

Planning Statement

Change of use from an HMO (Use Class C4) to a Children's residential home (Use Class C2).

44 Sparhawke, Letchworth Garden City Hertfordshire SG6 4PX

July 2024

Ref: 24085

Rev: B

email@plande.uk

0333 444 3433

www.plande.uk



plande is a trading name of H&PC Ltd.
Company Reg No. 06241656
Registered in England and Wales.

I. INTRODUCTION

- I.1 Plande has been appointed to submit a supporting statement for the change of use of the existing building to a Children's Home for up to 4 children, up-to the age of 16, with up to 2 non-resident carers, at any one time, on a shift basis.
- I.2 This statement, which should be read in conjunction with the supporting information submitted with the application, aims to give an appraisal of the planning issues and merits in context with planning and other policies, guidance and material considerations.
- I.3 This planning statement seeks to provide an overall summary of the existing site and surroundings; the relevant planning history of the site, and to provide justification for the proposed works, in the context of the local surroundings, in order to support North Hertfordshire District Council in the determination of this proposal and demonstrate that the proposed works comply with the policies of relevance within the Development Plan. The report is structured in the following format:
 - Section 2: Site & Surroundings
 - Section 3: Planning History
 - Section 4: Use & Amount
 - Section 5: Layout of the Property
 - Section 6: The Need For The Proposed Use
 - Section 7: The Occupiers & Day To Day Life In The Property
 - Section 8: Planning Policy Framework
 - Section 9: Scheme Assessment
 - Section 10: Conclusion
- I.4 This statement has been prepared for the exclusive use of the applicant as part of their planning application and in accordance with the agreed scope of the project. The document may not be reproduced in whole or in part, without the prior written consent of Plande. The copyright in this document (including its electronic form) shall remain vested in Plande. Plande will not be liable for the contents or use of this document by any person for any purpose.

2. SITE & SURROUNDINGS

- 2.1 The existing site comprises a two-storey 1950's mid-terraced property with hardstanding parking area to the front, providing several parking spaces, and typical residential private amenity space to the rear.
- 2.2 It is understood that the property is currently being used as a 5-person HMO (Use Class C4).



Figure I: Photograph of the property

2.3 The property sits on a road of similar styled residential properties in a predominantly residential area although with a range of commercial properties and services in close proximity.

2.4 The Government flood map illustrates that the application site is not within a known flood risk area. The building is located not within a Conservation Area. The site is located within the settlement boundary.

3. RELEVANT PLANNING HISTORY

3.1 A planning history search illustrates the following relevant planning applications:

- Retention of detached outbuilding in rear garden to serve as ancillary living accommodation for 5 bed HMO
Ref. No: 19/02596/FPH | Received: Thu 21 Nov 2019 | Validated: Thu 21 Nov 2019 | Status: Decided
- Retention of detached outbuilding in rear garden to serve as ancillary living accommodation for 6 bed HMO
Ref. No: 19/01818/FPH | Received: Fri 30 Aug 2019 | Validated: Fri 30 Aug 2019 | Status: Decided
- Erection of front entrance porch.
Ref. No: 81/00530/I | Received: Thu 26 Mar 1981 | Validated: Thu 26 Mar 1981 | Status: Decided

4. USE AND AMOUNT

4.1 The planning application is for the change of use of the existing property into bespoke supported living accommodation for up to 4 young persons.

4.2 The overall ethos of the scheme is to provide, as near as possible, a homely environment for people to enable them to live in local communities. The property will provide a home-like environment but with the relevant facilities and adaption to ensure residents can live a safe and independent life, with the relevant support from staff as and when required.

4.3 The nature of the existing building and proposed change of use means that there are no material differences in relation to overbearing, overshadowing, overlooking or visual intrusion.

4.4 It is suggested that the use of the site will be in keeping with and complementary to the vitality and mix within the area and will not have a negative impact on the amenity of the surrounding properties, the vitality, character, viability of the area as a whole.

