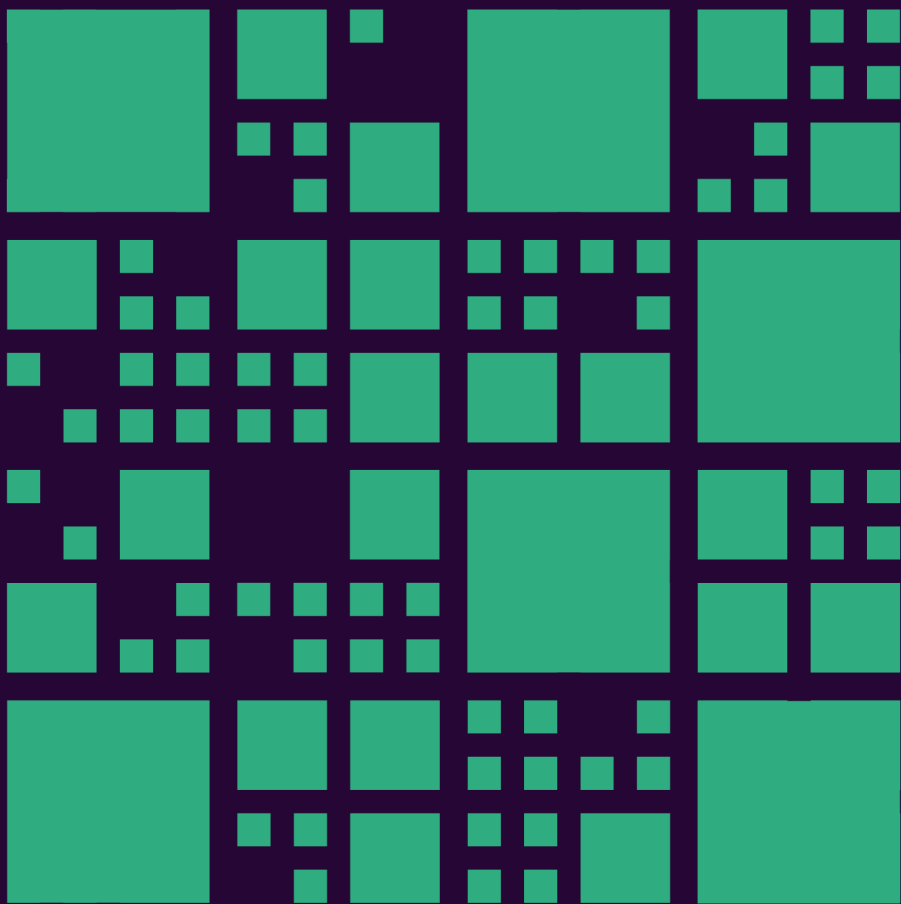


PLANNING STATEMENT

BRONTË DOIDGE TRENOUTH





1.0 Introduction

- 1.1 Brontë Doidge Trenouth Planning Limited has prepared this Planning Statement on behalf of Famill Property Limited (“the applicant”) in support of a full planning application for the change of use of an existing House in Multiple Occupation (HMO) (Use Class C4) to a Residential Institution (Use Class C2) to facilitate a small scale residential home for looked after children at 48 Hope Avenue, Goldthorpe, Barnsley, S63 9DT (“the site”).
- 1.2 Full planning permission is sought for (“the proposal”):
- “Change of use from a House in Multiple Occupation (Use Class C4) to a Residential Institution (Use Class C2).”*
- 1.3 The proposal seeks planning permission for the change of use of an existing lawful Class C4 House in Multiple Occupation to a small scale Class C2 children's home. The development would provide specialist residential accommodation for looked after children within a stable, family orientated environment, helping to address an identified need for this type of provision within the Borough. The proposal directly supports national planning objectives which seek to ensure that the needs of groups with specific accommodation requirements, including looked after children, are met through the planning system. The development therefore represents a sustainable form of development that contributes towards the social objectives of the National Planning Policy Framework.
- 1.4 The proposal has been carefully designed to operate within an existing residential property. No external alterations are proposed and the dwelling would continue to function as a residential home within an established neighbourhood. The proposal accords with the objectives of the adopted Barnsley Local Plan, which seeks to widen the choice of high quality homes, support strong and resilient communities, improve the quality of life of residents and provide appropriate accommodation for those with specific housing and care needs. The development would make effective use of an existing residential property, provide an important form of community infrastructure and deliver significant social benefits without resulting in harm to residential amenity, highway safety or the character of the area.
- 1.5 The key benefits the proposal delivers are:
- Providing much needed specialist accommodation for three looked after children within Barnsley.
 - Supporting national Government objectives to increase the availability of appropriate accommodation for vulnerable children and reduce the need for children to be placed significant distances from their home communities.
 - Delivering a safe, stable and family orientated home environment that supports the wellbeing, development and long term outcomes of looked after children.
 - Making effective use of an existing residential property in a sustainable location with convenient access to schools, healthcare facilities, public transport and community services.
 - Retaining the existing residential character, appearance and function of the property, with no external alterations proposed.
 - Generating activity levels potentially lower than the lawful five bedroom HMO use currently established at the site.
- 1.6 The application is supported by a plans pack, which should be read in conjunction with this planning statement.
- 1.7 This statement is structured as follows:



