

PLANNING & HERITAGE STATEMENT

PROPOSED CHANGE OF USE OF
RESIDENTIAL DWELLING (C3) TO
CARE HOME (C2) AT 4C CLIFF LANE,
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1. Introduction

- 1.1. This Planning & Heritage Statement has been prepared by Aida McManus on behalf of Esland Care (“the Applicants”). I hold an Honours degree in law, a Master’s degree in Town Planning, an Enforcement Certificate from Cambridge University, and am a Member of the Royal Town Planning Institute (MRTPI) and National Association of Planning Enforcement (NAPE). I am the Managing Director of AM Planning Consultants Limited, and have over 20 years’ experience in planning, within both local authorities and in private practice.
- 1.2. The planning application is for the change of use of the 4 bedrooled residential dwelling (Use Class C3) to a care home for one child (Use Class C2).

2. Background

- 2.1. Esland Group operate care homes for children throughout the Midlands and wider UK and wish to use this property as a home for one child and two staff members, both of which would sleep at the home overnight.
- 2.2. Esland is a leading UK provider of residential childcare, education and therapeutic services for children who have experienced trauma and significant unrest in their lives. Esland provides a place of safety and stability which the child can utilise to build meaningful connections and positive relationships. With a bespoke “child-centred” approach, Esland shapes its services around the needs of each individual, enabling the child to progress into a positive and stable future.
- 2.3. Over the last 15 years, Esland has pioneered a child-focused approach with needs-led pathways that nurture, build connections and strengthen the child’s resilience. With a unique combination of senior expertise and a best-practice approach based on leading evidence from around the world, Esland delivers adaptive care and support that has a positive and lasting impact.
- 2.4. The children Esland looks after are aged between 8-18 years old. All children undertake a fully comprehensive assessment programme before being placed in a home to ensure their safety, and are accompanied at all times by at least one of our carers.
- 2.5. The management of the home provides a secure and stable family care environment (with the intention of providing an environment akin to a typical residential home) for young people, in order to ensure the child retains a

positive perspective in relation to family life, enhancing their own future lives in the process and altering any alternative patterns of behaviour which they have experienced in their childhood to date.

2.6. In keeping with the running of the home in the same way as a typical residential home would be run, the staff act as competent parents by being consistent and offering appropriate structures and boundaries, in order to help the children to accept and respect themselves and others.

2.7. Esland's ethos and values centre around ensuring that all children in care have a continuing and enduring sense of permanence, through which their social, emotional, health, and educational needs are being met.

2.8. Key aims and objectives of the home are as follows:

- To offer care of the highest quality to young people based on their individual care needs.
- To provide security and stability for young people in Esland's care.
- To provide age-appropriate routines and activities to encourage young people to develop their social skills, and to maintain existing practical skills, whilst learning new ones.
- To devise a comprehensive and individualized placement plan to meet the young person's physical, personal, social, psychological/emotional, behavioral, cultural, spiritual, communication and health care needs.
- To promote the active and positive presence of young people within their local community.
- To empower young people to exercise choice.

2.9. In order to achieve these aims, the home will deliver:

- A safe and 'homely' environment.
- A child-centered approach with their wishes, views and feelings taken into account regarding all aspects of their care.
- The development of a multi-skilled and highly trained staff team, following rigorous and stringent recruitment procedures.
- The effective management and supervision of the staff team.
- The provision of an effective key worker system.
- The use of effective placement planning and risk assessment.
- Consistent approach to rules and boundaries, through appropriate and reflective rewards and consequences.
- The encouragement of positive relationships and investment in the home, from all people involved in the welfare of the young person.

- 2.10. The management team work closely with the staff team, ensuring the appropriate training, supervision and support to work closely with the young people in order to to ensure the best outcomes for them.
- 2.11. Community relations are extremely important to the company, and managers maintain regular contact with the local community in order to ensure the home is an asset within the community.
- 2.12. Esland invests in the property through utilisation of its central Estates team in order to ensure a high-quality living provision is achieved, while also ensuring the provision is visually attractive and sympathetic to the character and history of the location.
- 2.13. I have also submitted details of a typical day along with Eslands Community FAQ's document to help understand how the use would operate.

3. Planning History

- 3.1. The property was built under planning ref. no. B/05/0149/HR granted on 30th March 2005 for the erection of a detached dwelling with integral garage.