5. LAYOUT OF THE PROPERTY

5.1 No material changes are proposed to be made to the house which needed no adaption to facilitate the proposed use. No extensions are proposed to the building as part of this change of use application. The existing building is currently in good decorative and structural order.

5.2 The existing property features 5 bedrooms, with 3 bedrooms and 2 bathrooms on the first floor, with 2 bedrooms, with ensuite accommodations, and general living accommodation on the ground floor.

5.3 The property, therefore, continues to be used as a traditional “dwellinghouse” with bedroom accommodation on the upper floors and living accommodation on the ground floor.

5.4 Each resident will have their own bedroom and shares the communal kitchen and living area on the ground floor and the carer shares and participates in the domestic and living activities with the residents.

5.5 One of the bedrooms will serve as a sleeping room for a staff member, who is on-site 24 hours per day on rota basis.

- 5.6 The existing property has a good-sized rear secure garden and car parking. It has good public transport links and benefits from being close to local shops, services, leisure centres and educational facilities.
- 5.7 The property also features a single storey outbuilding. No changes are proposed to this outbuilding and it is proposed that this use remains ancillary to the proposed use, effectively as additional useable space, for example as a Games Room, for the residents.

6. THE NEED FOR THE PROPOSED USE

- 6.1 There is a substantial need for Children's Homes across the UK. According to a report by Ofsted, in January 2024, many children in the UK with complex needs wait for years to be placed in a suitable home. This is because local authorities are frequently struggling to find stable homes for these children. The report highlights that this is "more than 9 out of 10 local authorities". The report also found that some children are placed in unregistered homes or live alone in homes with high staff numbers, which can be isolating. Ofsted is calling for better planning to ensure homes are built in the right places and meet the needs of these children. Please see <https://www.gov.uk/government/news/children-with-complex-needs-can-wait-years-for-a-stable-home> for more information.
- 6.2 A further report by Ofsted, the government agency responsible for inspecting children's services in England, raises concerns about the current state of residential care for children. The report highlights a critical shortage of suitable placements, forcing some local authorities to utilize unregistered accommodation. This not only raises safety concerns but also disrupts children's lives by placing them far away from their families and communities. Please see <https://www.nyas.net/about-us/news/ofsted-data-shows-concern-for-children-living-in-residential-settings/> for more information.
- 6.3 These findings underscore the urgent need for an increase in suitable accommodation options within the residential care system. The proposed development directly addresses this gap by providing a safe, secure environment meet the specific needs of the residents.
- 6.4 Statutory regulatory bodies do not favour institutionalised placements for children's residential care, instead preferring much more community integrated settings where possible such as regulated small residential homes/supported living where cared and supported children are in discreet settings near to local amenities, schools and activities such as the application site thereby reducing the risk of them being targeted by criminal gangs (hence Ofsted's requirements for Location risk Assessments as a regulated service).
- 6.5 These proposals, as a 4 bed children's home offer a smaller, therefore more person centred, integrated into the local community and more in keeping with normal family home and family life which would be more suitable for some children. Children are diverse in their needs, personalities and preferences. Therefore, there isn't "a one home fits all" with children's residential placements.
- 6.6 Hertfordshire County Council, as evidenced by their most recent annual sufficiency statement (<https://www.hertfordshire.gov.uk/media-library/documents/about-the-council/data-and-information/sufficiency-summary-2023.pdf>), identifies a clear need for additional accommodation options for young people in care within the county. The statement highlights the Council's objective to house all young people under their care within, or close to, Hertfordshire. This goal is currently unmet, with approximately 100 children placed outside the county. Our proposal directly addresses this need by providing new, local facilities for young people in care. We believe this aligns with the Council's strategic objectives and contributes to a more sustainable and supportive care network for these vulnerable young people.