- **Section 2** - describes the site and its surroundings and the planning history;
- **Section 3** - details of proposed development;
- **Section 4** - highlights the national and local planning policy and guidance relevant to the determination of the application;
- **Section 5** - assesses the proposed development against the relevant policies of the Development Plan and considers the planning balance case;
- **Section 6** - provides a conclusion outlining the benefits of the proposal in the context of planning policy; and
- **Section 7** – appendices



2.0 Site Context and Planning History

Site Context

- 2.1 The site comprises an existing five bedroom, two storey, semi detached property located at 48 Hope Avenue, Goldthorpe, Barnsley. The property is currently in lawful use as a House in Multiple Occupation (Use Class C4) and benefits from off street parking to the front together with an enclosed private rear garden which provides functional outdoor amenity space. The property provides five bedrooms (all ensuite) arranged over two floors together with shared kitchen and living accommodation and ancillary storage space.
- 2.2 The surrounding area is predominantly residential in character and comprises a mixture of detached, semi detached and terraced properties of varying ages, scales and architectural styles. The surrounding built form is domestic in appearance and contributes towards the established residential character of the area.
- 2.3 The site benefits from access to local services and facilities, including schools, shops, healthcare facilities and public transport connections. Goldthorpe town centre lies within convenient walking distance of the site and provides a range of day to day services. Goldthorpe Railway Station is also located nearby, providing connections to Barnsley, Sheffield, Doncaster and Leeds.
- 2.4 The Council's adopted Proposals Map identifies the boundary defining the geographical extent of Urban Barnsley and the Principal Towns and in a nature improvement area.
- 2.5 The site is located within Flood Zone 1 (lowest probability of flooding). There are no conservation areas or statutorily listed heritage assets within the local vicinity.

Planning History

- 2.6 A review of the planning history confirms that the property benefits from an established lawful use as a House in Multiple Occupation (HMO) (Use Class C4).

2.7

Reference	Proposal	Decision / Date
2018/1335	Lawful Development Certificate for Proposed Use of dwellinghouse (C3) as an HMO (C4)	Approved – 12 December 2018

- 2.8 The Certificate of Lawful Existing Use formally establishes the lawful use of the property as a five bedroom HMO and therefore provides the baseline position against which the current application should be assessed. The planning history is an important material consideration in the assessment of this application. The proposed development seeks to change the use of the property from an established C4 HMO use to a small scale children's residential home (Use Class C2). Similar decision (ref: 2022/0912) by Barnsley Council has recognised that a small scale children's home operating within a domestic environment can remain compatible with residential areas where no unacceptable impacts arise in relation to character, amenity or highway consideration.



3.0 The Proposal

3.1 This section provides a summary of the proposed development and should be read in conjunction with the submitted plans.

3.2 Full planning permission is sought for:

"Change of use from a House in Multiple Occupation (Use Class C4) to a Residential Institution (Use Class C2)."

Layout and Appearance

3.3 No external alterations are proposed as part of the development. The existing scale, form and appearance of the property would remain unchanged and the dwelling would continue to appear as a typical residential property within the street scene.

3.4 The existing internal layout is considered suitable for the proposed use and provides appropriate living accommodation, bedrooms, kitchen facilities, communal space and private amenity space to serve the future occupants of the home. One of the ground floor bedrooms is proposed to be altered into further living space, leaving four bedrooms for children and staff.

Access and Parking

3.5 The proposal would utilise the existing vehicular and pedestrian access arrangements serving the property. No alterations to the access are required.

