

Statement by the Applicant
Response to Public Consultation
Planning Application Ref:23/01047/FUL:
5A Dragon Lane, Newbold Verdon LE9 9NG

Proposed change of use from a 10-bedroom single residence (C3)
to a 10-bedroom House in Multiple Occupation (H.M.O.) (Sui Generis)

Introduction

As applicant, G&S Services (E. Mids.) CIC is grateful for the opportunity to respond to the objections and a petition raised during the consultation process. This statement seeks to address objections (redacted personal details) received and kindly forwarded by Hinckley and Bosworth Borough Council.

Overview – Governance, statute, and regulation

The proposed House in Multiple Occupation will be governed and managed by three charity trustees and/or managers that have decades of aggregated experience in delivering ongoing supported accommodation in communities across three Leicestershire local authorities including;

- Charnwood Borough Council - (Loughborough town centre, Six Hills - suburban and rural setting -houses and H.M.O.'s)
- Melton Borough Council (Melton Mowbray suburban house)
- North West Leicestershire District Council, Coalville and Kegworth (houses in town and village settings)

A total of 129 beneficiaries are supported and accommodated by three distinct charities operating at the above locations between 2003 and the present day.

As a charity, The Bayith Trust, is required to uphold charity law and regulation in terms of governance, safeguarding, reporting and financial controls in the provision of supported accommodation to beneficiaries at the application site.

The proposal to govern and manage supported accommodation at the application site is a serious undertaking based on protecting beneficiaries, employees, the Charity, neighbours, and the wider community. Although not an exhaustive list, compliance with the following legislation and or regulation is required;

- Charity Commission law and regulation
- Health and Safety at Work Act 1974
- HSRSS - Housing health and safety rating system (HHSRS)
- The Regulatory Reform (Fire Safety) Order 2005
- The Fire Safety (England) Regulations 2022
- HMO Licensing – Hinckley and Bosworth Borough Council
- Supported Housing Improvement Programme – due for introduction by local authorities.
- Local Authority Licencing – due for introduction by local authorities.

Managing Beneficiaries

Applications from or on behalf of potential beneficiaries will be scrutinised prior to a place being offered as part of a referral process through;

- Dialogue with referral agencies,
- Testing applicant commitment to addressing challenges and embracing support,
- The applicant being homeless,
- Precluding placement of applicants with convictions for Schedule 1 sex, serious violence, and arson offences, and
- Robust risk assessment, cross-referenced in partnership with referral agencies or scrutinised in the instance of self-referral,

The management and support offered to resident beneficiaries is included within the planning application and includes a Support Plan and Contact Log to demonstrate the interaction between Resident Support Workers and each beneficiary. Support Plans, Contact Logs, and Risk Assessments are updated by staff as beneficiaries progress through a journey of agreed positive development.

Please note that applicants with convictions for Schedule 1 sex, serious violence, and arson offences will not be accommodated at the application site.

Statement Content

This statement considers objections as ten distinct headings as numbered 1 through 8 in bold black font below, and a summary at 9. This document complements the material previously submitted as the Planning Application Ref:23/01047/FUL:

1. Anti-social behaviour issues including noise pollution.

As stated in the planning application, beneficiaries gaining access to support and accommodation agree to occupancy through a conditioned licence agreement and house rules which reference anti-social behaviour.

A typical Support Plan is included with the Planning Application. Section 5 of the Support Plan considers, **“Advising or assisting the Licensee in dealing with relationships and disputes with neighbours”**.

Proven incidences of anti-social behaviour including noise both within the application site and wider community will be dealt with through sanction, a regime of warning escalation and leading to scheduled or immediate eviction following serious or accumulated breaches. Residents failing to engage with staff, or their Support Plan will be subject to similar sanction, warning, and eviction regime.

The proposed accommodation will have 24-hour staff attendance, drug and alcohol testing, a Complaints Policy and management that value interaction with the community.

The applicant has reflected on concerns about people congregating on the driveway to the front driveway of the premises. Although private property, measures will be taken to encourage residents to use the rear garden to congregate, smoke and/or vape.

2. Harm to the Newbold Verdon Conservation Area.

As stated at page 4 of our Planning Statement.