4. The Site and Surrounding Area

- 4.1. The application site lies within the Brierley Conservation Area, and is predominantly a residential area. The site is accessed off the western side of Cliff Lane, which is a cul de sac with Cliff Close leading off the lane.
- 4.2. The property fronts Cliff Lane with an access to the land at the rear of No's 6 & 8 Cliff Lane located to the southern boundary.
- 4.3. The property has an integral garage with parking for another vehicle at the front of it. There are no parking restrictions along the lane.

5. The Proposal

- 5.1. The planning application seeks to change of the use of the four bedroomed residential dwelling (C3) to a children's home for one child (C2). No external or internal alterations are proposed.
- 5.2. The age of the one child who would be provided care in the home would be between 8-18 years old, with two sleep in carers supporting the child at any one time. A manager will visit the site from time to time between 9am-5pm Monday-Friday; whilst communication between the manager and staff teams is also

achieved through the use of Microsoft Teams and other remote communication technologies.

6 Planning Policy Framework

6.1. In preparing this Planning Statement reference is made to the following national and local planning policies and guidance documents:

- The National Planning Policy Framework (NPPF) (Feb 2019)
- Local plan for Barnsley Local Plan adopted January 2019
- Parking SPD adopted November 2019

7. National Planning Policy Framework

7.1. The National Planning Policy Framework was revised and published in February 2019 (NPPF) and replaces the original version of the NPPF and came into effect immediately and it is a material consideration when determining planning applications. The following paragraphs are considered to be relevant to the consideration of this application and the approach authorities should take in respect to decision taking.

7.2. Paragraph 11. advises that at the heart of the NPPF is the presumption in favour of sustainable development. For decision-taking this means approving development proposal that accord with an up-to-date development plan without delay; and where there is no relevant development plan or the policies are out-of-date planning permission should be granted unless any adverse impacts in doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the framework are taken as a whole.

7.3. Paragraph 47 requires that planning application be determined in accordance with the development plan unless material consideration indicates otherwise within statutory timescale unless a longer period has been agreed.

7.4. Paragraph 91 states that planning policies and decisions should aim to achieve healthy, inclusive and safe places which promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other by achieving safe and accessible places, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion. Furthermore, to enable and support healthy lifestyles, especially where this would address identified local health and well-being needs.

- 7.5. Paragraph 109 requires that applications should provide safe and suitable access to sites and that any significant impacts are mitigated. Whilst paragraph 110 expands on this context.
- 7.6. Paragraph 118 states that planning policies and decisions should promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing; and support opportunities to use the airspace above existing residential and commercial premises for new homes.
- 7.7. Chapter 12 sets out the importance of well-designed places. Specifically, para. 124 encourages the creation of high-quality buildings which creates better places in which to live and work. Whilst para. 127 requires that decisions should ensure that development functions well and adds to the overall quality of the area, are visually attractive, are sympathetic to the local character and history, are sympathetic to the local character and materials, along with optimising the potential of the site to accommodate and sustain appropriate development.
- 7.8. Para 168 states that *“Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations”*.
- 7.9. Paragraph 189 states that *“In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.”*
- 7.10. Paragraph 192 requires LPAs to consider the desirability of sustaining and enhancing the significance of the heritage, putting them to viable uses consistent with their conservation; the positive contribution to making a sustainable community including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness.

- 7.11. Whilst Para.193-202 sets out how to consider the potential impact and allow development which would result in less than substantial harm to the heritage asset should be permitted where the benefits outweigh the harm. This will be address in Heritage Section of this document.
- 7.12. In terms of economic, social and environmental dimensions of sustainability, this proposal offers a number of significant benefits for the area:
- The provision of specialist care to be provided within a family environment for a child is a significant social benefit, which will help them to grow into well-adjusted adults and thus contribute positively to the community in the future.
 - The proposal will contribute to meeting the Council’s specialist housing requirements through this facility.
 - The proposed change of use will secure the reuse of this family home whilst ensuring the children are cared for in a safe environment.
 - The proposed use is an employment opportunity that will help to support the future growth of the area and to contribute positively to the local economy.
 - Operation of a shift pattern, car sharing, and the use of progressive remote communication technologies will minimise unnecessary traffic movements to and from the property by reducing the need to travel and will be more sustainable whilst reducing the carbon footprint of the business.
 - The proximity to local services and facilities will ensure that the occupiers enhance and contribute to maintain the vitality of the local community and economy by supporting local facilities.
 - The proposed use will provide much needed care facility for children who require specialist care.
 - This proposal accords with the NPPF when considered as a whole and does not have any significant adverse impact which would demonstrably outweigh the benefits of granting planning permission.

8. Local Plan Policies

- 8.1. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.
- 8.2. In January 2019 the Council adopted the Barnsley Local Plan and I will address the relevant policies in this section of the Planning Statement.

