

**Planning Statement for the change of use of
a residential dwelling to a home for children
in care (Use Class C2)**

2 Wood Walk, Royston, S71 4HF

March 2024

Conversion of dwelling to home for children in care – 2 Wood Walk, Royston

Project	2 Wood Walk, Royston
Client	Dr Usman Amjid
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Project Team	Jim Malkin
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Reviewed by	Claire Preston

Document Produced by:

JMI Planning Limited
62 Carter Street
Uttoxeter
Staffs
ST14 8EU

Phone: 01889 566107
Email: enquiries@jmiplanning.com

www.jmiplanning.com

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1 Introduction

- 1.1 JMI Planning is a Midlands based town planning consultancy. Its directors are chartered town planners with over 30 years' combined experience in both the public and private sector.
- 1.2 The author of this statement, Jim Malkin, has worked as a principal planning officer in local government, and more recently as a planning consultant in the private sector. He has extensive knowledge of the planning system and experience of the appeals process. He is a member of the Royal Town Planning Institute.

2 Site and Planning History

- 2.1 The application site comprises of a modern detached residential property located at 2 Wood Walk, Royston. The property is located on a wider estate comprising of predominantly detached properties.
- 2.2 The site has a wide driveway to the front of the property, with space for four / five vehicles. The property has a large, enclosed, rear garden which is bordered by close boarded fencing.
- 2.3 A previous application for the conversion of the property to a C2 care home was refused by the Council under application 2021/1506, dated the 9th February 2022. The application was refused for the following reasons:

1. *The change of use would result in the loss of a 'larger dwelling' from the housing stock. This would be contrary to Local Plan Policy H9 'Protection of Existing Larger Dwellings', and Supplementary Planning Document 'Design of Housing Development', which state that it is important to ensure the endurance of existing housing stock of this type. In recent years dwelling conversions have*

been taking place at an increasing rate in the borough. These conversions have resulted in a loss of larger homes, contributing to the imbalance in the housing stock.

2. *In the opinion of the Local Planning Authority, the proposed change of use and commercialisation of the residential property within a predominantly residential area would be materially detrimental to the amenities of the occupants of the neighbouring dwellings by reason of noise and disturbance generated through the proposed occupants, staff members and movements/activities associated with the use. This would be out of character with the immediate locality and contrary to Local Plan Policy GD1 'General Development'.*
3. *The applicant has not submitted sufficient details to justify the need for the development which may add to the disproportionate and high number of children in care placed in the Barnsley Borough from neighbouring authorities. This would put additional strain on local services, contrary to Local Plan policy GD1.*

2.4 The site and surroundings are shown on the aerial photograph below.

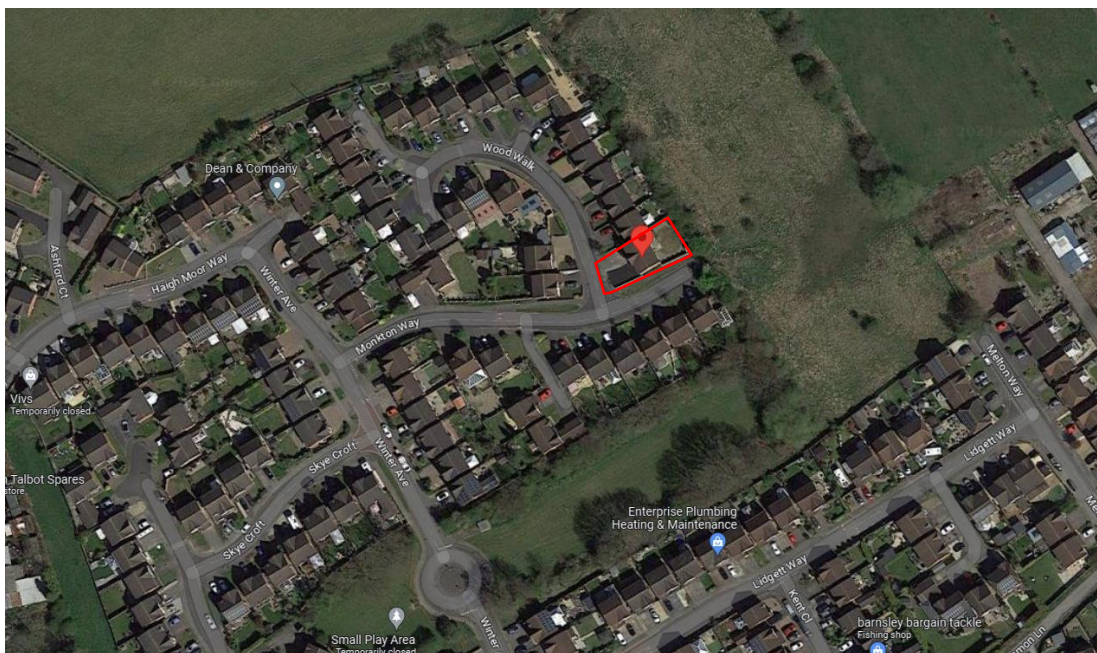


Figure 1 – Aerial photograph of site and surroundings

3 The Proposed Development

- 3.1 The applicant is seeking the conversion of the property to provide a small scale children's home.
- 3.2 The home will provide full time care for 3 children and will be operated by trained staff. There will be 2 staff on site at all times during the day and 2 at night.
- 3.3 The property is suitably sized to provide each child with a spacious bedroom and living space. The 4th bedroom will be used as a recreational room for the children, and the 5th bedroom will be used as a staff bedroom.
- 3.4 There is sufficient parking provided on site to ensure space for staff parking and to accommodate changeovers and visits by professionals.

