



PLANNING STATEMENT

3 Deane Avenue, Ruislip HA4 6SP

Proposed Change of Use to Children's Residential Care Home (C2)

1. Introduction

- 1.1 This Design and Access statement accompanies a planning application for a proposed Children's Residential Care Home at the above address and has been written to meet the requirements of the National Planning Policy Framework.

2. Description of the Proposal

- 2.1 The proposal would provide medium to long term accommodation for a maximum of four children aged between 7-17 years of age. Children being placed at the address will have an assessment of their needs and risk factors made prior to placement. They typically take children that have been removed from the care of their parents due to them being abused/neglected and the applicant provides therapeutic services to help them get over the traumas of their earlier childhood. This longer-term arrangement provides stability to the residents and enables them to integrate properly into the community and build strong relationships with their carers -the resident children would be those who have been removed from care from their families.
- 2.2 The running of this care home would be undertaken as close as possible to that of a normal dwellinghouse. Any staff training or meetings would generally take place off-site and the children would also visit healthcare professionals off-site as per a normal family operation (i.e. doctors, dentists, etc.). As well as the children being placed in the local schools in the catchment area, they would also utilise services and facilities in the surrounding area.
- 2.3 The application address is located in an area which is ideal for the positive development of a child in care – the quiet suburban location creates a calming environment conducive to recovery from childhood traumas and the reduction of anxiety.

- 2.4 It is important to note that the suitability of the property must be fully assessed in order to match the types of residents that could reside there, and this is heavily monitored by Ofsted. Factors would include nature of the surrounding community, skills and experience of the manager and staff team, proximity to other residential care homes etc. **Children from within the Borough of Hillingdon would be prioritised when considering placement referrals.**
- 2.5 The property contains six bedrooms at present. Four of the bedrooms would be used to accommodate Child residents (each with their own ensuite shower room), the fifth bedroom would be used as a staff rest room (overnight sleep-in shifts may be required) and the 6th used as a staff rest area for sleep-in staff. The staff office and rest area would be located adjacent to the front door to monitor movement in and out of the property.
- 2.6 With a home to accommodate four children, staffing levels are expected to consist at any one time of three full time staff during the daytime, and two staff on site during the night time (one 'sleep-in' and one 'waking night' shift). Additional staff would be present upon site for shift changeovers (which could be staggered and therefore amount to one additional staff member for up to 30 minutes at a time). The home manager would also attend the property on a part time basis.
- 3.7 Visitors delivering therapeutic services or undertaking statutory inspections would also occasionally come to the property (social workers, Ofsted inspectors etc). but the frequency and duration of these visitors would be no different (and in fact probably less frequent) to those received at a normal dwelling.
- 3.8 The management team for the property has already been identified and is highly experienced in the Children's residential care. It is also a very tightly regulated sector and Ofsted's requirements for setting up and running a care home are extremely stringent. The home would be reviewed monthly by an independent visitor and inspected by Ofsted formally every 6-18 months. Regardless of planning permissions, detailed information will need to be approved by Ofsted in order to ultimately register and open the home.
- 3.9 Included within the registration is a requirement for the home to complete an in-depth location risk assessment and local area report, which will be taken into consideration when reviewing potential child placements. The qualifications, skills and experience of the staff team at the home will also form part of the matching process for prospective children, as the home will have to evidence how they are able to meet the individual needs of each child placed. In this way, the children placed at the home will be suitable for the nature of the local community.

3 Principle of Development

- 3.1 Planning case law would suggest that whilst a change of use from C3 to C2 would occur (as the child placed at the property will require care by **non-resident** staff members on a shift pattern), the question of whether the development constitutes a 'development' and a material change

requiring planning permission is however a separate 'matter of fact and degree', as discussed in the case of *North Devon DC v FSS and Southern Childcare Ltd* [2003].

- 3.2 Grounds for judging 'material' differences between a C3(a) dwelling house and a C2 residential care home must be measurable and result in a significant change in the character and/or externally perceived pattern of use of the property, regardless of who inhabits it. In *Gravesham BC v Secretary of State for the Environment* (1982), the court upheld that the distinctive characteristic of a dwelling house was its ability to afford to those who used it the facilities required for day-to-day private domestic existence - **It did not lose that characteristic if it was occupied intermittently, by a series of different persons, or if it was under commercial management.**
- 3.3 Given that the property currently has four bedrooms it is reasonably feasible that a family could feasibly occupy the house as a C3(a) dwelling, comprising of multiple generations with up to five people (including grown up children) being old enough to own and operate vehicles. Therefore it can be judged that vehicle movements of staff and the relatively few visitors for a C2 use would not necessarily be higher or therefore 'material'.
- 3.4 In terms of neighbour amenity and given the same usage example above of a C3(a) dwelling, there is a reasonable assumption that gatherings and parties would be a distinct possibility at a C3 residential dwelling. Such gatherings would not generally be associated with C2 use and as such there would be no potential for large social gatherings at the property, which are often the cause of anti-social behaviour in residential neighbourhoods.
- 3.5 Any typical family home can be expected to generate some degree of noise where children are resident – whether this be playing in the garden or practicing their musical instruments. The risk of anti-social behaviour is no greater than with any other family who may move in and in fact, residential care practitioners are better equipped and trained to manage children's behaviour than most parents. It is entirely possible for a 'normal' but noisy family with several children to move in to the property and cause more disruption than a well-run care home, with far fewer mechanisms in place for dealing with it.
- 3.6 In order to preserve the residential amenity of neighbours, a noise management plan would be produced to consider and mitigate the impacts of noise generated at the property. The property will have more controls and policies regarding noise than a C3 dwelling would be subject to, and the plan can be submitted to the Local Authority on request or a conditioned as part of a consent.
- 3.7 Community safeguarding and perceived risk of anti-social behaviour is sometimes raised when considering this type of application. This is an inaccurate negative stereotype that has no statistical basis and is certainly not the reason children end up in the care system. Children in care are predominantly there due to circumstance beyond their control, including being victims of abuse and neglect. Looked-after children who pose a risk to the safety of themselves or others are generally housed within secure accommodation (a different use class) or subject to a 'Deprivation of Liberty Order' (DOLS) meaning they cannot leave the property unaccompanied.

