

Planning Statement

**Change of use from Dwellinghouse to Children's residential home
(Use Class C2).**

8 Wakes Road, Wednesbury, WS10 0BY

For Care 4 Good Ltd

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1. INTRODUCTION

- 1.1 Plande has been appointed to submit a supporting statement for the change of use of the existing dwelling house to supported living for up to 3 children, up-to the age of 16, with up to 2 non-resident carers, at any one time, on a shift basis.
- 1.2 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.
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2. LOCATION AND CONTEXT

- 2.1 The existing site comprises a two-storey semi-detached family home with hardstanding parking area to the front, providing several parking spaces and a garage, and typical residential private amenity space to the rear.
- 2.2 The property sits on a road of similar residential properties in a predominantly residential area although with a range of commercial properties and services in close proximity. To the rear of the site is a large open green space.
- 2.3 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 application:

DC/11/53947 | Two storey side extension. | Approved November 2011

4. USE AND AMOUNT

- 4.1 The planning application is for the change of use of the existing dwelling house into bespoke supported living accommodation for up to 3 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.
- 4.1 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. ORIGINAL PROPERTY

- 4.1 The original property is self-evidently “a single, self-contained unit of occupation which can be regarded as being a separate ‘planning unit’ designed for residential purposes-containing the normal facilities for cooking, eating and sleeping associated with use as a dwellinghouse”.
- 4.2 As such the original use of the property falls within Class C3 of Town and Country Planning (Use Classes) Order 1987 (as amended).

6. LAYOUT OF THE PROPERTY

- 6.1 No material changes have been made to the dwelling-house which needed no adaption to facilitate supported living. 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.
- 6.2 The original house features 4 bedrooms and 2 bathrooms on the first floor and within the roof space, with general living accommodation on the ground floor.
- 6.3 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.
- 6.4 Each resident has their own bedroom and shares the communal kitchen and dining area on the ground floor and the carer shares and participates in the domestic and living activities with the residents.
- 6.5 The 4th bedroom will serve as sleeping rooms for a staff member, who is on-site 24 hours per day on rota basis.
- 6.6 The existing house 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.

7. THE NEED FOR THE PROPOSED USE

- 7.1 Sandwell Metropolitan Borough Council have confirmed there is currently a deficit in the availability of suitable premises in Sandwell (see Appendix 1) and welcomes the creation of new homes to meet the needs of Sandwell Children.

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

- 8.1 Care 4 Good LTD was established to provide specialist support and care for looked after young people aged 8-17 who have experienced difficulties in their early lives. Care 4 Good LTD endeavour to work closely in partnership with placing Local Authorities, and families to provide intensive and bespoke support services to equip young people with the life skills they need to move forward and make positive contributions to their wider communities. The Company’s leadership team has more than 50 years’ experience managing residential children’s homes.
- 8.2 Their vision is to be recognised for taking an integrated approach to the provision of first-class care and services, which support, empower, and create opportunities for change for the young people in a safe, nurturing, and welcoming environment that is a home from home.
- 8.3 The applicant will use the Property to provide permanent residence for a maximum of 3 children, These children will be cared for by a team of qualified and competent staff who will work in ‘the Property’ on a shift / rota basis. The children would have a variety of needs learning difficulties, autism, and emotional and behavioural disorders (EBD).
- 8.4 The applicant run their homes following the ‘parental model’ of care, which is set up to mirror a traditional nuclear family with 3 children and 2 adults at the house. The Applicant’s role is to recreate a normal family environment for their young people. So much, that in the homes the Applicant doesn’t call their staff ‘staff’ or ‘employees’ but rather ‘adults’.

- 8.5 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.
- 8.6 Their aim is to provide a home for young people, not a ‘placement’. The property is of a high standard and fully modernised throughout, which will create an atmosphere and environment where young people feel settled, safe, supported, and valued. The bedrooms will provide a cosy and comfortable personal space, whilst communal living areas and spaces for home learning enable their highly trained practitioners to support each young person’s educational, social, and emotional development and preparation for adulthood.
- 8.7 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.
- 8.8 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. The shift patterns are likely to be 7.30am to 22:00pm. The table below shows a typical simplified staff rota, which shows that a total of 4 staff will work at the house in a given week, but with no more than 2 at a time at the house.

HOME	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	
Name	Date	Date	Date	Date	Date	Date	Date	Hours
Team Leader		07:30 - 22:00 15.0		07:30 - 22:00 15.0		07:30 - 22:00 15.0	07:30 - 22:00 15.0	60.0
Support Worker		07:30 - 22:00 15.0		07:30 - 22:00 15.0		07:30 - 22:00 15.0	07:30 - 22:00 15.0	60.0
Team Leader	07:30 - 22:00 15.0		07:30 - 22:00 15.0		07:30 - 22:00 15.0			45.0
Support Worker	07:30 - 22:00 15.0		07:30 - 22:00 15.0		07:30 - 22:00 15.0			45.0
Staffing AM/PM	2	2	2	2	2	2	2	

- 8.9 Other than an annual inspection from Ofsted, any external meetings (family visits, social workers, medical professionals, team training etc.) will take place at the company’s headquarters so as to avoid any disturbance to neighbours. As such there would not be frequent visits by any other care staff or clinicians.
- 8.10 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. This is because the existing use 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.