4 Planning Policy Context

National Planning Policy Framework

- 4.1 Paragraph 8 of the NPPF sets out the three overarching objectives which should be met in order to achieve sustainable development.
 - a) An economic objective – To help building a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right place and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
 - b) A social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided

to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' healthy, social and cultural well-being; and

- c) An environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

4.2 Paragraph 11 advises that at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development. For decision taking, this means approving development proposals that accord with an up-to-date Local Plan; and also in circumstances where the development plan is absent, silent or relevant policies are out-of-date unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

4.3 The Barnsley Local Plan is the adopted local plan and is up-to-date.

Barnsley Local Plan

4.4 The Barnsley Local Plan sets out spatial policies aimed to guide development in the period up to 2033.

4.5 There are no Local Plan policies of direct relevance to the proposal. The following policies however have some relevance and were referred to by the Council in the refusal of the previous submission:

Policy GD1 General Development

Proposals for development will be approved if:

There will be no significant adverse effect on the living conditions and residential amenity of existing and future residents;

They are compatible with neighbouring land and will not significantly prejudice the current or future use of the neighbouring land;

They will not adversely affect the potential development of a wider area of land which could otherwise be available for development and safeguards access to adjacent land;

They include landscaping to provide a high quality setting for buildings, incorporating existing landscape features and ensuring that plant species and the way they are planted, hard surfaces, boundary treatments and other features appropriately reflect, protect and improve the character of the local landscape;

Any adverse impact on the environment, natural resources, waste and pollution is minimised and mitigated;

Adequate access and internal road layouts are provided to allow the complete development of the entire site for residential purposes, and to provide appropriate vehicular and pedestrian links throughout the site and into adjacent areas;

Any drains, culverts and other surface water bodies that may cross the site are considered; Appropriate landscaped boundaries are provided where sites are adjacent to open countryside;

Any pylons are considered in the layout; and

Existing trees that are to remain on site are considered in the layout in order to avoid overshadowing.

Policy H9 Protection of Existing Larger Dwellings

Development within the curtilage of existing larger dwellings will be resisted where it will have an adverse impact on the setting of the original dwelling, and the size of the remaining garden area. The loss of existing larger dwellings will be resisted. Support will be given to the re-establishment of Houses in Multiple Occupation into single family sized houses.

5 Planning Considerations

Principle of Development

- 5.1 The NPPF and the Local Plan both support the re-use of existing buildings within sustainable locations. The site is located within Royston, to the north of Barnsley and is in close proximity to a variety of services and amenities, including local schools. It is therefore a suitable location for the use proposed.
- 5.2 In broad terms the use will be no different to that of a family home, where three children live with their parents, the only perceivable difference will be the fact that carers will arrive and leave the property on a 48hr shift pattern. The shift patterns will be based on typical working days with morning changeovers at around 07:30 to 08:00, to reduce traffic to the home there will only be am changeovers.
- 5.3 Paragraph 11 of the NPPF states that where the local plan is out of date or there are no relevant development plan policies permission should be granted unless there are policies in the framework that protect the area or asset or if any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the framework.

- 5.4 Small homes, such as the one proposed as part of this application, play a significant role in the Government’s approach to the care of children with emotional, behavioural or learning difficulties. The aim is to enable children in care to live as normal lives as possible within the community. The operation of such homes seeks to create a ‘family-orientated’ environment where children thrive and achieve positive outcomes.
- 5.5 The need for such homes has also recently been highlighted in the recent written ministerial statement of the 23rd May 2023 with regards to children’s homes. This states that *‘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’*.
- 5.6 The previous application was refused on a number of grounds, firstly the loss of a larger home, secondly the formation of a commercial enterprise in a residential area and thirdly the lack of need for such premises.
- 5.7 With regards to the first two reasons for refusal, the use of the property will still be as a larger home and does not constitute a commercial property. The Use Classes Order divides buildings into a variety of categories, C classes being those for buildings where people sleep, it is therefore clear that use class C2 constitutes a residential use of a building and not a commercial use.
- 5.8 A recent appeal in Burnley (APP/Z2315/W/22/3305898) the inspector concluded that the proposal would function very much like a typical family home with older adults caring for children of mixed ages’. It is therefore clear that in planning terms the use of the building is residential (albeit in Class C2 not C3). Local Plan Policy H9 is therefore of limited relevance to this scheme as the dwelling will be maintained as a larger family home and will be occupied and maintained as such.

