

**Application Ref:** 12/01314/FUL

**Proposal:** Use of building as emergency overnight accommodation for homeless persons for up to 60 nights per annum

**Site:** Unity Hall, Northfield Road, Millfield, Peterborough

**Applicant:** Peterborough Streets

**Referred by:** Head of Planning Transport and Engineering Services

**Reason:** The application is of wider public interest

**Site visit:** 03.10.2012

**Case officer:** Mrs J MacLennan

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**Recommendation:** **GRANT** subject to relevant conditions

**1 Description of the site and surroundings and Summary of the proposal**

The site is located on the north western flank of Northfield Road, close to the junction with Lincoln Road and approximately 120m from the Millfield District Centre Boundary. The neighbouring uses fronting Lincoln Road and abutting the site are occupied as retail and community uses. The properties directly opposite the site and further along Northfield Road are predominantly residential. The site contains a detached one and a half storey building with an internal floor area of 220m<sup>2</sup> and is currently used as a day centre/place of worship (D1). Parking provision is available within the site for up to 3 vehicles.

**Proposal**

The application seeks permission for use of the building as emergency overnight accommodation for the homeless for up to 60 nights per year between the hours of 10.00 pm and 8.00 am, Monday to Sunday. The building would also be used as a day centre for homeless people between the hours of 9.30 am and 3.30 pm Monday to Friday. It should be noted that this element of the proposal does not actually need planning permission. The proposal would facilitate the relocation of a similar operation being run from the Alpha Centre in Bretton where planning permission was granted for this use in March 2011 (ref. 11/00388/FUL).

**2 Planning History**

Reference	Proposal	Decision	Date
P0784/84	Extension of use to include office	Application Permitted	15/10/1984

**3 Planning Policy**

Decisions must be taken in accordance with the development plan policies below, unless material considerations indicate otherwise.

**National Planning Policy Framework (2012)**

Paragraph 17 – Core Principles ‘...the planning system should ‘take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community

and cultural facilities and services to meet local needs’.

### **Peterborough Core Strategy DPD (2011)**

#### **CS16 - Urban Design and the Public Realm**

Design should be of high quality, appropriate to the site and area, improve the public realm, address vulnerability to crime, be accessible to all users and not result in any unacceptable impact upon the amenities of neighbouring residents.

#### **CS14 - Transport**

Promotes a reduction in the need to travel, sustainable transport, the Council’s UK Environment Capital aspirations and development which would improve the quality of environments for residents.

### **Peterborough Local Plan (First Replacement) (2005)**

#### **CF8 - Development of Community Buildings**

Permission will be granted subject to there being no loss of other uses for which there is overriding need, accessibility and no adverse traffic impacts or impact on residential amenity.

## **4 Consultations/Representations**

**Millfield And New England Residents Planning Sub Group** - Oppose application due to potential noise, litter, drug use, alcohol use, antisocial behaviour and impact on neighbouring amenity by sitting on walls, loud conversations, shouting and swearing. The building cannot provide appropriate facilities for washing etc. The occupiers are likely to attract drug pushers to the area. Alternative building should be sought outside this residential area.

**Victoria Park Residents Association** - No comments received

**Transport and Engineering Services** - The access is substandard with only 3 parking spaces within the site. However, the proposed use is likely to be minimal compared to previous uses. No highway objections.

**Police Architectural Liaison Officer** -The Police Architectural Liaison Officer fully understands the anxiety of any close neighbours to such a facility being located close to their homes. Rough sleepers do on occasion raise the ‘Fear of Crime’ by some members of society and some ‘rough sleepers’, have previously been involved in crimes, substance abuse and Anti-Social Behaviour (ASB). It would be impossible to fully guarantee that those accommodated at the site, would not have a negative effect on neighbours. However the collection and returning of those housed overnight, to the City Centre, in a managed way, will significantly reduce the likely opportunity for crime or ASB in the immediate vicinity of the accommodation. In fact by providing this facility, involvement in acts of Crime and ASB by those provided with shelter and food, is much less likely. The previous location at the Alpha centre did not generate any additional issues or impact significantly on neighbours. This has been confirmed by the local police. On occasions some rough sleepers were seen hanging about in parks in Bretton awaiting the opening of the centre. Assurances are given that the local Police Team will provide attention to such accommodation and liaise with the City Council Housing Teams, Shelter providers and neighbours should any incidents of nuisance, ASB or crime be connected with this facility, in attempt to investigate offences and prevent future incidents.

