



Planning application for the change of use to interim
accommodation for the homeless and rough sleepers
(Sui Generis)

Elm Grove Library
Portsmouth

On behalf of Portsmouth City Council

Planning Statement

Ref: AH/200089A/R0002Av3

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Mango Planning & Development Limited
Number Two, Waterton Park, Bridgend. CF31 3PH
Tel: (01656) 644458
Email: contact@mangoplanning.com
www.mangoplanning.com

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1.0 Introduction

- 1.1 This Statement is prepared by Mango Planning & Development Limited on behalf of our client, Portsmouth City Council (PCC), in support of a planning application for the change of use of Elm Grove Library to facilitate the accommodation of homeless persons and rough sleepers.

- 1.2 Section 2 of this Statement describes the site and its background. Section 3 explains the application proposal. Section 4 outlines the planning policies against which the proposal will be considered. Section 5 provides our assessment of the proposal while Section 6 provides our conclusions.

2.0 The application site

- 2.1 The application site comprises the former Elm Grove Library building, which is situated within a 0.054 hectare plot at 155-157 Elm Grove in Southsea, immediately to the north of the junction with Albany Road and just west of the junction with St Andrew's Road.
- 2.2 The application site's location and extent are shown on the plan at **Appendix A** to this Statement.
- 2.3 Access to the building for pedestrians and cyclists only, is via a gate fronting Elm Grove.



- 2.4 To the west and east of the building are apartment blocks. Number 147 to the west accommodates 14 flats across four floors. Number 159 to the east accommodates 7 flats. To the south is The Deco public house, and a number of residential dwellings in

a terrace.

- 2.5 To the west and east along Elm Grove are a wide variety of shops and services including supermarkets, food outlets, barbers and pharmacies.
- 2.6 The building itself comprises a two-storey brick structure with pitched and tiled roof set back within the site following the traditional building line, with a more modern single storey flat roof extension extending forwards.
- 2.7 A path runs along the western edge of the property to a fully enclosed yard with storage sheds for waste and cycles.
- 2.8 The accommodation within the building comprises five 'cluster' flats, with a total of 19 bedrooms, over the two storeys. Each flat provides WC and bathroom facilities, as well as a kitchen/diner.
- 2.9 The units provide the following accommodation space, with the NDSS for overall floorspace annotated in brackets:

Flat	Bedrooms & sizes	Kitchen/diner	Total floorspace* (Standard)
Flat A	3 bedrooms 13.7sq m - 14.9 sq m	19.6 sq m	74.9 sq m (74 sq m)
Flat B	3 bedrooms 14.7 sq m - 17.4 sq m	16.6 sq m	77.9 sq m (74 sq m)
Flat C	4 bedrooms 9.1 sq m - 11.5 sq m	16.6 sq m	69.5 sq m (90 sq m)
Flat D	5 bedrooms 7.6 sq m - 17.60 sq m	24.0 sq m	105.33 sq m (103 sq m)
Flat E	4 bedrooms 9.8 sq m - 13.5 sq m	18.2 sq m	73.5 sq m (90 sq m)
Total	19 bedrooms 12.8 sq m average		

*Measured by digital survey, December 2020, excludes internal partition walls.

- 2.10 Inspection photographs of the property are provided at **Appendix B** to this Statement.

Planning history

- 2.11 Following the closure of the Elm Grove Library, planning permission was sought in 2012 for the conversion of the building *“to form halls of residence within Class C1 (comprising 19 study bedrooms arranged as five cluster flats) and construction of cycle and bin stores with associated landscaping.”*
- 2.12 Permission was granted under reference 11/01316/FUL on 29th March 2012 subject to conditions and a Section 106 Legal Agreement that limited the use of the flats to students and requiring a register of residents to be maintained and submitted annually to the local planning authority.
- 2.13 The site has subsequently been used for student accommodation and has been registered as a HiMO on the Council database. In recent years however the emergence of new accommodation elsewhere in the City with a wider range of facilities has led to the premises being under-let.
- 2.14 In September 2020 an application for temporary change of use of the premises to interim accommodation for the homeless was submitted, for a period until 31st July 2021. This application (Ref 20/01021/FUL) is undetermined at the date of the submission of this application.
- 2.15 Copies of the existing planning consent and Section 106 Agreement are provided at **Appendix C** to this Statement.