- 3.8 Included within the registration is a requirement for the home to complete an in-depth location risk assessment and local area report, which will be taken into consideration when reviewing potential child placements. The qualifications, skills and experience of the staff team at the home will also form part of the matching process for prospective children, as the home will have to evidence how they are able to meet the individual needs of each child placed. In this way, the children placed at the home will be suitable for the nature of the local community. The age range stated earlier will allow the best possible chances for ensuring child residents are compatible with both the location and each other.
- 3.9 Based on the above observations, aspects such as vehicle movements, residential amenity and 'neighbourliness' cannot be proved to be necessarily impacted by this proposed change of use, and therefore cannot be held as 'material'.

4 Relevant Planning Policy – National

- 4.1 The provision of residential childcare for children is largely delivered in the UK through homes of six or less children. Indeed, Ofsted (the regulator) who identified in their report entitled 'Children's Social Care in England 2019' that the demand for homes has not kept pace with demand and that children's homes providing care for between 3 - 4 children were the most common form of children's home in England as of March 2019. Care homes for between 1 – 2 children are the third most common type of care home (behind homes for 5 – 6 children) and therefore provide a substantial contribution to the overall care home provision. This trend recognises the best practice objectives of residential care homes in replicating a 'normal' domestic household environment.
- 4.2 On this basis, the proposal complies with paragraph 92 of the National Planning Policy Framework which states that ***"planning ... decisions should aim to achieve healthy, inclusive and safe places which promote social interaction ... are safe and accessible ... [and] enable and support healthy lifestyles, especially where this would address identified local health and well-being needs"***.
- 4.3 Paragraph 63 also notes that when establishing need:
- "...the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies. These groups should include (but are not limited to) those who require affordable housing; families with children; older people (including those who require retirement housing, housing-with-care and care homes)..."***

5 Relevant Planning Policy – Regional

- 5.1 This planning application should also be viewed in light of the increased local demand for small children's care homes across the Greater London area. It is estimated that around 600 Children

from London are in foster care more than 50 miles away from their home neighbourhoods¹. The primary drivers are likely to be disproportionately high property and living costs in the capital.

5.2 London plan (2021) Policy GG1 focus on the creation of strong and inclusive communities, free 'avoiding separation and segregation'. The above trend of 'exporting@ young people in care and disconnecting them from their communities simply due to lack of social care places would appear to contravene this objective.

5.3 Policies GG4 and H12 focus on housing and specifically support the need to:
"Create mixed and inclusive communities, with good quality homes that meet high standards of design and provide for identified needs, including for specialist housing."

5.4 Policy S2 notes that Local Authorities should be working with stakeholders to identify options for and deliver social care provision. The majority of children's residential care beds are provided by the private sector.

6 Relevant Planning Policy – Local

6.1 Many Local Authorities in England and Wales allow the change of Use from C3 to C2 without the need for a planning application on the understanding that a 'material' change of use would not occur. In the context of the London Borough of Hillingdon however, Local Plan Part 2 (Development Management Policies 2020), policy DMH1 resists net loss of existing housing
"...unless the housing is replaced with at least equivalent residential floorspace."

6.2 A more specific policy DMH8 refers to Sheltered housing and care homes, and states that such development will be permitted where it caters for a clear need. There is a clear and identified need for the type of 'specialist housing' (as also described by the same policy) which this application proposes. As such the loss of a single C3 single dwelling should be acceptable as it meets the tests set by Policy DMH1 and DMH8, and the property continues to provide residential accommodation in a form that is needed within the Borough.

7 Transport/Access

7.1 In terms of transport links the proposal is just a 6 minute walk from the nearest bus stop on Victoria Road with services every 10 minutes into Acton and Hammersmith

7.2 The property is a 4 minute walk to South Ruislip underground station which is served by the Central line, with services into central London

7.3 Parking for the house can be accommodate off-street on the site, with 1 space located on the property frontage.

¹ [Britain's care homes crisis: children sent to live hundreds of miles away | Children | The Guardian](#) – the Guardian online 1st April 2023

8 Conclusion

- 4.1 Overall the proposal would provide a positive step by the Local Authority to meet its own aims and responsibilities under **Section 22G of the Childrens Act 1989** with regard to providing inclusive and good quality provision for looked after children within the area. The function of the property would outwardly remain the same as a standard domestic dwelling and would provide looked-after children with the best possible chance to integrate into the community.
- 4.2 There has been a 277% rise in the number of children knowingly being placed into illegal and unregulated care homes by Local Authorities between 2020 and 2023, due to chronic shortages in the number of homes available². This is placing hundreds of our most vulnerable children at risk whilst planning controls fail to prioritise delivery of the urgently needed places.

² [Revealed: hundreds of vulnerable children sent to illegal and unregulated care homes in England | Children | The Guardian](#) – 13th April 2024