#### **Local Residents/Interested Parties**

46 representations have been received; 3 letters of objection and a petition objecting to the proposal containing 42 names and 1 in support. The main concerns with the proposal are:

- Concern for safety of customers and staff of the retail unit on Lincoln Road, returning to their cars in the evening, they may feel intimidated
- The boundary fence is already being vandalised and this will worsen – are there any plans to repair the fence
- Unity Hall allows the consumption of alcohol on the premises, the use will exacerbate the existing problems
- The homeless people would use dustbins, walls and vehicles for cover to sleep resulting in damages to our property
- Adverse impact on standards of living in the area
- More people who are addicted to alcohol and drugs would be attracted to the area
- Increase in antisocial behaviour
- Litter
- Noise
- Use of alleyways as a toilet
- Concern that people waiting to sleep at the hall will hang around the Northfield Road area
- They will sit on residents walls
- Needles would be found in gardens
- Attempts to control alcohol use in the area would be compromised
- There would be swearing and shouting particularly if alcohol is involved.
- The building is unsuitable for this use
- As some of the homeless are drug users this could attract drug pushers to the area
- A city centre location, industrial area, offices is more appropriate not in a residential street
- There would be similar problems to those experienced at St Theresa's, Manor House Street

A representation has been made by Cllr Shearman, Ward Member, in support of the application. He has met with the agencies concerned and supports the proposal on the basis that:

- Peterborough Streets acknowledges that the Manor House Street Initiative was severely flawed and this application will provide support for far fewer people.
- Peterborough Streets work closely with Peterborough City Council officers to find permanent accommodation and to effect changers in their lifestyles.
- The emergency accommodation will only be used when the temperature is predicted to drop below freezing on 3 successive nights. In 2011/2012 there were 17 such nights and in the previous year 26.
- The Severe Weather Emergency Program is a response to a Government recommendation to all local authorities to provide such accommodation to prevent homeless sleepers from dying on our streets.
- The homeless sleepers would be collected from the City Centre soup kitchen behind the Brewery Tap and driven by min-bus to Unity Hall. They will be provided with a hot drink and a sleeping bag to sleep on the floor. They will be supervised through the night and will not be allowed to leave the premises during this time.
- Between 10.00 pm and midnight the police may bring other people they have picked up from the streets. During the past year the numbers needing this accommodation ranged from a maximum of 15 to a minimum of 2 per night.
- At 8.00 am these people will be driven back to the City Centre where they will be expected to engage with Council workers and others in programs and interviews aimed at supporting them in turning their lives around and/or accessing other support agencies.
- The proposed project will be organised in a way that will ensure people using the facilities will not be gathering outside Unity Hall in the evening, nor will they be moving onto the streets of Millfield in the morning.

## **5 Assessment of the planning issues**

### a) Background

Peterborough Streets (a charitable organisation) has, in association with Peterborough City

Council, provided 'Severe Weather Emergency Provision' (SWEP) for the homeless in Peterborough. For the past 2 years this accommodation has been provided at The Alpha Centre in Bretton. The delivery of the service is based on a contractual bidding process and the relocation of the service to Unity Hall would be more economically viable and there is a good working partnership with church leaders.

The building would provide SWEP which has two aims a) to ensure that no one dies on the streets due to cold weather and b) to ensure that every effort is made to engage with individuals during the cold weather period so that they do not return to the streets.

All rough sleepers are identified by Peterborough City Council (PCC), police, public or other services. The council monitor the SWEP list which is passed on to 'Peterborough Streets'. The list usually has between 2-18 names on it. The process is tightly controlled to avoid people lingering outside the church. A risk assessment process is put in place with trained staff. Rough sleepers are picked up from a designated place behind the Brewery Tap at 10.00 pm prompt. Anyone who is not on the list cannot access the service. Rough sleepers do not turn up at the centre as they know if they are not on the list they will not gain entry. If anyone is found loitering around the building the police would be notified in the interests of safety. Zero tolerance policies are employed on alcohol and drugs and entry to the building would be declined to anyone under the influence of either. The agency works in partnership with the Cambridgeshire Constabulary and liaises with them if it is suspected that anyone is using or dealing in illegal substances.

At 8am PCC staff and local Police Community Support Officers have an opportunity to engage with those in need of accommodation, in an attempt to assess their future needs, prior to them being transported back to the pick-up point.

The service was initially set up 20 years ago by the Catholic Church to help the homeless and operated from St Theresa's, Manor House Street. However, with subsequent changes of the board, the service completely lost its way. The service was inadequately managed and the vision was lost.

There were, at its peak, up to 150 service users a day attending the centre and no structured services were being offered, this resulted in people hanging around and getting a very bad reputation, the service had completely lost its direction.

In 2010 the new board completely restricted the service and re-trained its entire staff. The old style management of "tea and sympathy" was out dated and inadequately monitored. The day centre was moved, re branded, remodelled and restructured. The service is now professional, transparent, and above all accountable.

The service delivers professional projects with targeted outcomes for funders such as the PRS CRISIS project funded by CRISIS to assist homeless people with accommodation; and educational projects in partnership with Lloyds TSB to assist homeless people to access I.T., and provide City and Guild accredited courses and qualifications. In addition, CV workshops are provided along with employment training and volunteer placements are provided in the centre and charity shop.

On average between 2 and 8 service users attend the day centre, the service users who attend only attend if they are engaging with the service provider.

#### b) The principle of development

The lawful use of the building as a church hall/day centre falls within the use class D1 of the Town and Country Planning Use Classes Order 2005 and therefore the use of the building as a day centre does not require planning permission. The use of the building as a day centre would already generate a degree of activity through the comings and goings to events held within the building, and this would not change as a result of this application.

