

ITEM NO. 4**COMMITTEE DATE:** 05/12/2016

APPLICATION NO: 16/1376/03 FULL PLANNING PERMISSION
APPLICANT: Mr Denning
PROPOSAL: Change of use from A1 to temporary night shelter (sui generis) until end of March 2017
LOCATION: Former Richards Aquatics, Market Street, Exeter, EX1 1BW
REGISTRATION DATE: 04/11/2016
EXPIRY DATE: 30/12/2016

HISTORY OF SITE

16/0867/03 - Change of use from A1 shop to D2 Gymnasium/Fitness centre WRT 02/09/2016

DESCRIPTION OF SITE/PROPOSAL

The application is for consent for a temporary change of use of the former Richard's Aquatic premises as a temporary night hostel for rough sleepers throughout December 2016 through to the end of March 2017. The consent is proposed for this period although it is likely that only 12 weeks would be required.

The unit in question is currently vacant although it has an existing A1 use. The applicant wishes to retain this A1 use to use the premises as a bicycle workshop and sales space as part of an outreach programme. The application seeks an additional 'Sui Generis' use in order to deliver temporary hostel accommodation known as 'Safesleep' nightly from 8pm to 8am from December 2016. The applicant wishes to retain this use until the end of March 2017 in order to account for the coldest winter periods.

The proposal is to offer dormitory-style accommodation with camp-beds and bedding together with on-site catering, laundry, shower, washing and toilet facilities for approximately 30 people. There would be separate sleeping and washing spaces for males and females. Access into the premises would be from the Market Street frontage only and not the rear access.

The application site is located within the City Centre and the Central Conservation Area but is located outside of the Primary and Secondary Shopping Areas.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

The application has been accompanied by a Planning Statement to support the application. The statement includes information about the project and the mechanisms in place to ensure the hostel is run safely without disturbance to existing residents and businesses. This provided the following information:

- Exeter City Council has agreed that Julian House will operate as the delivery partner for 'safesleep' in 2016/2017. Safesleep will provide emergency accommodation and assistance to rough sleepers;
- The hostel would run nightly from 8pm to 8am;
- Safesleep will incorporate the provision of Severe Weather Emergency Protocol (SWEP) for the authority providing additional space during periods of severe weather when people on the streets of Exeter are most at risk. The timings of this will depend on episodes of severe weather and has the potential to operate until the end of March 2017;
- The aim of safesleep and SWEP is to prevent loss of life and to reduce rough sleeping to as near zero in the city as possible;
- There will be on-site catering, laundry, shower, washing and toilet facilities on site;
- The accommodation will be accessible to those who may have a disability or mobility issues;

- Access to safesleep will be from Market Street only, avoiding George Street to the rear;
- A safe and secure environment will be provided by professional staff backed up by a comprehensive CCTV network;
- Occupants are expected to be in their accommodation by 11pm;
- The scheme is supported by staff with a close working relationship with the existing Homeless Outreach team and a close working relationship with the police;
- It is expected that the operation of safesleep will positively contribute to the wider safety of the City Centre.

Following objections to the proposal Julian House provided further additional information in support of the application:

- Julian House has been working with ECC to look at empty buildings throughout Exeter over the past few months and an alternative location was not found for safesleep;
- Many empty buildings have been explored over the past few months and they have spoken extensively with letting agents and landlords;
- Julian House runs a hostel in Bath which is in the same building as a number of community groups including Off the Record (Young Persons Advice Centre) and a variety of other groups including Ballet classes and children and toddler groups;
- Julian House works very closely with the local church at their Bath premises and responds very quickly to any concerns regarding their client group. They have a named worker to go to and access to managers via an on-call system;
- Julian House would have liked to work more closely with the local community had there been more time. The Market Street premises have only been considered for a few weeks;
- Safesleep will be used to take the majority of Exeter's rough sleeping population off the streets and to provide a safe place for them over the winter months. Safesleep is for rough sleepers not sex offenders;
- The City Centre Police Team are aware of safesleep, in 2015 safesleep took place within St Petrocks and Gabriel House and there was not an escalation in any anti-social behaviour or problems within the community;
- There are no plans to train staff in SIA (Security Industry Authority), because staff have extensive training beyond that offered to security guards. They are open to discussions with the local community about how to create a secure environment outside the market street premises. Julian House will be providing trained staff and CCTV internally as well as externally.