7. THE OCCUPIERS & DAY TO DAY LIFE IN THE PROPERTY

- 7.1 The proposed use of the property would facilitate the provision of residential accommodation and care for children aged 11-18 who cannot stay with their families due to circumstances such as neglect, abuse, family breakdown, or other traumatic experiences. These young people may have been in other care situations like foster homes, adoptive parents, or residential schools.
- 7.2 The home would provide a safe environment for these children to build positive relationships, heal, and progress successfully towards their futures. The needs of each child would be reflected in their individualised Care Plan, ensuring that they receive the appropriate level of support to help them reach their fullest potential. While the home would function as a normally functioning family home for the four children, it would also offer the specific care and support required to address the unique needs of each individual.
- 7.3 The home would be able to accommodate children with mild physical disabilities that do not require extensive personal care and would also be able to manage children with low-medium level mental health needs, such as ADHD, PTSD, anxiety, or depression. The home would not be suitable for children who require forensic or high-level care.
- 7.4 The primary focus of the home would be to provide care for children who are struggling to find foster care placements, offering them a stable and supportive environment where they can thrive.
- 7.5 As above, there will be up to 4 residents of mixed sex, living together as a single household, and up to 2 members of staff (dependent on the complexity of user), working on a shift basis at the property generally, with members of staff providing 24-hour care in a family oriented way as normal parents would, with levels of care varying based on age and need of each child/young person and to support community access (i.e., someone going out for appointments or activities or to do shopping, assistance with home/school learning). 1 – 2 members of staff will be present during the daytime, depending upon the specific needs and requirements of the residents and one member of staff will also be at the property and sleep there at night (again depending upon the needs of the residents) although this will not be their principal place of residence.
- 7.6 The property will provide care and support and help them live together as a single household, including helping them have meals together, share communal lounge space and participate in activities and facilitate learning and socialising, helping them to live a more independent and fulfilling life, effectively that of a typical family household.
- 7.7 There would be a maximum of 2 full-time carers based on the property at any one time working generally on a 12-hour shift basis. Handovers would likely be around 8am and 8pm daily and take a few to 15 mins with a maximum of half an hour. This change over is just to go through any notes taken throughout shift. There will not be frequent visits by any other care staff or clinicians. Visits from the Local Authority (Social Workers) and the NHS would generally be undertaken at the day opportunity, doctor's surgery, or hospital if required.
- 7.8 No physical changes are required inside or outside of the property. The objective and remit of the residential children's home is to mirror a traditional family home is a 'normal' neighbourhood and community. The goal of a children's home is to, from the outside, be indistinguishable from any other family home on the street.
- 7.9 In terms of the residents' comings and goings, it is suggested that there would be little difference from the current use as a large family house to influence its character or impact on neighbouring amenity.
- 7.10 The nature of the use will not result in a material increase or change in vehicle or pedestrian movements to and from the site, or in the number of people coming and going especially when compared to potential maximum potential for the existing use as a 5-person HMO or as a large family home. As a family home the house could accommodate several adults, such as two parents and over 17-year-old children who all have their own cars and travel independently to work, school, for hobbies,

social visits, and to receive visitors. Under Use Class C4 the property could contain up-to 6 adults all living independently.

- 7.11 As a children's home the young person's residing will either be school attendees or NEET. For any school attendees the primary and secondary schools they would attend are next door to the property, therefore there would not be a need for vehicle transport for school runs. Any NEET children would be online educated from the home if they were to be willing to undertake forms of learning. As this scenario shows in any combination there is a significant reduction in comings and goings than at present or even as a normal family dwelling house where vehicle transport to private schools /nursery's would be a possibility.
- 7.12 The property will provide care and support and help them live as a single household, helping them have meals together, share communal lounge space and participate in activities and facilitate learning and socialising, helping them to live a more independent and fulfilling life.
- 7.13 The home has comfortably furnished living room with TV for children and young people. There is a separate kitchen. The kitchen is domestic in style and is used for preparation of meals. Where appropriate, young people are encouraged to be involved in the preparation of meals and drinks.
- 7.14 The property has a secure garden with fencing to the perimeter. Children and young people are encouraged to make full use of the garden and the garden room.