The use as a homeless shelter is 'sui generis' and as such does not fall within a designated use

class under the Town and Country Planning Use Classes Order and therefore requires the benefit of planning permission. There is no relevant planning policy for homeless shelters however the use would provide a facility for members of the community and it is considered that policy CF8 of the adopted Peterborough Local Plan (First Replacement) 2005 is relevant in this respect. The supporting text to this policy advises that 'The City Council plays a leading part in providing for local community activities. Its overall policy is to encourage local groups to initiate, sustain voluntary action in the community and to ensure that the community's social, welfare and recreational needs are met by statutory, voluntary or commercial agencies.' There is also a responsibility of the Local Authority to provide shelter when temperatures fall below freezing for 3 or more consecutive nights.

In addition, one of the core planning principles in the National Planning Policy Framework (NPPF) states that the planning system should 'take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs'.

It is evident that such a facility is required in the city to prevent loss of life and long term health issues amongst rough sleepers. Given the existing community use of the building and the organisation and strict controls of the service provider, the proposed use of the building for emergency overnight accommodation for the homeless is supported subject to the proposal complying with other material planning considerations.

#### c) Neighbouring Amenity

There have been a significant number of objections to the proposal from neighbouring properties. The main concerns are that the use would result in acts of antisocial behaviour due to homeless people waiting around the area and subsequent impact on the character of the area, safety of residents and protection of their property. It is acknowledged that the proposed use of the hall for overnight accommodation for the homeless would cause apprehension for the occupiers of neighbouring residential properties, particularly those in Northfield Road. However, it would appear that the operation is sufficiently organised in that no one could leave the facility during the hours of 10.00pm and 8.00am and that they are taken by mini-bus to the hall and supervised. This would result in one trip to the facility in the evening and one the following morning.

The service has operated from the Alpha Centre, in Bretton for two years. This is also located in a predominantly residential local. The case officer has sought the views of the Police Architectural Liaison Officer (PALO) to investigate whether there have been any incidents of antisocial behaviour, and so on. The PALO has been informed by his colleagues that in previous years the existence of a SWEP facility in the Alpha Centre, Adderley Road, Bretton, has not generated any additional issues or impacted significantly on neighbours. On occasions some rough sleepers were seen hanging about in parks in Bretton awaiting the opening of the centre.

The PALO acknowledges it would be unrealistic and impossible to fully guarantee that those accommodated at Unity Hall, would not have a negative effect on neighbours, assurance is however, given that the local police team would provide attention to such accommodation and liaise with the City Council Housing Teams, Shelter providers and neighbours should any incidents of nuisance, ASB or crime be connected with this facility, in attempt to investigate offences and prevent future incidents.

It is considered that the service would be delivered responsibly and with the controls in place the use of the building as an emergency homeless shelter would not unduly impact upon the amenity of the occupiers of neighbouring properties. Hence the proposal accords with policy CF8 (c) of the adopted Peterborough Local Plan (First Replacement) 2005 and policy CS16 of the adopted Peterborough Core Strategy DPD 2011.

#### d) Highway implications

The Highways Officer has stated that the existing access, parking and turning within the site are below the standard required, however this is an existing facility and the proposed use would not

generate significant vehicular movements to and from the site. There are therefore, no highway objections and the proposal accords with policy CS14 of the adopted Peterborough Core Strategy DPD 2011.

## **6 Conclusions**

Subject to the imposition of the attached conditions, the proposal is acceptable having been assessed in the light of all material considerations, including weighing against relevant policies of the development plan and specifically:

- The lawful use of the site is a day centre/place of worship and therefore the daytime use as a day care centre for the homeless is permitted under the Town and Country Planning Use Classes Order
- The hall can be used temporarily for emergency overnight accommodation for up to 28 nights per year under Class B, Part 4 of the Town and Country Planning (Permitted Development) Order
- The proposed use for emergency overnight accommodation for up to 60 nights per year would not significantly intensify the use of the hall to such a degree as to result in an unacceptable impact on the amenity of neighbouring occupiers.
- The proposal would not result in any adverse highway implications.

The proposal therefore accords with policies CS14 and CS16 of the adopted Peterborough Core Strategy DPD 2011 and policy CF8 of the adopted Peterborough Local Plan (First Replacement) 2005.

## **7 Recommendation**

The Head of Planning, Transport and Engineering Services recommends that planning permission is **GRANTED** subject to the following conditions:

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

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended).

C 2 The centre shall be used as emergency overnight cold-weather accommodation for homeless people for no more than 60 nights each year

Reason: In order that the Local Planning Authority can retain control over the intensification of use of the building in the interest of neighbouring amenity in accordance with policy CS16 of the Adopted Peterborough Core Strategy DPD 2011 and policy CF8 of the Adopted Peterborough Local Plan (First Replacement) 2005.

Copy Councillors Kreling P M, Shearman J, Peach J P