5.9 With regards to need, there is no planning policy to support this requirement, applications such as these are not required to provide any form of needs assessment, or sequential test alongside such applications. What is clear however is that nationally the number of children in care is significantly increasing as can be seen from the table below, and this clearly demonstrates there is a significant need for such accommodation:

Year	2015	2016	2017	2018	2019	2020	2021	2022
Children in Care	69, 470	70,400	72,600	75,370	78,140	80,000	80,850	82,170

Gov.uk – Children Looked After in England

5.10 The applicant is committed to working with the County Council to seek to home local children, however in some instances children will come from further afield, especially where there are specific reasons for moving them away from previous locations.

Economic benefits

5.11 The proposal use will require a full-time staffing team comprising of approximately 12 members of staff, alongside the home manager and a deputy manager, and will therefore provide a significant number of job opportunities in the local area.

5.12 The scheme will also continue to support local services and facilities in the same way as a standard residential dwelling would.

Social benefits

- 5.13 The social objective listed in Paragraph 8 of the NPPF encourages strong, vibrant and healthy communities by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations.
- 5.14 The proposal delivers a specific type of housing which caters for the needs of disadvantaged children from the local area, it is important that enough of this type of housing comes forward to meet the continued demand for such facilities. These homes allow children to live as a family unit and bring stability and security to their lives allowing them to develop and flourish outside of an institutionalised setting where integration and development is much more challenging.
- 5.15 The proposed use is entirely compatible with the residential character of the surrounding area, the property will operate as a single residential unit, the only difference will be the fact that carers will work on a 48hr shift pattern.
- 5.16 The application site benefits from a secure private rear garden ensuring children can make use of open space in a safe environment. There are also a number of public parks and other amenities within a walking distance of the site.
- 5.17 Readily accessible open space has been linked with improvements to mental wellbeing which is encouraged by Paragraph 8 of the NPPF. The proposal is therefore suitable to provide a healthy and safe living environment.

Environmental benefits

- 5.18 The site is located within a highly sustainable location where staff can easily access the property using sustainable transport modes, thus reducing reliance on a private vehicle which in turn contributes to the Government's push towards mitigating and adapting to climate change, as set out in Paragraph 8 of the NPPF. In addition, future residents will be able to access necessary facilities and amenities on foot or by sustainable transportation means.

- 5.19 The above paragraphs therefore demonstrate that the proposal constitutes sustainable development in line with Paragraph 8 of the NPPF.

Residential Amenity

- 5.20 The proposal will not result in an increase in noise and disturbance. The number of people present in the house at one time will be likely to be similar to that of a family occupying a dwelling of this scale.
- 5.21 Having been involved in similar applications locally and nationally we are acutely aware of how such proposals can be perceived by the local community. However, we would like to make it clear that the facility will be operated to the highest standards in accordance with stringent legislation that covers the proposed use, as well as being fully inspected by Ofsted.

Highway Safety

- 5.22 The proposal will not result in increased vehicle movements to and from the site, given that the property would technically still function as a single residential dwelling, which if occupied by a family would generate a similar amount of (if not more) vehicle movements, and at similar times to the proposed shift patterns.
- 5.23 The proposals utilise an existing access off the public highway which includes ample off-road parking within the site to support the proposed use. The frontage of the property has been fully tarmacked and provides space for 5 vehicles to park off the street.
- 5.24 Included at Appendix A to this statement is table that lists the likely numbers of traffic movements associated with the use, this clearly shows that the number of

vehicle movements associated with the proposed use would not be excessive, and would not result in harm to neighbour amenity, or highway safety.

Other Matters

5.25 The Environment Agency shows the site lying entirely within Flood Zone 1, where the annual probability of flooding from rivers or the sea is less than 1 in 1000. The proposed development would not therefore be at unacceptable risk from flooding.

5.26 The proposal will not result in impacts to any protected species.

6 Conclusions

6.1 The application proposes the change of use of the residential dwelling to a home for children in care. Whilst there are no direct policies in the Local Plan relating to the proposal, the site is sustainably located within Royston and is considered a suitable location for this type of development. National policy, and in particular, the Written Ministerial Statement has provided a very different policy position to that when the application was previously considered, and subsequently refused back in February 2022.

6.2 The proposal would deliver housing for disadvantaged children which is a type of housing which is in constant demand. The proposal will provide a safe and stable base for kids rather than forcing them into an institutionalised facility.

6.3 The site is within close proximity to local facilities and services aimed at children including local schools and outdoor spaces.

6.4 The development would not result in any impacts on neighbour amenity, the highway network, flooding or protected species and their habitats.

6.5 The proposal therefore constitutes sustainable development in accordance with Paragraph 8 and Paragraph 11 of the National Planning Policy Framework.

Appendix A

Activity (arriving and leaving)	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Home's manager and deputy – 9-5		2	2	2	2	2	
Care staff working on 2-day shift	3		3		3		2
School run		3	3	3	3	3	
Activities / social	3						3
Visitors		2		2			
Total movements (arriving and leaving)	6	7	8	7	8	6	5

Our Deputy manager forms part the care staffing team and will be on shift.

Please be aware these are estimates.