3.6 The property benefits from existing off-street parking provision (two spaces). Given the scale of the proposal and the lawful fallback position as a five-bedroom HMO, the existing parking arrangements are considered more than adequate to accommodate the anticipated demand associated with the development.

Residential Environment

3.7 The proposal has been designed to provide a high quality residential environment for looked after children within an established residential community. The home would provide a stable and supportive setting that enables children to access education, healthcare, recreational opportunities and wider community facilities whilst benefiting from appropriate levels of care and supervision.

3.8 The property benefits from an enclosed private rear garden which would provide valuable outdoor amenity space for future occupants. The garden offers opportunities for recreation, relaxation and outdoor activities within a safe and secure environment, contributing positively towards the health, wellbeing and development of the children residing at the property. The provision of private amenity space is comparable to that expected of a family dwelling and further reinforces the domestic character of the proposed use.

Proposed Operation of the Children's Home

3.9 The property would operate as follows:

- The property would operate as a small scale, Ofsted regulated children's home, providing high quality care within a safe, stable and nurturing family environment. The home would be subject to



the Care Standards Act 2000, the Children's Homes (England) Regulations 2015 and ongoing inspection and monitoring by Ofsted.

- The home would accommodate three children or young person aged between 6 and 17, who would live at the property as their main residence. The home would primarily provide medium and long term placements for a child requiring a stable and supportive home environment, although shorter term placements may also be accommodated where appropriate.
- During the daytime, there would be a maximum of two care staff on duty. Where required to meet the assessed needs of an individual placement, there may occasionally be an additional staff member that visits. The care team would be supported by a Registered Manager, who would visit the property a few times each week on an ad hoc basis, generally between 9.00am and 5.00pm, Monday to Friday.
- During the night, there would ordinarily be one sleep in member of staff. Where required to meet the assessed needs of an individual placement, there may also be one waking night member of staff. Staffing would therefore remain proportionate to the individual needs of the children.
- There would typically be a maximum of two staff shift changeovers within any 24 hour period. The overlap between incoming and outgoing staff would generally be limited to approximately 10 to 15 minutes and would be solely for the purpose of handing over safeguarding and care information.
- The staffing team would comprise a small and consistent pool of Team Leaders and Residential Childcare Workers, together with up to waking night staff where required. Maintaining consistency and meaningful relationships with the child is fundamental to the care model. Rotas would therefore be structured to provide continuity of care and agency staff would not ordinarily be used.
- The Responsible Individual would typically visit the property twice each month. Any additional visits would only be required for regulatory, safeguarding or operational purposes. Electronic recording and reporting systems would enable ongoing management and governance oversight without requiring a regular management presence at the property.
- New staff would undertake their induction and mandatory training away from the property, either at the provider's office or another appropriate training location, together with online learning where appropriate. The property would therefore not be used as a staff training facility.
- The property would retain its domestic layout, appearance and character. No external alterations are proposed as part of the change of use and the property would continue to appear and function as a residential home within the street scene.
- The kitchen would be used in a typical family manner. Meals would be prepared within the home, with children encouraged and supported to participate in cooking and other household activities to develop independence, confidence and practical life skills.
- Comings and goings would reflect normal patterns of residential and family life, including school or educational attendance, appointments, recreational activities, community engagement, shopping and other routine day to day activities. Professional visits, including social worker reviews, healthcare appointments or therapeutic support, would generally take place by prior arrangement and would be limited to those required to meet the individual needs of the child.
- Daily routines would similarly mirror those of a traditional family home, including preparing for school or educational activities, shared meals, leisure time, household tasks, community participation and normal evening and bedtime routines.
- The number of people present at the property at any one time would remain small and residential in nature. The level and nature of activity generated by the home would therefore remain compatible with the established residential character of the surrounding area.
- The property benefits from a good level of off street parking, ensuring that staff movements and routine visits can be accommodated within the site without adverse impact on the surrounding highway network.
- The home would operate in accordance with a Good Neighbour Policy, with emphasis placed on positive integration within the local community. Staff would be expected to act as positive role models, maintain good neighbourly relationships and support the child in becoming a responsible and valued member of the community.



- All administrative functions would primarily be undertaken electronically through the provider's secure management systems. There would be no office based operation, staff training, regular business related visitors or commercial activity undertaken from the property.
- Use of the garden and other external areas would remain incidental to the enjoyment of the property as a home, including recreation, relaxation and play. No external operational equipment or commercial activity is proposed.

