparable scheme and provided a total of 13 studios or rooms with only 2 being self-contained accommodation and the other 11 sharing bathroom and kitchen facilities. The officer recommendation was for approval, but it was refused at committee (7 votes against and 4 votes for approval).
- 6.6.6 Some residents are concerned that the proposed model has never been tested either in Shropshire or in the UK and that no data, case studies or relevant examples have been included to evidence what works in similar facilities. The proposed use is sui generis use as it is considered to be 'in a class of its own'. As there are no directly comparable projects that have been set up and running no comparisons can be made. In any case each proposal has to be determined on its own merits. That there is no similar proposal is not a justifiable reason for recommending refusal of the application.
- 6.6.7 Loss of employment/alternative uses: It has been noted that the number of staff required for the proposed use might be less than the number of staff required when it was a care home for the elderly. The site is not a protected employment site and therefore the number of staff or potential loss of employment is not a material consideration.
- 6.6.8 Some comments have referred to other sites that should have been explored and/or have queried why an alternative use cannot be found for the building and that there is no assessment and lack of evidence (including marketing evidence) of why a care home is no longer required. A consideration of alternative uses for the site or alternative sites for the proposed use is not a material consideration as a sequential assessment is not a policy requirement for this type of application and it is the current proposal not an alternative proposal that is required to be determined. With regards to a demand for care homes for the elderly, the building closed in 2019 as it was not considered fit for purpose. Since that time many applications for planning permission for care homes have

been approved and some implemented and provided around Shrewsbury to meet demand. The submitted documents indicate that there is a significant and urgent demand for the use as proposed.

## 7.0 CONCLUSION

- 7.1 The provision of housing within the urban area of Shrewsbury accords with Shropshire Core Strategy policies CS1 and CS2 that identify Shrewsbury as the primary focus for residential development for Shropshire. The proposed supported housing scheme for homeless single people will help to address the current shortage of this type of accommodation in Shrewsbury and would make effective use of a brownfield site. It is a sustainable location for the proposed use, situated within reasonable walking distance of Shrewsbury town centre and with a range of services nearby within the local area and access to public transport. Access to the site will be via the existing access and it is considered that adequate parking will be provided. Given the fallback position of the lawful use of the site, it is considered that the proposal would result in less demand for parking and fewer vehicle movements and would have no adverse highway implications.
- 7.2 The proposed minor external alterations would have no adverse impact on the appearance of the building or the site as a whole and would not adversely impact on the character or appearance of the locality or the adjacent conservation area. The refurbishment of the buildings and the grounds and bringing the building back in to use will secure its future maintenance and improve the appearance of the site. It is therefore considered that the proposal accords with CS6, CS17, MD2 and MD13. Special regard has been given to preserving or enhancing the character or appearance of the Conservation area as required by section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in determining this application.
- 7.3 It is considered that satisfactory internal living accommodation and outside amenity space will be provided for future residents and that the accommodation if provided and managed in accordance with the submitted Management plan will support the safety, health, and well-being of future residents. With regards to the residential amenity of existing residents that live in properties adjoining and opposite the site it is considered that subject to compliance with the recommended conditions the proposed use of the building and the grounds would not result in any significant rise in activity, noise and disturbance on the site compared to its lawful use as a residential institution.
- 7.4 With regards to the fear of crime and ASB in the locality and wider area arising as a result of the proposed new use, although the fear of crime can be a material consideration there also needs to be an evidential basis to that fear. Residents have reported an increase in crime and ASB during the former period of unregulated use, but this is not supported by evidence and there is no correlation between reported crime levels and occupancy when referring to the crime statistics prior to and during this period. The community fears are based

on their experience when it was occupied unlawfully for a very different kind of use, and their assumptions regarding future residents. The proposed use and management of the scheme now proposed is not the same as when it was previously occupied as a homeless shelter or hostel when there was no planning permission in place and therefore no conditions to control the proposed occupation and management. Having regard to the assessment and selection criteria for future occupiers that is outlined in the management plan it is considered that the local residents assumptions about future residents and their fear regarding an increase in crime and ASB due to the proposed use is not substantiated. It should not therefore be attributed any significant weight as it is considered that there is nothing intrinsic to the proposed use and the future residents that would provide a reasonable basis for this to be a material planning reason to warrant a recommendation for refusal of this application.

7.5 Subject to compliance with the Management Plan it is not considered that the proposal would have a significant adverse impact on the level of criminal activity and ASB or the safety or wellbeing of residents in the locality or have a significant adverse impact on residential amenity compared to its lawful use and the proposal is therefore considered to accord with CS6, MD2 and paragraph 92 and 130 of the NPPF.

7.6 Some residents have stated that approving this application would not take into account their human rights and that their concerns have not been listened to. These rights relate to respect for private and family life and the peaceful enjoyment of possessions that have to be balanced against the rights and freedoms of others. These rights extend to the existing residents of the community and the future residents of Coton Hill House. For the reasons given in the above conclusion and within the body of the report it is considered that the proposal would not have any significant impact on the human rights of residents that live adjacent the site and in the surrounding community or on the future occupiers of the building.