8. PLANNING POLICY FRAMEWORK

- 8.1 The relevant policy considerations for the proposed development are:
 - North Hertfordshire District Local Plan 2011-2031 Local Plan and Proposals Map
 - Supplementary Planning Documents including North Herts Parking SPD
 - National Planning Policy Framework.

NORTH HERTFORDSHIRE DISTRICT LOCAL PLAN

- 8.2 The key local policies are suggested as being:
 - HS3 Housing Mix
 - HS4 Supported, Sheltered and older persons housing
 - D1 Sustainable design
 - D3 Protecting Living Conditions
 - T2 Parking

NATIONAL PLANNING POLICY

- 8.3 The National Planning Policy Framework (NPPF) was published in 2012 and has been revised several times, including the most recent one in December 2023. The aim of the NPPF is to ensure there is a presumption in favour of sustainable development and that positive planning solutions are found to ensure development is brought forward. The NPPF is a material consideration in planning decisions as outlined in Paragraph 2 of the NPPF and Section 38(6) of the Planning and Compulsory Purchase Act 2004.
- 8.4 Sustainable development is broadly defined in Paragraph 8 of the NPPF as having three overarching objectives:
 - a) An economic objective – to help build a strong, responsive, and competitive economy, by ensuring that sufficient land of the right types is available in the right places 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' health, 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.

- 8.5 The NPPF sets out Government planning policies for England and how these are expected to be applied. Paragraph 11 of the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development and that a presumption in favour of sustainable development is at the heart of the NPPF. For decision-taking this means:
 - Approving development proposals that accord with the development plan without delay; and
 - Where the development plan is absent, silent or relevant policies are out of date, grant planning permission unless:
 - Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the framework as a whole; or
 - Specific policies in the Framework indicate development should be restricted.
- 8.6 Paragraph 20 outlines that strategic policies should set out an overall strategy for the pattern, scale and quality of development and make sufficient provision for community facilities, such as health, education and cultural infrastructure.
- 8.7 Paragraph 38 states that local planning authorities should approach decisions on proposed development in a positive and creative way and should work proactively with applicants to secure development that will improve the economic, social, and environmental conditions of the area.
- 8.8 Paragraph 47 states that planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.
- 8.9 Paragraph 55 states that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions.
- 8.10 Paragraph 60 states that to increase housing supply, sufficient land with diverse options must be available, cater to specific needs, and be developed promptly to meet local demand.
- 8.11 Paragraph 63 highlights that planning should address the varying housing needs of diverse community groups, including those requiring affordable housing, families, various senior living options, students, people with disabilities, service personnel, travellers, renters, and self-builders.
- 8.12 Paragraph 126 states that local planning authorities should take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs.
- 8.13 Promoting sustainable development is a key component of the NPPF and a substantial weight is given to encouraging economic growth with planning authorities being required to apply the presumption in favour of sustainable development.
- 8.14 The revised NPPF, in paragraph 8, states that “achieving sustainable development means that the planning system has three overarching objectives, which are independent and need to be pursued in mutually supportive ways” and are defined as Economic, Social and Environmental.

9 SCHEME ASSESSMENT

- 9.1 The following section will consider the compliance of the proposal with the Development Plan policies and material considerations for the change of use. It provides an analysis of the main planning matters related to the principle of the proposed change of use and a more detailed, policy-orientated assessment of planning considerations.