3.0 Application proposal

Background

- 3.1 In line with Portsmouth City Council's corporate vision to "*Make Portsmouth a city that works together, enabling communities to thrive and people to live healthy, safe and independent lives*" and reflecting its duties under the Homelessness Act 2017, in October 2019 the City Council adopted "The Portsmouth City Council Homelessness Strategy 2018-2023". This included as Priorities Two and Three the reduction of rough sleeping and reducing homelessness.
- 3.2 This strategy was supported by additional funding secured by the City Council as part of the national Rough Sleeping Initiative and aimed to halve the number of people sleeping rough by 2022 and eliminate it by 2027.
- 3.3 This strategy has been given further focus by the ongoing Covid-19 health emergency. At the end of March the government wrote a letter to the leader of every local authority in England asking them to accommodate all people sleeping rough or at risk of sleeping rough and to find alternative accommodation for those in "shelters" where they could not easily self-isolate in order to prevent the spread of Covid-19. Temporary accommodation was provided in a number of locations across the City including at hotels and hostels that had closed due to Covid-19 restrictions.
- 3.4 As the restrictions have been lifted and those premises have re-opened for trade, additional funding has been provided to local authorities to fast track the longer-term safe accommodation needed so that as few rough sleepers as possible return to the streets.
- 3.5 As part of its strategy to move on homeless people into more permanent accommodation, the Council has committed to procure under-utilised properties in the City that can be utilised to help them transition into permanent accommodation.
- 3.6 The Elm Grove Library is one of three premises for which planning permission is sought

from the City Council. Each premises will fulfil a different role in meeting the overall needs of the homeless community.

Proposal

- 3.7 This application seeks consent for the change of use of the premises to managed accommodation for the homeless and rough sleepers (*sui generis*).
- 3.8 The application does not propose any physical changes to the premises.
- 3.9 As the submitted Management Statement at **Appendix D** outlines, security and management of the building and escalation policies for the behaviour of individuals have been considered carefully prior to the use of the buildings.
- 3.10 The proposed occupants of the Elm Grove Library will be those that have been assessed as being able to live in a house of multiple occupancy (HiMO) and considered to be of low risk.
- 3.11 Individuals who use the accommodation will be on licence and will agree to be part of a pathway through to more permanent accommodation. Therefore, this is not the permanent home of any individuals, and some may stay only a few weeks whilst others may take months before being suitable for move on.
- 3.12 Alcohol and illegal drugs will be monitored at the premises. Individuals who break the terms of their occupation licence may be moved on to other accommodation or excluded from all accommodation.
- 3.13 The site provides 19 rooms and 5 cluster flats. Support providers Society of St James (SSJ) / Two Saints are available to provide on-site support. Support will also be provided 24/7 from the nearby premises at Kingsway. A security firm has been employed during the set up of the premises and continue to provide security services in line with service needs. Security provision is in constant review and adjusted to meet the changing needs.

- 3.14 Flats will be equipped with washing and cooking facilities so that residents can transition towards more independent living.

Temporary use

- 3.15 The Elm Grove Library has been used on an emergency basis for homeless and rough sleeper accommodation since 16th September 2020. While numbers have fluctuated, the average number of occupants has been 12. In this period there have been only three complaints from local neighbours, concerning noise and antisocial behaviour. The complaints have been collated and investigated by the Housing Manager and have been resolved.
- 3.16 Across the two temporary buildings in use for such accommodation (The Registry and Elm Grove Library) 6% have stayed less than a week, 16% have stayed from 1 week to 2 months and 78% have stayed throughout.

4.0 Planning policy

4.1 The development plan for the application site comprises The Portsmouth Plan, adopted on 24th January 2012.

4.2 Policy PCS17 encourages development *“in areas around public transport hubs and along corridors where there is good access not only to public transport but also to goods and services.”*

4.3 Policy PCS19 sets the framework for the consideration of proposals for new housing. Of particular note is that in terms of the conversion of floorspace to new accommodation, it advises:

“All new development and housing conversions should be of a reasonable size appropriate to the number of people the dwelling is designed to accommodate. Therefore, apart from in exceptional circumstances where it can be shown that the standards are not practicable or viable, all new dwellings and conversions should meet Portsmouth City Council minimum space standards for internal floorspace.”

4.4 The accompanying “Houses in Multiple Occupation” Supplementary Planning Document (October 2019) provides space standards for bedrooms and living space. Also of relevance are the Nationally Described Space Standards (“NDSS”) published by the Government in 2015, considered further below.

4.5 Policy PCS20 addresses houses in multiple occupation (HiMOs) and states:

“In order to support mixed and balanced communities, and to ensure that a range of household needs continue to be accommodated throughout the city, applications for changes of use to a House in Multiple Occupation (HMO) will only be permitted where the community is not already imbalanced by a concentration of such uses or where the development would not create an imbalance. For the purposes of this policy, dwellings in use as Class C4, mixed C3/C4 use and HMOs in sui generis use will be considered to be HMOs.”

