



PLANNING STATEMENT

Application for a Change of Use from Residential Family Home to a Children's Home for up to 4 Children

**26 HAMLET ROAD
HAVERHILL
WEST SUFFOLK
CB9 8EH**

This planning statement has been prepared to support a change of use planning application seeking consent for 26 Hamlet Road, Haverhill to be used as a children's residential home. There will be no structural changes to exterior of the property other than routine maintenance to ensure the fabric of the building is water tight and the rainwater goods are in good order.

Internal renovations will include painting and decorating and new flooring where necessary, to comply with fire safety regulations, emergency lighting and fire doors will be installed to those leading to escape corridors. The physical appearance of such doors is not materially different from normal doors and has no material impact on the character of the property.

Four parking spaces will be provided, a bin store and cycle storage will also be provided to comply with planning requirements.

The property is located on Hamlet Road, within the town centre of Haverhill, 0.4 miles from the High Street, and just slightly further from Tesco, Lidl and Aldi Supermarkets. There are doctors, dentists, primary and upper schools within similar walking distances. A bus stop is located directly outside of the property.

The site is in a very sustainable location and as such is ideally suited for a residential children's home.

The property is located just outside of the Hamlet Road (Haverhill) Conservation Area. It is surrounded by residential properties with access to parking at the rear of the property.

The home will be registered as an Emotional and Behavioural home. There will be extensive consultation with local authorities and risk assessments for each child to ensure they integrate with the local community. This considers the home, the environment, the community, plus peer groups and assesses against each child as an individual prior to admission into the home. The children will live at the property long term, hopefully for many years.

Although we are not applying for a lawful development certificate, in a ministerial statement from Rachel Maclean (Minister of State (Department for Levelling up, Housing and Communities) in March 2023 she stated:

'The planning system should not be a barrier to providing homes for the most vulnerable children in society. When care is the best choice for a child, it is important that the care system provides stable, loving homes close to children's communities. These need to be the right homes, in the right places with access to good schools and community support. It is not acceptable that some children are living far from where they would call home (without a clear child protection reason for this), separated from the people they know and love.'

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. It is important that prospective applicants talk to local planning authorities about whether their service is needed in that locality, using the location assessment (a regulatory requirement and part of the Ofsted registration process set out in paragraph 15.1 of the Guide to the Children's Homes Regulations) to demonstrate this.

Planning permission will not be required in all cases of development of children's homes, including for changes of use from dwelling houses in Class C3 of the Use Classes Order 1987 where the children's home remains within Class C3 or there is no material change of use to Class C2. An application to the local planning authority can be made for a lawful development certificate to confirm whether, on the facts of the case, the specific use is or would be lawful. Where a Certificate is issued, a planning application would not be required for the matters specified in the certificate.'

The home will aim to provide a smooth transition for children and young people who come to live, through careful planning and consideration. The home will primarily serve medium to long term placements in order to minimise disruption to residents.

Before any home can open, it must gain the approval of OFSTED which has regulatory powers outside normal planning control. OFSTED will require a local risk assessment before approving the property as a care home. Planning is therefore not the only form of regulation which controls the suitability of the location. A basic principle in assessing a planning application is whether there is other legislation which is more appropriate to regulate the proposed development. In the case of children's care homes, the relevant powers are set out in:

- Care Standards Act 2000
- The Care Standards Act 2000 (Registration)(England) Regulations 2010
- The Children's Homes (England) Regulations 2015
- Children's Homes and Looked after Children (Miscellaneous Amendments) (England) Regulations 2013

Under the requirements of OFSTED, such care homes must be run as closely as possible to a typical family household, while accepting staff are employed on a rota basis to provide the parental support to the children so many have missed in their early years. The only physical requirements specified by OFSTED are emergency lighting (no external visual distinction from normal lighting) and locks on bedroom doors for the privacy of each child (not a material issue for planning).

The Ofsted Guide to Children's Homes stipulates that all children's homes must have a children's guide. It advises that a cared-for child's bedroom should not generally be entered without their permission and that children should be provided with appropriate, lockable furniture to store their personal items, including any personal information. It also provides advice on the use of CCTV and monitoring equipment within the home. It stipulates at length the information, monitoring and record-keeping that a children's home must carry out and the procedures that it must have in place, Ofsted will inspect a children's home each six months and an independent observer must assess the home each six weeks

In addition to Ofsted's one visit per year, there will be one visit by local social services each month and one Regulation 44 visit per month. All other professional or clinical appointments and meetings would take place away from the home.