- 8.3. **Policy SD1: Presumption in Favour of Sustainable Development** - This policy is satisfied due to the fact that the application site is an existing dwelling and would be reused as care home for a child within the settlement boundary Brierly which is classified as a village that is a sustainable location which local services and facilities in walking or cycling distance.
- 8.4. **Policy GD1: General Development** – this policy is satisfied because the proposal would not result in an adverse impact of the amenity of existing and future residents in the area. Whilst no external alterations are being proposed.
- 8.5. **Policy H6: Housing Mix and Efficient use of land** – this policy is satisfied due to the fact that there is an increasing need to care provision for children and the proposal will provide specialist care for a child who needs to be safeguarded to ensure that they can contribute to a successful, safe and strong, cohesive society.
- 8.6. The staff act as responsible parents to ensure that there is no greater noise or disturbance than a normal family house.
- 8.7. The character of the residential property would be improved as it has remained unoccupied for some time with building materials stored at the front of the site. No external alterations are proposed. Neither would there be an unacceptable level of parking required as the property already has sufficient parking for 2 cars.
- 8.8. There would be limited visitors to the site as most professional meetings are held in a neutral environment off-site. Whilst the traffic movements to and from the site would be no greater than an average 4 bedroomed dwellinghouse.
- 8.9. **Policy T3: New Development and Sustainable Transport & Policy T4 New Development and Transport Safety** - these policies are satisfied due to the fact that the application site is located in a sustainable location that will offer employment opportunities to local people which in turn will enhance the local economy. Staff will be encouraged to car share, walk, cycle or use the local bus service to go to and from the application site. In addition to this, supplies and services will be sourced locally to minimise the businesses carbon footprint.
- 8.10. The proposed change of use will offer an employment opportunity for 6 full-time staff operating a 48-hr shift pattern, whilst offering continuous training to staff. Two staff will be on-site at any given time, with a Manager present 2 ½ days per week between 9 am- 5 pm Monday to Friday inclusive.

- 8.11. There is sufficient parking on the site for 2 cars.
- 8.12. **Policy D1: High Quality Design and Place Making** – the proposal does not require any external alterations to the property and to all intents and purpose it will remain residential in its appearance. The property has remained unfinished for a number of years and the use will enhance the area through its completion and clearance of unused building materials from the site.
- 8.13. The proposal will bring the property into a long-term viable use in a sustainable location that will offer employment opportunities to local people which in turn will enhance the local economy. Staff will be encouraged to car share, walk, cycle or use the local bus service to go to and from the application site. In addition to this, supplies and services will be sourced locally to minimise the businesses carbon footprint.
- 8.14. The proposal will not result in a detrimental impact on the amenity of neighbours as any noise or disturbance generated would be less than an average 4-bedroom dwelling.
- 8.15. In relation to security, both the front and back doors will be fitted with an alarm to increase the security to the property. Two members of staff will be present when a child is on-site to ensure that they are closely monitored and protected.
- 8.16. **Policy HE1 The Historic Environment** – this policy is satisfied due to the fact that the proposal will finally bring the property into a use which will preserve and enhance the character of the mainly residential Conservation Area through the removal of the unused building materials and the completion of the works to the property.
- 8.17. No external alterations are proposed to the completed property to enable it to become used as a care facility, which will assimilate into the character of the rural residential area and it will not result in harm to the Conservation Area.
- 8.18. **Policy BIO1 Biodiversity and Geodiversity** – the applicants will install bird feeders to encourage the local wildlife and provide biodiversity gain.

9.0. Significance of Assets

- 9.1. Paragraph 189 of the NPPF states that *'local planning authorities should require an application to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance'...*

- 9.2. Unfortunately, there is no Conservation Area Appraisal document available but Brierley is located 5 miles northeast of the town of Barnsley, set within a predominantly rural landscape. The settlement originated as a small farming community nucleated around Brierley Hall, its estate, and along Church Street - the main historical axis running through the village.
- 9.3. As with many rural villages within Barnsley the advent of coal mining during the C19 and early C20 and the changing needs of a growing population are reflected in the architecture and buildings of the area. Properties range from detached, semi-detached and terrace rows typically comprising of two storeys.
- 9.4. Most properties are residential however there are a number of small businesses that operate from within the conservation area.
- 9.5. Brierley village and its historic core exhibits a range of architectural styles and ages from stone farmhouse / farm buildings typical of the more upland vernacular found elsewhere in the Borough through pre-war semi and detached dwellings, to modern estate development. Building material tends to be either locally quarried sandstone or red brick, (a number of properties have also been rendered). Roofing materials range from Welsh slate, stone slate and artificial stone slates. The conservation area has undergone a large amount of encroachment and infill development over recent years, notably along its east and west margins and around the modern Church Court and Church Gate housing developments.