## **8.0 Risk Assessment and Opportunities Appraisal**

### **8.1 Risk Management**

There are two principal risks associated with this recommendation as follows:

- As with any planning decision the applicant has a right of appeal if they disagree with the decision and/or the imposition of conditions. Costs can be awarded irrespective of the mechanism for hearing the appeal, i.e. written representations, hearing or inquiry.
- The decision may be challenged by way of a Judicial Review by a third party. The courts become involved when there is a misinterpretation or misapplication of policy or some breach of the rules of procedure or the principles of natural justice. However their role is to review the way the authorities reach decisions, rather than to make a decision on the planning issues themselves, although they will interfere where the decision is so

unreasonable as to be irrational or perverse. Therefore they are concerned with the legality of the decision, not its planning merits. A challenge by way of Judicial Review must be made a) promptly and b) in any event not later than six weeks after the grounds to make the claim first arose.

Both of these risks need to be balanced against the risk of not proceeding to determine the application. In this scenario there is also a right of appeal against non-determination for application for which costs can also be awarded.

## **8.2 Human Rights**

Article 8 gives the right to respect for private and family life and First Protocol Article 1 allows for the peaceful enjoyment of possessions. These have to be balanced against the rights and freedoms of others and the orderly development of the County in the interests of the Community.

First Protocol Article 1 requires that the desires of landowners must be balanced against the impact on residents.

This legislation has been taken into account in arriving at the above recommendation.

## **8.3 Equalities**

The concern of planning law is to regulate the use of land in the interests of the public at large, rather than those of any particular group. Section 149 of the Equality Act 2010 (Public sector equality duty) requires public authorities, in the exercise of its functions, to have due regard to countering discrimination against and promoting equality for people with protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation). Equality will be one of a number of relevant considerations that need to be weighed in Planning Committee members' minds and taken into account in determining applications under section 70(2) of the Town and Country Planning Act 1990.

Some commentators have stated that there are other people including families and not just single people who require assistance with their housing. The provision of the proposed accommodation will help address a serious shortage of this type of accommodation and therefore address inequalities in the variety of housing that is currently available. The proposal will add another type of accommodation to the current housing stock and will not impact on the quantity of or restrict access to other types of accommodation currently available to meet a variety of needs. The site is within a mixed residential area that includes families with children and older persons accommodation. For the reasons given in the report regarding the fear of crime and anti-social behaviour not having a sound and reasonable basis for being attributed to the proposed future residents, it is considered that there are no groups with protected characteristics (identified in the Equality Act 2010) that would be adversely affected or



prejudiced by this proposal.

## 9.0 Financial Implications

There are likely financial implications if the decision and / or imposition of conditions is challenged by a planning appeal or judicial review. The costs of defending any decision will be met by the authority and will vary dependent on the scale and nature of the proposal. Local financial considerations are capable of being taken into account when determining this planning application – insofar as they are material to the application. The weight given to this issue is a matter for the decision maker.

## 10. Background

### Relevant Planning Policies

#### Central Government Guidance:

National Planning Policy Framework

#### Core Strategy and Site Allocations and Management of Development (SAMDev) Plan:

CS1, CS2, CS6, CS17, MD2, MD13

## 11. Additional Information

### List of Background Papers

23/03074/FUL - Application documents associated with this application can be viewed on the Shropshire Council Planning Webpages <https://pa.shropshire.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=RXS8VLTD07U00>

Cabinet Member (Portfolio Holder): Councillor Chris Schofield

Local Member: Councillor Nat Green

Appendices

APPENDIX 1 – Conditions

### APPENDIX 1 Conditions

#### STANDARD CONDITION(S)

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91(1) of the Town and Country Planning Act, 1990 (As amended).

2. The development shall be carried out strictly in accordance with the approved plans, drawings and documents as listed in Schedule 1 below.

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and details.

**CONDITION(S) THAT REQUIRE APPROVAL DURING THE CONSTRUCTION/PRIOR TO THE OCCUPATION OF THE DEVELOPMENT**

3. Prior to the first use of the building acoustic glazing and ventilation shall be implemented in accordance with the glazing and ventilation specification recommended within the NoiseAir Report ref: P6348-R1-V1 received 14.07.2023 and shall thereafter be retained for the lifetime of the development.

Reason: To protect residential amenity, health and wellbeing.

4. Prior to the first use of the building the new boundary fencing and the acoustic fencing surrounding the smoking shelters shall be provided in accordance with the details indicated on the approved plans and shall thereafter be retained for the lifetime of the development.

Reason: To protect residential amenity, health and wellbeing.

5. Prior to the first use of the building all hard and soft landscaping shall be carried out in accordance with the approved plans and shall be maintained in accordance with the Landscape Management Plan received 14.07.2023.

Reason: To ensure a satisfactory appearance to the development.

**CONDITION(S) THAT ARE RELEVANT FOR THE LIFETIME OF THE DEVELOPMENT**

6. The use of the building, and the occupation, operation and management of the accommodation shall be strictly in accordance with the approved Management Plan.

Reason: To protect residential amenity, and the health and wellbeing of the community and the future residents of the site.

7. The development shall be operated in accordance with the Travel Plan received 14.07.2023 which shall remain in force for the lifetime of the development.

Reason: To promote sustainable means of travel and reduce carbon emissions.