3.10 Overall, the proposed children's home would remain domestic in its character and day to day operation, providing a stable home for three children within a professionally managed care environment. Its limited staffing, controlled shift changes, infrequent professional visits and ordinary residential routines would ensure that the property continues to function in a manner compatible with the surrounding residential area.



4.0 Planning Policy

4.1 The proposals have taken account of the relevant national and local planning policies that form the statutory and material context for this application. This section provides a summary of the planning framework relevant to the assessment of the development and preparation of this planning statement.

4.2 In accordance with Section 38(6) of The Planning and Compulsory Purchase Act (2004), planning applications should be determined in accordance with the development plan unless other material considerations indicate otherwise.

The Development Plan

4.3 For the purposes of this application, the relevant adopted development plan comprises the following documents:

- Barnsley Local Plan was adopted on 3 January 2019.

4.4 The following Local Plan policies are considered the most relevant in assessing this proposal:

- Policy SD1 Presumption in favour of Sustainable Development
- Policy T3: New Development and Sustainable Travel
- Policy T4: New development and Transport Safety
- Policy GD1: General Development
- Policy D1: High Quality Design and Place Making
- Policy H6: Housing Mix and Efficient Use of Land
- Policy Poll1: Pollution Control and Protection

4.5 The Local Plan review was endorsed at a meeting of Full Council on 24 November 2022. The review concluded that the Local Plan remains fit for purpose and is adequately delivering its objectives. This means no updates to the Local Plan, in whole or in part, are to be carried out ahead of a further review. A further review will take place in 2027, or earlier if circumstances (including fundamental changes to the Local Plan system) require it.

National Planning Policy Framework (NPPF)

4.6 The NPPF, most recently revised in August 2026, is a material consideration of critical importance in the determination of planning applications. The Framework sets out the Government's planning policies for England and establishes separate national policies for plan making and decision making. For the purposes of this application, particular regard has been given to the national decision making policies and other relevant provisions of the Framework.

4.7 The proposal engages a number of key themes within the Framework, including the presumption in favour of sustainable development, meeting identified accommodation needs, making effective use of existing



buildings, achieving well designed and healthy places, promoting sustainable transport and supporting the provision of appropriate community facilities and public service infrastructure. In particular, the following national policy areas are relevant to the assessment of the proposal:

- Decision making policies;
- Achieving sustainable development;
- Delivering a sufficient supply of homes;
- Achieving well designed places;
- Promoting sustainable transport;
- Promoting healthy communities; and
- Pollution, public protection and security.

Material Considerations

4.8 Supplementary planning documents (SPDs) and guidance have been reviewed and considered in the preparation of the proposals. These include:

- National Planning Practice Guidance (various dates)
- Barnsley Parking SPD (2019)



5.0 Considerations

5.1 Section 38(6) of the Planning Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. This section therefore assesses the proposal against the development plan policies outlined above and examines relevant material considerations where appropriate. The assessment draws upon the suite of application documents listed at Section 1 of this statement. The main planning considerations are:

- Principle of development;
- Residential design standards;
- Neighbouring amenity;
Highways and parking; and
- Fear of crime, anti-social behaviour and community cohesion.

5.2 Each matter is considered below.

Principle of Development

5.3 The proposal seeks the change of use of an existing lawful five bedroom House in Multiple Occupation (Use Class C4) to a small scale children's residential home (Use Class C2). The existing lawful use of the property as a HMO establishes an important baseline position in the assessment of this application. The proposal would therefore not result in the loss of a conventional Class C3 dwellinghouse or reduce the Borough's existing stock of family housing. Rather, it represents a change from one form of shared residential accommodation to another residential care use. This existing lawful use is an important consideration when assessing the principle of development. The property is already occupied on a shared basis by unrelated adults and does not presently function as a conventional family dwelling. By comparison, the proposed Class C2 use would operate within a structured and professionally managed residential environment, with defined staffing arrangements and management procedures. The proposed use is considered to not represent any greater intensity of activity than the established C4 use. Indeed, the more structured nature of the proposed occupation means that overall movements and associated activity could reasonably be comparable to, or potentially lower than, those arising from the existing HMO use. The proposal should therefore be assessed against the lawful C4 baseline, rather than against the characteristics of a conventional Class C3 family dwelling. There are no specific policies within the adopted Barnsley Local Plan which seek to safeguard existing HMOs from change of use and, as such, there is no in principle policy objection to the loss of the existing HMO use. Furthermore, the proposal would continue to provide a residential form of accommodation and would not result in the loss of residential use from the housing stock.