“3. Site Analysis

Residential Amenity

This application proposal retains the existing residence in terms of its building footprint, external structural materials, window positions and glazing materials and rear garden shrubs, trees and hedges that afford screening and minimise overlooking to the rear gardens of neighbouring properties and St. James’ Churchyard.”

continuing at,

Appearance

This application retains all external building, parking and rear garden features so visual amenity for passers-by and neighbours will be unaffected. As stated in the attached Design and Access Statement the visual amenity of the existing conservation area adjoining the southern (Important Buildings) and western boundaries (Key Spaces and Important Trees in the St. James’ churchyard) of the application site with respect to the details depicted in The Newbold Verdon Conservation Area Appraisal - Adopted 10 March 2009 will be retained.

The applicant reasserts the content of the above statement and believes that no demonstratable harm will be caused to either the integrity or aesthetic of both the Important Buildings and/or Key Spaces and Important Trees in the St. James’ churchyard Conservation Area designations.

3. Harm to existing overcapacity infrastructure.

On the basis that the status quo is retained by the proposed 10-bedroom H.M.O. when considered in terms of the existing and recent former planning use, it is difficult to understand how this proposed change of use will harm existing infrastructure.

4. Highway safety concerns.

The planning application demonstrates the adequacy of existing access visibility splays for pedestrians and vehicles, footway provision serving the application site, access to bus stops, medical and shopping facilities.

The applicant suggests that the existing road alignment, width and on street parking, speed and weight restrictions, and lighting are adequate and not negatively impacted by a change of use that is not dissimilar to a former care home or existing private residence at the same scale.

5. Lack of off-street parking provision.

The planning application details the existing and proposed four number off-street parking spaces for both motor vehicles and potential for cycle parking at Parking Provision Details along with permitted and restricted on-street parking.

The typical beneficiary cohort has negligible to low car ownership with the capacity for management of this private space by not permitting resident car parking off-street at the premises.

6. Lack of accessibility to public transport.

As the proposed change of use does not escalate the scale of development and the applicant has evidenced both the access to and frequency of public transport, status quo being maintained between existing and proposed use. It is arguable that any increased use of public transport by residents of a house in multiple occupation may marginally improve the commercial viability of existing public transport links.

In this type of proposed use, staff regularly assist beneficiaries in attending appointments and visits that prove to be challenging in terms of accessibility through private transport or a combination of private and public transport.

7. The proposal is 'unfair' on the local community & inappropriate location for proposed use.

The applicant respectfully suggests that in terms of the application site, those living in a former residential home for the elderly, existing private dwelling, and proposed House in Multiple Occupation to be part of the **local community**, alongside, neighbours, churches, service providers, business owners, employees including others living and working in Dragon Lane and beyond in the parish of Newbold Verdon.

The applicant has made the case for the change of use in terms of national and local planning policy framework and believes this is an ideal location for the proposed change of use as a premises that requires little modification or new construction and the resultant impact on both the environment and local people.

As the proposed change of use does not require any demonstrable negative impact or alteration to scale of development, aesthetic/visual amenity, conservation areas, street scene, overlooking, garden size or layout, parking and access/egress arrangements, the applicant suggests that the proposal is fair, and indeed, offers opportunity to those facing challenges, which sadly present in most communities.

8. Safety concerns, Risk to children, and Risks to people who frequent the local park.

Governance, statute, regulation and managing both referral applications and beneficiaries are referenced at the planning application and at **Managing Beneficiaries**, above.

The scope of the planning application, specifically change of use to a House in Multiple Occupation does not extend to limiting the rights of any person within a community from the use of a public space or open space, save those within their duty of care that have orders applied by criminal or civil courts.

9. Summary

Subject to planning consent, licencing, and compliance with regulation, this initiative seeks to;

- Address the needs of homeless people by providing safe, quality accommodation and support, affording an opportunity to beneficiaries to overcome vulnerabilities and challenges moving towards improved well-being and a fulfilled life,
- Become integrated within the community and value the feedback and interaction with people in Newbold Verdon to maximise volunteering opportunities and positive social interaction, and
- Realise the other merits of the proposed change of use including the suitability of the existing premises, employment opportunities and addressing a need stated by Hinckley and Bosworth Borough Council to tackle homelessness.

Dated: **21st December 2023** Prepared by: **G&S Services (E. Mids.) Community Interest Company**