9. RELEVANT PLANNING POLICIES

9.1 The relevant policy considerations for the proposed development are the Black Country Core Strategy (2011), Sandwell Site allocations & Delivery Development Plan Document (2012) (SAD), West Bromwich Action Area Plan, Supplementary Planning Documents as well as the National Planning Policy Framework.

9.2 Other than mentioned above, the key local policies are suggested as being:
- ENV3, HOU1, HOU2, SAD H4, EOS9, TRAN2 & TRAN3

9.3 Specifically, Policy SAD H4 states:

SAD H4 – Housing for People with Specific Needs

The Council will encourage and negotiate the provision of housing to cater for the special needs of people, including the elderly, people with mental ill health, and those with physical and learning disabilities particularly where a need has been identified. Proposals for specific forms of housing, including care homes, nursing homes, extra care facilities, or any other identified need will be considered in relation to the following criteria:

- *Compatibility with adjacent uses;*
- *The suitability of the site and building;*
- *The character and quality of the resulting environment;*
- *Accessibility by a choice of means of transport;*
- *Proximity to facilities.*

The Council will identify the most appropriate sites for new developments based on these criteria.

NATIONAL PLANNING POLICY

9.3 The National Planning Policy Framework (NPPF) was published in 2012 and has been revised several times, including the most recent one in December 2023¹. 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.

9.4 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.

9.5 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.
- 9.6 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.
- 9.7 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.
- 9.8 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.
- 9.9 Paragraph 54 states that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions.
- 9.10 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.
- 9.19 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.
- 9.20 The Council have confirmed that they cannot demonstrate a deliverable 5-year housing land and therefore the Core Strategy and Development Control Policies Document are not considered up-to-date and therefore the material consideration as assessed in line with the presumption in favour sustainable development roles within paragraph 11 of the NPPF.
- 9.21 Footnote 7 highlights that this includes “applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites”.
- 9.22 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.

10 SCHEME ASSESSMENT

- 10.1 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

- 10.2 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.
- 10.3 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.
- 10.4 The proposed change of use of the existing dwelling into a residential care facility, within a sustainable location is generally supported by Policies SAD H4 and the Core Strategy.
- 10.5 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.
- 10.6 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".
- 10.7 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.
- 10.8 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.
- 10.9 Paragraphs 59 and 60 of the NPPF states that LPA should plan for a mix of housing. The Revised NPPF elaborates on this requirement in paragraph 61 which states "the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies. Policy SADD H4 broadly reflects and will "encourage ... the provision of housing to cater for the special needs of people, including the elderly, people with mental ill health, and those with physical and learning disabilities particularly where a need has been identified".
- 10.10 Furthermore, Policy SADD H4 states that the Council will encourage the proposing of housing for people with special needs and states the above will be achieved through compatibility with adjacent uses, utilising suitable buildings which are accessible by a choice of means of transport and a proximity to facilities.
- 10.11 It is therefore suggested in the development of a specialist form of residential unit, within close proximity to existing settlements and residential properties, is supported in principle by the NPPF and the local policies.
- 10.12 It is suggested that the private amenity space available is more than adequate for the communal needs of the residents of the property as it was recently deemed acceptable by Sandwell Metropolitan Borough Council in approving the construction of the extension to the dwelling.

10.13 The principle of development can therefore be considered acceptable in this location.

INTENSIFICATION OF USE

- 10.14 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. This is because 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.
- 10.15 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”*.
- 10.16 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.
- 10.17 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.

NEIGHBOURING AMENITY

- 10.18 As stated above, the proposals seek to make no material 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 disamenity to neighbouring properties in activity levels, comings and goings and noise and/ or disturbance, visual intrusion or in any other way.
- 10.19 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.

ACCESS

- 10.20 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.
- 10.21 No changes are proposed to the existing hardstanding or parking provision with the site currently providing several off-road driveway parking spaces. The site is well served by off-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.
- 10.22 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.
- 10.23 The applicant will encourage the use of public transport for staff and will offer subsidised travel accordingly. 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.

- 10.24 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.
- 10.25 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.
- 10.26 Cycle parking provisions remain as existing with the proposed use not having a higher requirement than a traditional residential layout.
- 10.27 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.
- 10.28 It is therefore proposed that the change of use of the premises conforms to the relevant Local Plan Policies, including TRAN2 and should be considered acceptable given its location.

ARBORICULTURAL & LANDSCAPING MATTERS

- 10.29 The site is currently landscaped as a traditional family dwelling and has mature planting, generally around the perimeter. It is suggested that no amendments will be made to the external landscaping as part of the proposals.
- 10.30 It is suggested that the proposals accord with the requirements of national and local policies.

11 CONCLUSION

- 11.1 The proposed development seeks permission for the change of use of the existing dwelling house into bespoke supported living accommodation for up to 3 young persons, with up to 2 non-resident carers on a shift basis.
- 11.2 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.
- 11.3 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.
- 11.4 Specifically, in relation to Policy SAD H4, 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.
- 11.5 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 C3(b) as set out above.
- 11.6 The proposal would also accord with the relevant policies and requirements of the NPPF. The proposal supports the presumption in favour of sustainable development.
- 11.7 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.