5.4 The site is located within the Urban Barnsley area where the principle of residential development is supported. Local Plan Policy H6 recognises the importance of providing a range of accommodation types capable of meeting different needs across the Borough, including accommodation for vulnerable households and those requiring specialist support. The proposal would contribute towards this objective through the provision of a small scale children's home within an established residential community.



- 5.5 The proposal seeks to provide a small scale children's residential home accommodating up to three looked after children within a domestic setting supported by carers operating on a shift basis. Whilst the proposal falls within Use Class C2, it would continue to operate in a manner that is fundamentally residential in character and closely aligned with an ordinary family household. The home would provide a stable and family orientated environment where day to day activities would comprise normal domestic routines including attending school, preparing meals, undertaking household activities, participating in leisure activities and engaging with the wider community.
- 5.6 Whilst a specific end user has not yet been confirmed, the Applicant has received significant interest from prospective operators seeking accommodation suitable for the proposed Class C2 use. It is anticipated that an agreement with an operator will be confirmed during or immediately following the grant of planning permission for the proposed use. This demonstrates an identified demand for appropriately located residential care accommodation and supports the proposed change of use.
- 5.7 The property is well suited to the proposed use, providing appropriate internal accommodation within an established domestic layout, together with private external amenity space and off street parking. Its suitability for a small scale children's home is further demonstrated by its ability to meet the relevant operational and regulatory requirements, as well as the significant level of interest received from prospective care operators. Importantly, the proposed use can be accommodated whilst retaining the property's established residential character and appearance.
- 5.8 The proposal is not institutional in nature and would not materially alter the established residential function of the property. The scale of occupation would remain modest and activity associated with the use would reflect ordinary patterns of family life. As such, the proposal would remain compatible with the surrounding residential area and would not result in unacceptable impacts upon neighbouring occupiers or the wider character of the locality.
- 5.9 Consideration has also been given to the potential concentration of children's residential homes within the surrounding area. The proposal seeks to establish a single, small scale children's home within an established residential neighbourhood. There are no known existing children's homes within the immediate vicinity of the site and the proposal would therefore not result in an undue concentration or clustering of such uses. The proposed use would remain residential in character and, having regard to its small scale, managed operation and the existing pattern of development within the area, would not materially alter the character or function of the surrounding neighbourhood.
- 5.10 National planning policy recognises the need to provide accommodation for different groups within the community, including looked after children. Furthermore, the Ministerial Statement (**Appendix 1**) on Planning for Accommodation for Looked After Children confirms that the planning system should not act as a barrier to the delivery of homes for vulnerable children and that local planning authorities should give due weight to, and be supportive of, proposals which address identified needs. The proposal would therefore deliver an important form of social infrastructure whilst contributing towards the provision of much needed accommodation for looked after children. National guidance and sector best practice increasingly support smaller scale children's homes integrated within established residential communities rather than larger institutional settings. This approach recognises the benefits of enabling children to live within familiar community environments, supporting wellbeing, stability, independence and positive engagement with everyday life.



- 5.11 There is a clear and demonstrable need for suitable residential accommodation for looked after children, both nationally and within Barnsley. Importantly, the issue is not simply the overall number of children's homes available, but whether appropriate, registered accommodation is available in the right locations and capable of meeting the needs of individual children. National evidence demonstrates that, despite growth in the number of registered children's homes, significant challenges remain in relation to the location, suitability and availability of placements. This continues to result in children being accommodated outside their home authority areas or, in some circumstances, within unregistered provision. The availability of suitable accommodation is therefore important in ensuring greater choice and flexibility when identifying placements capable of meeting the individual needs of looked after children.
- 5.12 This national challenge is clearly reflected within Barnsley. The Council's Children in Care Sufficiency Strategy 2026–2030 identifies increasing complexity of need and growing demand for specialist fostering, residential and high cost provision. It also identifies a higher than planned reliance on external residential placements, with 47 more residential placements than forecast at the most recent Corporate Finance update. The Strategy further identifies limited availability of local placements to meet complex needs and increased demand for provision within Barnsley, including placements made by other local authorities within the area. The Council is consequently seeking to strengthen local capacity and improve the availability, range and suitability of provision, including through the development of additional registered residential homes. The proposal would contribute positively to the availability of suitable provision by delivering a small scale, appropriately located and Ofsted regulated children's home within Barnsley. The development would increase the overall availability and choice of suitable registered accommodation, providing up to three looked after children with a stable, high quality and nurturing residential environment.
- 5.13 It is also important to recognise that planning is not the sole mechanism through which the suitability of children's homes is assessed. Children's homes are subject to a separate and robust regulatory framework governing matters including safeguarding arrangements, staffing structures, care provision and location suitability. Prior to operating, the home would require registration and approval through Ofsted, including the preparation of a location assessment and associated risk assessment to determine the suitability of both the property and surrounding area. This process considers matters including local context, accessibility to services, safeguarding considerations and the overall suitability of the environment for children who may reside at the property. The regulatory framework governing children's homes includes:
- Care Standards Act 2000;
 - Care Standards Act 2000 (Registration) (England) Regulations 2010;
 - The Children's Homes (England) Regulations 2015; and
 - Children's Homes and Looked After Children (Miscellaneous Amendments) (England) Regulations 2013.
- 5.14 Accordingly, matters relating to operational management, safeguarding and placement suitability are controlled through separate specialist legislation and regulatory processes. The planning assessment should therefore focus on the land use impacts of the proposal. Given the small scale nature of the development, its continued residential character and compliance with Local Plan Policies GD1 and H6, the principle of development is considered acceptable.