- 4.6 Policy PCS23 provides the general design guidance for new development and requires development to consider, inter alia, “accessibility to all users” and “the protection of amenity and the provision of a good standard of living environment for neighbouring and local occupiers as well as future residents and users of the development”.

Other material considerations

National Planning Policy Framework

- 4.7 The National Planning Policy Framework (“NPPF”) was published in February 2019 (with updates in June 2019) and sets out the Government’s objectives for the planning system in England.
- 4.8 At paragraph 11 it establishes a presumption in favour of the grant of planning permission for sustainable development that accords with the development plan.
- 4.9 At paragraph 59 it sets out the objective of boosting not only the supply of homes but also accommodation to meet needs of groups with specific housing requirements.
- 4.10 In a development plan context it highlights at Paragraph 61 that *“the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes).”*

Nationally Described Space Standards

- 4.11 The Nationally Described Space Standards (“NDSS”) were published by the Government in March 2015 and set non statutory guidelines for the minimum expected space standards for new accommodation, for use by local planning authorities in determining planning applications.

4.12 The table extract below sets the minimum expected floorspace, in square metres, to be provided for flat accommodation.

Number of bedrooms(b)	Number of bed spaces (persons)	1 storey dwellings
1b	1p	39 (37) *
	2p	50
2b	3p	61
	4p	70
3b	4p	74
	5p	86
	6p	95
4b	5p	90
	6p	99
	7p	108
	8p	117
5b	6p	103
	7p	112
	8p	121

**Houses in multiple occupation (HMOs) - Ensuring mixed and balanced communities
Supplementary Planning Document (October 2019)**

4.13 This Supplementary Planning Document (“SPD”) sets out the approach and standards to be adopted by the City Council in consideration of applications for HiMOs. Its focus is on the need for balanced and mixed communities and ensuring that HiMO development protects the amenity of residents and provides a good standard of living environment for future occupiers.

4.14 At paragraph 2.7 it notes that single bedrooms must have a minimum gross internal floor area of 6.51 sq m. It also establishes standards for amenity space, with a requirement of 24 sq m of combined living space for occupants of flats of 3-5 persons.

4.15 At paragraph 2.9 it also requires that HiMOs should provide adequate facilities for the storage of waste and recycling.

5.0 Planning assessment

5.1 In consideration of the policy context outlined above, the key considerations in respect of this proposal are considered to relate to:

- Principle of development
- Compliance with relevant space standards (PCS19 and PCS23)
- Compliance with HMO criteria (Policy PCS20)
- Compliance with amenity considerations (Policy PCS21) and
- Accessibility and transport (Policy PCS17).

Principle of development

5.2 The application premises comprise an existing building within the urban area in a sustainable location, where Paragraph 11 of the NPPF states that (in respect of proposals such of these that do not impact on a habitats site), planning decisions should be based on a presumption in favour of the grant of permission.

5.3 While the proposal will remove student accommodation from the existing stock, there has been the grant of a significant number of planning permissions for new student accommodation in Portsmouth in recent years, for example 309 units at Wingfield House, (18/01874), 86 units at Venture Tower (17/01051) and 256 units at Commercial Road (16/01537). In this context the loss of these 5 flats / 19 rooms will have no material effect. Moreover, insofar as they will be reutilised to meet an alternative housing need, there is no effect on overall housing supply.

5.4 A report on student accommodation in the City has been prepared by consultants Vail Williams and is provided at **Appendix E**. This demonstrates the absence of harm of this proposal upon the quantitative and qualitative needs of student accommodation.

- 5.5 It should also be noted that student accommodation is not specifically protected by policy in any event. The units will continue to meet part of the overall housing need, albeit a different sector of that market. Consequently, there is no effect on overall housing supply.
- 5.6 The units will be re-purposed to meet an identified local need for accommodation to support previously homeless persons in the transition to independent living.
- 5.7 As outlined above, the issue of homelessness and rough sleeping in Portsmouth is highlighted within the Council's Homelessness Strategy (2018-2023). The Strategy sets as a key objective the availability of temporary accommodation and permanent housing, so that the target of halving homelessness by 2022 can be achieved.
- 5.8 The Covid-19 health emergency has further highlighted the need to provide all residents with safe and secure accommodation in which they may self-isolate and support public health objectives.
- 5.9 As the Management Statement outlines, the Council has undertaken a thorough review of potential sites within the City and determined that this site, alongside the two others that are being progressed, are the most suited to meet the identified needs.
- 5.10 We therefore consider that the principle of the proposal is acceptable, subject to assessment against the specific requirements of The Portsmouth Plan in the subsequent paragraphs.