REPRESENTATIONS

This application has currently received 14 objections from local residents and businesses and users of the DanSci dance school. The consultation period closes on 1st December therefore this number is likely to increase between publication of this report and the committee meeting. The material planning objections raised include the following:

- Area already experiences issues of anti-social behaviour linked to drinking and drug taking and excess rubbish in the area;
- Existing noise disturbance issues;
- The existence of a homeless shelter would worsen current issues;
- Concerns regarding proximity to dance school with young users and subsequent safety concerns;
- Potential increase in theft;
- Potential for anti-social behaviour in the area;
- Should not be located so close to the high street;
- Will encourage more homeless people into the area.

A letter of support has been received from Exeter CVS who have made the following key comments:

- If application is refused Safe Sleep will not happen and the risk of people dying on the street is very real;
- There is no evidence to suggest that provision of this kind would attract any more rough sleepers to the city centre;

- Those that are not accommodated will not simply go away but will be left of the street, it is better for individuals (and the community) for them to be in a safe, warm, supervised space run by a professional organisation;

CONSULTATIONS

Devon and Cornwall Police - Designing Out Crime Officer: The officer who responded to this application has offered to meet with the applicant to discuss their advice in more detail. Their response outlined a number of management practices and advice on the internal layout of the premises. These proposed measures include use of a compulsory registration scheme (incorporating an acceptable behaviour agreement) supported by CCTV. The advice also goes on to discuss the layout of CCTV and natural surveillance, escape routes for staff, positioning of reception desks and layout of the toilet spaces. This advice has been forwarded directly to Julian House for their consideration.

PLANNING POLICIES/POLICY GUIDANCE

Central Government Guidance

National Planning Policy Framework

Exeter Local Plan First Review 1995-2011

C1 - Conservation Areas;

OBSERVATIONS

The nature of this application means that there are few policies that are relevant to this case. A decision must therefore be made in accordance with material considerations and taking account of the positives and negatives of granting consent for this proposal. Whilst this application is for a change of use, the applicant only wishes to have a change of use during the winter evenings from December 2016-March 2017. The unit would be retained in A1 use outside of these timings. Therefore, the loss of a retail unit is not a material factor in this case.

Crime and fear of crime is a material planning consideration and it is acknowledged that residents and local businesses are apprehensive about such a facility operating in the area due to the existing issues with rough sleeping and anti-social behaviour in this part of the City. Devon and Cornwall Police in their consultation response have not objected to the proposed scheme and have offered to work with the applicants to advise with the set up of the facility to reduce the risks of crime and anti-social behaviour.

It is considered that the proposed change of use is acceptable as the use is on a temporary basis to accommodate rough sleepers throughout the coldest winter months. It is further considered that having a dedicated facility for rough sleepers where food and cleaning facilities are provided has the potential to improve the character of the area as for this temporary period homeless people will have a safe space in which to stay and would therefore not be on the streets.

The scheme would be managed and run by an existing organisation with staff and CCTV and strict curfews to ensure that there is no disturbance to nearby residents and businesses. A condition is recommended that restricts the consent to be used only by Julian House to ensure that the facility is run in accordance with the details outlined in the planning statement and to ensure that the facility is run by an experienced organisation.

It is considered that on balance the proposal is acceptable as the proposed temporary use would help to provide a safe sleeping space for some of the City's more vulnerable citizens and that robust measures are put in place to ensure that there would be no harm to the residential or business uses of the area.

RECOMMENDATION

APPROVE subject to the following conditions:

- 1) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 4 November 2016 (*Site Location Plan, Planning Statement, Floor Plan as Existing and Floor Plan as Proposed*), as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings and details.
- 2) The use hereby approved shall cease on or before 31 March 2017.
Reason: To ensure that the use ceases when no longer required as part of Safe Sleep.
- 3) The use hereby permitted shall be carried on only by the organisation Julian House and shall cease at such time as the aforementioned person(s) cease to occupy the site.
Reason: To enable the proposed use by the applicant to be monitored.

Local Government (Access to Information) 1985 (as amended).
Background papers used in compiling the report:

Files of planning applications available for inspection from the Customer Service Centre,
Civic Centre, Paris Street, Exeter: Telephone 01392 265223