Residential Design Standards



- 5.15 Barnsley Local Plan Policies GD1 and D1 seek development that contributes positively towards the quality of the built environment, responds appropriately to its surroundings and reinforces local distinctiveness. The proposal relates solely to the change of use of an existing property and does not involve any external alterations to the building. The scale, form, appearance and architectural character of the dwelling would therefore remain unchanged and the property would continue to appear as a typical residential dwelling within the street scene. The proposal would not introduce any physical features, operational requirements or visual changes that would alter the established character of the property or its relationship with neighbouring development. The existing pattern of development, building line, landscaping and residential appearance of the area would be fully retained. Whilst the proposal would fall within Use Class C2, the home would operate within a domestic environment and would remain residential in character. The day to day activities associated with the use would closely reflect those ordinarily associated with family living and would not result in any discernible change to the appearance or character of the surrounding area. Accordingly, the proposal would preserve the established residential character of the site and surrounding area and accords with the objectives of NPPF requirements and Local Plan Policies GD1 and D1.

Neighbouring Amenity

- 5.16 Barnsley Local Plan Policy GD1 requires development proposals to be compatible with neighbouring land uses and avoid unacceptable impacts upon amenity. Policy POLL1 further seeks to ensure that development does not give rise to unacceptable impacts through noise, disturbance, pollution or other environmental effects.
- 5.17 The proposal relates solely to a change of use and does not involve any external alterations to the property. Consequently, the development would not alter the existing built form, scale, massing or relationship with neighbouring properties. There would therefore be no impacts arising in respect of overlooking, loss of privacy, overshadowing, overbearing impacts or loss of external amenity space. Existing private amenity areas would remain unchanged and continue to provide functional outdoor space for future occupiers.
- 5.18 The key consideration in this instance therefore relates to whether the operation of the proposed use would result in a level of activity that would materially harm the living conditions of neighbouring residents. The proposed home would accommodate a maximum of three looked after children supported by carers operating on a shift basis. The use would operate within a domestic environment and would remain comparable in many respects to a typical family household. Day to day activity would centre around ordinary domestic routines including attending school, preparing meals, undertaking household activities, leisure activities and participation in wider community activities.
- 5.19 The existing lawful use of the site as a five bedroom HMO establishes an important baseline position in the assessment of this application. HMOs can often generate a greater level of activity due to multiple unrelated occupants operating independent lifestyles, work patterns and travel arrangements. Individual residents may leave and return at different times throughout the day and evening, resulting in less predictable patterns of movement and activity.
- 5.20 In comparison, the proposed children's home would operate in a more structured and controlled manner. Staff movements would be limited and predictable, with carers operating on shift patterns and only modest



changeovers occurring during the week. School runs, leisure activities and day to day movements would similarly occur at conventional times associated with normal household activity.

- 5.21 Occasional visits associated with the operation of the home, including social worker visits, Ofsted inspections and professional support appointments, would be infrequent and generally pre-arranged. Such visits would not occur at a scale or frequency materially different from those experienced by many households receiving visits from relatives, tutors, healthcare professionals or support services.
- 5.22 Accordingly, the proposal would not result in excessive levels of noise, disturbance or activity that would adversely affect neighbouring occupiers or the wider residential environment. Taking the above matters into account, the proposal is considered to accord with NPPF requirements together with Barnsley Local Plan Policies GD1 and POLL1.