PRINCIPLE OF DEVELOPMENT

- 9.2 At Paragraph 7, the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 7 further states that, at a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.
- 9.3 At Paragraph 11, the NPPF sets out a presumption in favour of sustainable development, which requires decision makers to approve applications that accord with the Development Plan without delay.
- 9.4 It is suggested that the proposals would make a positive, albeit small, contribution to the housing supply for the provision of specialist housing with an economic benefit and longer-term benefit.
- 9.5 With regards to the social aspects, the proposals create a high-quality built environment with accessible local services. The proposals will help to “... support strong, vibrant and healthy communities, by ensuring that a sufficient ... range of homes can be provided... and by fostering a well-designed and safe built environment, with accessible services and open spaces”.
- 9.6 Environmentally, the proposals make an effective and efficient use of land as well as enhancing and protecting the natural, built and historic environment and will be an improvement to the overall character and appearance of the area compared to the existing site as well as being more in keeping with the surrounding uses.
- 9.7 As such it is proposed that the proposals achieve “net gains” across each of the three objectives and on balance meet the objectives of sustainable development and as such the “presumption in favour of sustainable development” applies meaning planning permission should be granted as there are no adverse impacts that would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 9.8 Paragraphs 60 and 61 of the NPPF states that LPA should plan for a mix of housing. The Revised NPPF elaborates on this requirement in paragraph 63 which states “the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies”.
- 9.9 It is therefore suggested in the development of a specialist form of residential unit, within close proximity to existing settlements, local services and facilities and is well served by public transport and is supported in principle by the NPPF and the Local Plan, including Policies HS3 and HS4.
- 9.10 The principle of development can therefore be considered acceptable in this location.

NEIGHBOURING AMENITY

- 9.11 As stated above, the proposals seek to make no materials change to the existing building and it is suggested the proposed use is broadly similar to the existing use. As such it is suggested that the proposals are compatible to the area and would not cause a dis-amenity to neighbouring properties in activity levels, comings and goings and noise and/ or disturbance, visual intrusion or in any other way.
- 9.12 It is suggested that the nature of the use will not result in a material increase or change in vehicle or pedestrian movements to and from the site, or in the number of people coming and going especially when compared to potential maximum potential for the existing use as a 5 person HMO or even as a large 6 bedroom family home. Even as a family home, the existing use could accommodate several adults, such as two parents and three over 17-year-old children who all have their own cars and travel independently to work, school, for hobbies, social visits, and to receive visitors.
- 9.13 Furthermore, should the property be used for Adults and not children, up to 6 residents could be accommodated within any level of care and support without it being a material change of use or requiring planning permission. Use Class C3(b) allows for *“not more than six residents living together as a single household where care is provided for residents”*.
- 9.14 Since the property in that scenario, would be expected to have carers visiting on a regular basis, including full-time carers, the presence of additional parking is not uncommon or particularly significant. It is therefore suggested that in comparing whether there is an intensification of use in this particular scenario the consideration should be given not only to the use as dwellinghouse in the narrow sense (as in one family unit) that that for up to six residents living together as a single household and receiving care.
- 9.15 Within Class C3(b) use, there is no mention of the level of care provided or any increase in service intensity. Therefore, it is suggested there is no basis for limiting the level of care that can be given and as such there is no support to the contention that any intensification of use would lead to a material change of use. It is suggested that there is no “normal” level of care to be considered against.
- 9.16 It is suggested the proposals would have no material impact on neighbouring amenity from the current situation and maximum allowable lawful use of the site as dwelling house.
- 9.17 As such it is proposed that the application is considered to be in accordance with the general policy aims of Local Plan Policy D3.

ACCESS & PARKING

- 9.18 The proposed works make no alterations to the existing access, either from the main road or into the site. It is suggested that the nature of the change of use means that there will be no material increase in vehicle or pedestrian movements into and out of the site or create a negative or unacceptable impact on the existing local highway network, especially when compared to potential maximum potential for the existing use.
- 9.19 No changes are proposed to the existing hardstanding or parking provision with the site currently providing off-road driveway and on-road parking spaces. The site is well served by on-road parking and public transport. It is proposed that the location as a whole provides safe and suitable access. Due to the nature of the use, it is suggested that the occupiers will not have a car.
- 9.20 It is suggested that the existing access and site as a whole provide safe, efficient and convenient access, with adequate space for manoeuvring vehicles, parking and servicing in accordance with relevant policies.
- 9.21 The applicant will encourage the use of public transport for staff. Furthermore, the application would also pro-actively manage visitor parking to ensure that the proposed use would not cause a detrimental impact on local amenity or highway safety.