10. Effect on the Heritage Asset

- 10.1. Paragraph 192 of the NPPF states that:

In determining applications, local planning authorities should take account of:

- a) ***the desirability of sustaining and enhancing the significance of the heritage assets and putting them to viable uses consistent with their conservation;***
- b) ***the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and***
- c) ***the desirability of new development making a positive contribution to local character and distinctiveness.***

- 10.2. Paragraph 196. States that:

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefit of the proposal including, where appropriate, securing its optimum viable use.

10.3. Paragraph 200 of the NPPF states that:

‘Local Planning Authorities should look for opportunities for new development within Conservation Areas and World heritage Sites, and within the setting of heritage assets, to enhance or better reveal their heritage significance. Proposal that preserves those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably’.

- 10.4. The property has already been erected within the Conservation Area and no external alterations are required to use the property for a care facility, apart from the completion of the existing works. Therefore, the proposal will not alter the approved appearance of the property, apart from improving it through the completion of the approved scheme and the removal of any unused building materials. This will be a positive contribution to the area.
- 10.5. Whilst the proposed use will not result in any harm which is not outweighed by the benefit of the proposal.

11. Material Considerations

- 11.1. The **principle of development** within a residential area is acceptable as the majority of care institutions are located within residential areas, rather than commercial, retail or industrial areas. The only operational difference for a dwelling is that care is provided for a child to meet their individual needs to ensure their safety.
- 11.2. **Character and Appearance** – no internal or external alterations are being proposed to the dwelling. To all intent and purpose, it will retain its residential appearance with the only difference being that the children will be care for by professional care staff rather than their parents. The proposed use would generate no greater level of noise, or traffic movements than an average 4-bedroom dwelling.
- 11.3. The Conservation Area will be enhanced through the completion of the work to the approved dwelling and its use will have little impact on the overall area.
- 11.4. The only alteration to the residential activity on the site will be the fact that staff will be required to be present at all times on a rota basis. To clarify the level of traffic movement a table of traffic movements is set out below. Due to the size of the property the number of children who can be cared for is limited. Therefore, the effect of the traffic generated from this use is also limited, and is no greater than an average 4 bedroomed detached dwelling with children going to and from

school, receiving visitor, and adults going to and from work, along with deliveries etc.

Activity	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
24-hour care worker arriving and leaving for 2-day shift (residential care workers)	2	0	2	0	2	0	2
Manager		1	0	1	0	1	
School run		2	2	2	2	2	
Total Movements (in and out)	2	3	4	3	4	3	2

Table 1. Traffic movements.

11.5. **Parking & Highway Safety** – the application site has 2 parking spaces at the southern end of the site which accords with the Parking SPD and Policy T3 of the Local Plan. There is no parking restriction in the area and the shift patterns will be arranged to enable staff to car share, walk, cycle or use the local bus service to come and go from the site. This will minimise the businesses carbon footprint and encourage the use of sustainable transport.

11.6. On the basis of the above, the number of existing spaces is more than adequate for the proposed use.

11.7. **Crime and Security** -this application should not automatically be considered to bring additional issues into the area due to the fact the children are very closely monitored and assessed before being placed in any of the homes to ensure that they themselves are placed in a safe homely environment. Such allegations are pre determining the children’s behaviour and should be treated as scare mongering.

11.8. In addition to this, the company has never received any complaints in relation to the increase in crime caused by the home’s location or from the children within their care due to the fact that this is a very well managed service which is monitored and registered by the Care Quality Commission.

12. Conclusion

12.1. The proposed change of use from a dwelling (C3) to a care home for a child will not alter the character or appearance of the dwelling and will not result in significant or substantial increase in traffic movements to and from the property.

12.2. The proposal will integrate into the character of the area and assimilate into the character of the area Conservation Area. The proposal accords with the

provisions of National and Local Planning Policy without resulting in significant harm or a detrimental impact on the listed assets, which would outweigh the benefits of granting planning permission.

- 12.3. The proposal accords with the requirements of NPPF due to the fact that it would not result in substantial harm, and in fact it will enhance the Conservation Area, whilst ensuring that the property is brought into a use which will enhance the vitality of the village and increase local employment opportunities through the provision of a discrete and quite location where children can be provided with care through a robust plan for their road to resilience to becoming valued members of society.