Highways and Parking

- 5.23 Barnsley Local Plan Policy T3 seeks to ensure that development is located and designed to encourage sustainable travel choices and provide safe and convenient access to local services and facilities. Policy T4 requires development to be designed and located so that it does not adversely affect highway safety and ensures the safe and efficient movement of all highway users.
- 5.24 The proposal would utilise the existing vehicular and pedestrian access arrangements serving the property. No alterations to the existing access are proposed and the development would continue to benefit from the established parking provision available at the site in line with Parking SPD requirements.
- 5.25 The site occupies a sustainable residential location with access to a range of local services and facilities, including schools, shops, healthcare provision and public transport connections. Future occupants and staff would therefore have opportunities to access day to day services through a variety of transport modes, consistent with the objectives of Policy T3.
- 5.26 The property currently benefits from a lawful five bedroom House in Multiple Occupation use. This fallback position is an important material consideration in assessing the likely transport impacts of the proposal. A five bedroom HMO has the potential to generate a significant number of independent vehicle movements throughout the day and evening, with individual occupants maintaining separate employment, leisure and social patterns.
- 5.27 By comparison, the proposed children's home would operate in a structured and managed manner. The children residing at the property would not be of driving age and staff attendance would be limited to shift changes and routine operational requirements. As such, vehicle movements associated with the proposal are likely to be comparable to, and potentially lower than, those associated with the lawful HMO use.
- 5.28 Occasional visits from social workers, healthcare professionals, Ofsted inspectors and other support services may occur. However, such visits would be infrequent, pre-arranged and would not generate a level of activity that would materially affect parking demand or highway conditions within the surrounding area.



- 5.29 Taking the above matters into account, the proposal would not result in unacceptable impacts on highway safety, parking provision or the operation of the local highway network. The development therefore accords with the objectives of NPPF requirements together with Barnsley Local Plan Policies T3 and T4.

Fear of Crime, Anti-social Behaviour and Community Cohesion

- 5.30 National planning policy seeks to ensure that development supports the creation of healthy, inclusive and safe places, where crime, disorder and the fear of crime do not undermine quality of life or community cohesion. The NPPF also recognises the importance of creating places that are safe, inclusive and accessible for all users.
- 5.31 Fear of crime and anti social behaviour can be a material planning consideration where there is clear evidence that a proposal would result in harmful impacts. However, assumptions that children's homes inherently give rise to increased levels of anti social behaviour or disturbance are not supported by evidence and should not form the basis of planning judgement.
- 5.32 The proposed development would provide accommodation for a maximum of three looked after children living within a highly supervised and structured environment supported by trained carers operating on a shift basis. The home would operate as a stable family orientated setting, with children occupying the property as their sole and main residence. Daily life would mirror ordinary household routines including attending school, sharing meals, undertaking domestic activities and participating in leisure and community activities.
- 5.33 Importantly, the proposed operation would be subject to robust regulatory controls outside of the planning system. Children's homes are regulated through Ofsted and wider legislative requirements governing safeguarding arrangements, operational management and care provision. Prior to any child being placed at the property, assessments would be undertaken to ensure suitability of placement and compatibility with the environment.
- 5.34 The proposed use would also benefit from a high level of supervision and support. Trained carers would provide structured care and oversight throughout the operation of the home, minimising the potential for behaviour that could adversely affect neighbouring occupiers or the wider community.
- 5.35 The proposal would continue to operate in a domestic manner and would not introduce institutional or commercial activity into the area. The home seeks to provide an environment that closely replicates family life through shared use of living areas, household activities and day to day routines. The proposal would therefore remain compatible with the established residential context.
- 5.36 Accordingly, there is no evidence to indicate that the proposal would increase crime, anti social behaviour or the fear of crime, or otherwise undermine community cohesion or residential amenity. The proposal is therefore considered to accord with national planning policy.