The purpose of the home would be to support the children to build their confidence, help them in developing life skills and prepare them for life when they leave the home to fend for themselves. This type of support has been found to be most effective in helping these children to have normal lives and not experience problems in later life.

During the day it is expected that the children would engage in various activities, plus attend a mainstream or special school.

The proposed children's home seeks to replicate as closely as possible a normal family environment. This type of provision, which government policy is promoting, is to help children who often, through no fault of their own, have not had good parenting in their early years. These are not children with special needs, who would come under Use Class C2a.

The children's home model is to create a warm and nurturing family style environment for the medium to long-term care of a small number of children. This type of provision is operated in the same manner as a regular family home with two primary carers, to provide consistency and stability to the children who live there (similar to a fostering model).

Care is provided in small sized family units where residential carers help to develop the social and life skills needed when the children no longer live within an institution. Without such homes and positive interventions, these children when they leave the controlled environment of care homes will often end up in adult institutions, suffering from long term health problems.

With regard to schooling, it is often the case that when young people come into care, they have missed an extensive proportion of their education or are affected in a way that they could not work effectively in a large classroom environment. Given this, they could be tutored from home initially. This is all achieved online without any tutors having to come to the house. They may then progress to a specialist unit (smaller class sizes) then hopefully onto mainstream. In cases where children may have a home tutor, this is no different from an ordinary family who chooses to have their children educated at home. It makes no difference to the planning status of the use.

This home would be registered with, regulated by, and regularly inspected by, Ofsted. Having the appropriate planning consent will not of itself enable a residential children's home to open at the property if it does not also meet the strict regulatory requirements set out by Ofsted. Indeed, Ofsted's regulatory powers would also extend to it having the option to close the home if it subsequently failed to meet all of the regulatory requirements.

Before OFSTED will give their approval, they require a Location Risk Assessment to be carried out to determine the suitability of the area for a children's care home. This involves consultation with local police and social services departments. There will also be an impact risk assessment for each child where a referral has been made. This impact assessment considers all the child's needs and looks at the compatibility with the young people already within the home.

Unless they are approved by a local authority social services department, children will not be placed in the home. They are also able to confirm the urgent need for this type of facility.

Under Section 22G of the Children Act 1989, local authorities have a statutory responsibility to take steps, as reasonably practicable, that ensure children in care are provided with accommodation that '(a) is within the authority's area; and (b) meets the needs of those children.' Three reports were published in 2020 by the Children's Commissioner: 'The Children who no-one knows what to do with'; 'Private provision in children's social care' and 'Stability index 2020', which point out the failings of local government to meet this responsibility.

The papers summarise the findings of three years of work by the Children's Commissioner's Office and explain the failure of both national and local government to adequately meet the needs of these children. The report (page 15) states: *'Local authorities are highly reliant on the independent sector, particularly for children's residential care. Costs are increasing but it's unclear why. Given this reliance, it is imperative the market works well and that commissioning and procurement are improved to ensure no child is placed in unsuitable care settings. Recommendations: The Government should consider the barriers to creating more residential care placements to increase supply.'*

Visually, the property would look no different to the adjacent houses. During the day, there could be three members of staff in the property at any one time, but this would have no impact on the amenity of the area. The current use for a family with children and parents working from home could have the same impact.

There can be concern that the use would result in more noise and possibly anti-social behaviour due to the background of the children. A useful answer to this concern is contained in appeal decision (Appeal Ref.2162636-):

- *The fear of crime is a material consideration in the determination of the appeal. However, the weight that can be attributed to it depends on whether or not the evidence shows that the potential risk of crime is shown or expected to be high and the consequences for the community and individuals are serious. Whilst it is acknowledged that the incidents 16 cited by the local residents would cause upset, they are not altogether unusual occurrences in modern society. Some of the incidents raised issues relating to the running of the home which have the potential to be overcome by changes to the management of the site. None of the evidence suggests that the potential risk from crime is shown or expected to be high or that the consequences for local residents are serious.*
- *The evidence therefore leads me to conclude that the effect of the development on the living conditions of the occupiers of neighbouring dwellings regarding risk of crime*

would be low and carries insufficient weight to warrant dismissing the appeal on these grounds.

- *The nature of the children is not therefore material to the determination of this application.*

It is maintained that the nature of the use is not materially different from the current use as a family dwelling. Comings and goings would be no greater than occur at present, hence there would be no undue disturbance to any neighbours.

The local authority is therefore respectfully requested to support the application to allow this much needed facility to be established