- 9.22 The proposals do not lead to a loss of front garden area or have any material impact of the frontage of the property. As such it is proposed that the scheme retains the character of the existing building and the area as a whole.
- 9.23 The servicing provision and requirements remain similar to existing with waste collection being provided on a domestic basis and therefore it is suggested would not materially increase traffic.
- 9.24 For residential care homes (excluding nursing homes, hospitals, schools, colleges and training centres) with staff present on-site 24/7, the recommended parking standards outlined in the Parking SPD are as follows: one parking space for every five resident bed spaces, plus one space for every two non-resident staff members. There are no specific parking standards for Children's Care Homes.
- 9.25 Given the existing property and it's use as a 5-person HMO compared with the small number of people residing at the property who are unlikely to have the use of a vehicle given the age of the residents (11-17), it is suggested that the proposal is unlikely to negatively impact traffic safety or the surrounding road network is therefore considered to be acceptable in relation to Policies D1 and T2 adopted Local Plan as well as the Parking SPD
- 9.26 Cycle parking provisions remain as existing with the proposed use not having a higher requirement than a traditional residential layout.
- 9.27 Access, internally and externally to the dwelling remains as existing. As such it is suggested that the character of the site and area remain as existing.
- 9.28 In relation to the existing use, it is suggested that the HMO tenants and their visitors frequently coming and going would have a far greater environmental impact than a 4-child residential home operating on a daily basis. It is suggested that the need for services and organisations to travel in from elsewhere carries far less environmental impact than operating as a 5 person (including visitors) HMO. Children will either be in school or NEET (not in education, employment or training). With a Children's Home shared travel will be commonplace as Children don't own motor vehicles. An HMO by nature of tenant's freedoms enables them to work and go where they choose and come and go multiple times a day in 5 vehicles and therefore have a much greater environmental impact.
- 9.29 The Applicant is confident that they can operate a considerably lower carbon footprint than its current use and as a company their values are in line with a desire to achieve net zero targets moving forward. The use of shared electric vehicles, employing local staff/carers and subsidising their use of public transport is something they are committed to doing.
- 9.30 It is therefore proposed that the change of use of the premises conforms to the relevant Local Plan Policies and should be considered acceptable given its location.

ARBORICULTURAL & LANDSCAPING MATTERS

- 9.31 The site is currently landscaped as a traditional family dwelling. It is suggested that no amendments will be made to the external landscaping as part of the proposals.
- 9.32 It is suggested that the proposals accord with the requirements of national and local policies.

10 CONCLUSION

- 10.1 The proposed development seeks permission for the change of use of the existing dwelling house into bespoke supported living accommodation for up to 4 young persons, with up to 2 non-resident carers on a shift basis.
- 10.2 It is suggested that the density, scale and amount of accommodation are appropriate for the site, and the historic context of the building, as well as the wider site and area as a whole. It is therefore suggested that the proposals in accordance with planning policy and the relevant supplementary planning guidance.
- 10.3 The proposals meet a specific and identified need and it is considered that the proposal would align with the Development Plan as a whole, in that it provides for appropriate use within the area and will be a significant benefit to the area.
- 10.4 Specifically, the proposals are compatible with adjacent uses and are suitable for the site and existing building and reflect the existing character and quality of the area. The site is in a sustainable location and accessible by a choice of means of transport and is in close proximity to facilities. The development provides good access to local services and facilities, is well served by public transport, provides appropriate levels of on-site landscaping, amenity space, and car parking, and conforms with Policy HS3 and HS4 of the Local Plan.
- 10.5 It is suggested that the proposed use would not be materially different or be of such an intensification as to cause harm to neighbouring amenity or highways safety, especially when compared to the maximum allowable use of the property, including for Use Class C4 and Use Class C3(b) as set out above.
- 10.6 The proposal would also accord with the relevant policies and requirements of the NPPF. The proposal supports the presumption in favour of sustainable development.
- 10.7 It is therefore respectfully requested that the application is approved. In the event that the Council do not agree with this view, the applicant would seek to engage with the authority to secure a solution, in line with the NPPF.