6.0 Conclusions

- 6.1 The proposed change of use from a lawful House in Multiple Occupation (Use Class C4) to a small scale children's home (Use Class C2) represents a sustainable and appropriate form of development within an established residential area. The proposal would not result in the loss of a conventional Class C3 dwellinghouse or reduce the Borough's existing stock of family housing. The proposal would continue to operate in a domestic manner, providing a stable family environment for up to three looked after children whilst retaining the residential character and appearance of the property. No external alterations are proposed and the development would not give rise to unacceptable impacts in respect of residential amenity, highway safety, community safety or the wider character of the area.
- 6.2 The proposal is consistent with the National Planning Policy Framework, which recognises the importance of meeting the needs of different groups within the community, including looked after children, and promoting healthy, inclusive and safe communities. Furthermore, the Ministerial Statement issued by the Minister of State for Housing and Planning confirms that the planning system should not act as a barrier to the delivery of homes for vulnerable children and that local planning authorities should give due weight to, and be supportive of, proposals for accommodation for looked after children where they address identified needs. The proposal would provide an important form of social infrastructure and make a positive contribution towards the provision of specialist accommodation for vulnerable children. The Planning Statement has demonstrated that the development accords with the Development Plan when read as a whole and that there are no material considerations that indicate planning permission should be withheld. Accordingly, planning permission should be granted.

Benefits of the proposal

- 6.3 The key benefits the proposal delivers are:
- Providing much needed specialist accommodation for looked after children within Barnsley.
 - Supporting national Government objectives to increase the availability of appropriate accommodation for vulnerable children and reduce the need for children to be placed significant distances from their home communities.
 - Delivering a safe, stable and family orientated home environment that supports the wellbeing, development and long term outcomes of looked after children.
 - Making effective use of an existing residential property in a sustainable location with convenient access to schools, healthcare facilities, public transport and community services.
 - Retaining the existing residential character, appearance and function of the property, with no external alterations proposed.
 - Ensuring the continued productive use of an established residential building whilst providing an important form of social infrastructure.
 - Generating activity levels potentially lower than the lawful five bedroom HMO use currently established at the site.
 - Resulting in no unacceptable impacts upon neighbouring residential amenity, highway safety, community cohesion, public safety or the character of the surrounding area.



- 6.4 The proposal complies with Section 38(6) of the Planning Compulsory Purchase Act 2004 which states the determination must be made in accordance with the development plan unless material considerations indicate otherwise. The Planning Statement has demonstrated that the proposal is in accordance with the development plan. Without prejudice to this, if conflicts with policy were judged to occur, the range of benefits highlighted above are deemed to significantly weigh in favour of justifying the conflicts. It is therefore considered that planning permission should be granted.



7.0 Appendices

Appendix 1 – Minister of State for Housing and Planning

Planning for accommodation for looked after children

Statement made on 23 May 2023

Statement UIN HCWS795

Statement made by



Rachel Maclean



Minister of State for Housing and Planning

Conservative

Redditch



Commons

Statement

I, with the support of my Rt Hon colleague the Secretary of State for Education, wish to set out the Government's commitment to support the development of accommodation for looked after children, and its delivery through the planning system.



The planning system should not be a barrier to providing homes for the most vulnerable children in society. When care is the best choice for a child, it is important that the care system provides stable, loving homes close to children's communities. These need to be the right homes, in the right places with access to good schools and community support. It is not acceptable that some children are living far from where they would call home (without a clear child protection reason for this), separated from the people they know and love.

Today we use this joint statement to remind Local Planning Authorities that, as set out in paragraph 62 of the National Planning Policy Framework, local planning authorities should assess the size, type and tenure of housing needed for different groups in the community and reflect this in planning policies and decisions. Local planning authorities should consider whether it is appropriate to include accommodation for children in need of social services care as part of that assessment.

Local planning authorities should give due weight to and be supportive of applications, where appropriate, for all types of accommodation for looked after children in their area that reflect local needs and all parties in the development process should work together closely to facilitate the timely delivery of such vital accommodation for children across the country. It is important that prospective applicants talk to local planning authorities about whether their service is needed in that locality, using the location assessment (a regulatory requirement and part of the Ofsted registration process set out in paragraph 15.1 of the Guide to the Children's Homes Regulations) to demonstrate this.

To support effective delivery, unitary authorities should work with commissioners to assess local need and closely engage to support applications, where appropriate, for accommodation for looked after children as part of the authority's statutory duties for looked after children. In two tier authorities, we expect local planning authorities to support these vital developments where appropriate, to ensure that children in need of accommodation are provided for in their communities.



Children's homes developments

Planning permission will not be required in all cases of development of children's homes, including for changes of use from dwelling houses in Class C3 of the Use Classes Order 1987 where the children's home remains within Class C3 or there is no material change of use to Class C2. An application to the local planning authority can be made for a lawful development certificate to confirm whether, on the facts of the case, the specific use is or would be lawful. Where a Certificate is issued, a planning application would not be required for the matters specified in the certificate.