Space standards

- 5.11 Policy PCS19 requires that new accommodation should normally meet established standards for bedroom and amenity space, which are set out in the NDSS.
- 5.12 According to the standards, the minimum space requirements for 3, 4 and 5 bed flats are 74 sq m, 90 sq m and 103 sq m respectively. These standards assume double occupancy of one bedroom in each flat. As the table at paragraph 2.9 above illustrates,

the premises exceed these standards overall, but Flat C at 69.5 sq m and Flat E at 73.5 sq m fall short of the overall standard of 90 sq m for 4 room units.

5.13 Further standards on space within HiMOs are provided in the City Council's HMO SPD. Assessed against those standards, all bedroom sizes will exceed the bedroom space standards set at paragraph 2.7 of that guidance, but it is acknowledged that kitchen/diner space does not meet the full standard requirement.

5.14 However, we would highlight that the proposed use of the premises is as move-on accommodation for the homeless and not the permanent accommodation envisaged by this policy. This has been recognised by officers at other locations such as at 187 Havant Road in Drayton (Ref 19/00886) where at paragraph 5.12 of the officer report to committee, in considering unit sizes of between 17 sq m - 26 sq m against a standard of 37 sq m, it is concluded:

“Taking account of the information set out above, including the specific purpose of the accommodation and its temporary nature, it is considered that the units would provide an acceptable standard of living accommodation in this instance. It is considered the small size of the units would be outweighed by the benefits that the proposed development would bring in terms of providing much needed temporary accommodation to help reduce homelessness in the city.”

5.15 The City Council have engaged with the Licensing Team to review space standards at the Premises based on their previous assessments where it has been acknowledged that use as temporary accommodation comparable to the existing student use would be acceptable from a Licencing and space standards viewpoint. The Council will continue to consult and work with the Licencing Team throughout the occupation of the premises.

5.16 In this context and bearing in mind that all the rooms will be occupied on a single basis with no double occupation as the standards allow for, we consider that the circumstances of the proposal, warrant an exception to the strict application of NDSS and SPD space standards in this case.

- 5.17 With regard to other standards, the premises currently provide waste storage and cycle parking to serve the building's requirements, as a requirement of conditions imposed on the original planning consent. No intensification of use is proposed and so the existing provision meets the proposed requirements.

HMO intensification

- 5.18 The existing premises is already noted on the HiMO database as a planning consented HiMO and so there will be no change in the number of HiMO properties within this locality. Moreover, no physical changes are proposed through this proposal that would lead to any intensification of occupation. Accordingly, the proposal raises no issues of intensification of HiMOs with regard to Policy PCS20.

Waste

- 5.19 As outlined above, the proposal provides appropriate facilities for waste storage. Bins for collection can be stored in front of the building on collection day without obstructing the pavement.

Residential amenity

- 5.20 In terms of residential amenity, it is recognised in the submitted Management Statement that the cohort of proposed occupants is one with challenges.

- 5.21 A comprehensive risk assessment has therefore been undertaken and is provided in the Management Statement. This sets out the detailed mitigations proposed and further mitigation measures that can be put in place if required. These include:

- Available support staff 24/7
- An occupation agreement for the management of behaviour and a clear evictions policy
- Monitoring of alcohol and illegal drugs

- Suitable on-site security services
- A programme of activities for residents
- Community engagement
- Provision of a communication plan

5.22 It is considered that these measures, along with the support of key stakeholders in the community, will minimise the potential for any harm to local residential amenity.

Accessibility

5.23 The premises are located in a highly sustainable area, within easy walking and cycling distance of all key facilities. The premises are also close to a bus stop, providing regular services via the Number 18 route to Fratton, North End, Cosham and Paulsgrove.

5.24 The premises do not provide car parking at present for the occupants and there is no space to do so. The occupants of the proposed accommodation will have no requirement for parking.

6.0 Conclusions

- 6.1 This application proposal seeks the use of underutilised student accommodation to meet an urgent and exceptional need for accommodation to house homeless persons and rough sleepers as part of a Council led managed strategy to reduce homelessness and to improve life chances of those living on the streets of Portsmouth.

- 6.2 Assessed against the development plan as a whole and in particular those policies most relevant to the use proposed, it has been shown that the proposal ought to be supported.