

# PLANNING STATEMENT

## **Address:**

19 Rowthorn Drive, Shirley, Solihull, B90 4ST

## **Site & Surroundings:**

The application site is a detached family sized house located on Rowthorn Drive. The site benefits from off street parking on the driveway and has a reasonable size rear garden of approximately 131 **sq.m.** The surrounding area is predominantly residential in character.

## **Proposal:**

The proposed development includes the change of Use from a dwellinghouse (Use Class C3a) to a children's home (Use Class C2).

The proposed home will accommodate two **children**. The property, a four-bedroom house with all bedrooms on first floor as shown on the submitted plans, will allocate two **bedrooms** for the children on the first floor. The ground floor contains the communal rooms including the reception room, dining room and kitchen.

Two bedrooms on first floor will be used as **staff sleepover/Office** as indicated on the Proposed Floor Plans. Staff office and secure bike storage will be provided on the ground floor as shown on proposed plans. No extension or external alterations are proposed. All accommodation is contained within the existing building footprint.

The home would provide accommodation for up to **two children aged 5 to 17 years old**. The age range of the children will be 5 –17 on admission.

The children would be looked after on a long-term basis. In some cases this is a temporary home until the placing Local Authority finds a foster home; in other cases it would be until they are no longer 'a child' and cared for, or if the care plan for the young person changes.

The children would be in full-time mainstream education; they would not be home-schooled. The children would be taken to school by an appropriate vehicle.

There will be external visitors from time to time, but the home will endeavour to ensure that this does not exceed more than one at any given time. Statutory social work visits take place every 6 weeks, but all other routine appointments will take place away from the property.

### **Proposed staffing levels/times:**

During a standard shift, two staff members would be present on-site and the home registered manager. During the night two staff members will be on duty. The young people will be supported by two staff, in addition to a Registered Manager.

The Registered Manager will be on site from Monday to Friday from 9 am to 5 pm. Support staff will work on shift patterns; they will cover from 7:30 am to 10:30 pm. The night staff will start their shifts from 10 pm to 8 am.

It is anticipated that two visits from social workers will take place every six weeks, by appointment only, and last for approximately one hour.

A therapist would also attend the home once a week for a couple of hours, again by appointment only. This will help avoid any parking issues in the driveway. The visits will also be pre-booked and arranged for the house to be less busy. This will help avoid any parking issues in the driveway.

### **Management Plan:**

A management plan regarding how the care home would operate by the Care provider is summarised as follows:

- The home would be registered with Ofsted as a home for up to two **children**. It would care for children with Emotional & or Behavioural Difficulties (EBD), learning difficulties and sensory impairment.
- The home will operate a therapeutic, trauma-informed model. The care environment will be intentionally designed to be calm, predictable, and nurturing, supporting children to feel secure and reducing the likelihood of dysregulated or challenging behaviours. Individualised care planning will focus on understanding the underlying causes of behaviour rather than managing symptoms alone, with staff trained to respond using de-escalation, relational practice, and therapeutic engagement.
- The Children home will be registered with Ofsted and aim to employ carers in partnership with Solihull City Council.
- The Registered Manager will hold qualification in Leadership and Management along with a Level 3 in Health and Social Care or equivalent. Other staff will also hold a minimum of a Level 3 Qualification in Health and Social Care (or equivalent) or working towards this.
- The applicant's leadership team is committed to delivering the highest quality of service within Children's Homes and strives to achieve outstanding outcomes for young people.
- Training and meetings would be arranged off-site. The children would visit healthcare professionals off-site as per a normal family operation (i.e. doctors, dentists, etc.).
- Other visitors to the property (i.e. family and friends of the children) would be strictly limited to only minimal occasions, with the children generally visiting the homes of their family and friends instead.

- The children would attend school during the day and would utilise services and facilities in the surrounding area. At all times, the child would be accompanied by at least one carer.
- The children would be taken to appointments by an individual. Where suitable, many of these trips (including school trips) would be taken on foot or on public transport.
- Care would be given in a communal environment with the children and their carers sharing facilities in a manner akin to a family.
- The children would be cared for on a medium to long-term basis for them to integrate properly into the community and build strong relationships with the carers and the environment.
- CCTV camera systems will be installed to provide extra layer of security.
- Bike shelter will be provided in the garage for the staff use.

### **Children Act 1989 Significance:**

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.”

The Government is advised to consider the barriers to creating more residential care placements to increase supply.

### **Ministerial Statement:**

A written ministerial statement (which is a material planning consideration) was issued on 23 May 2023 by the then Housing Minister specifically relating to the planning system and children’s care homes. This stated (inter alia) that: “the planning system should not be a barrier to providing homes for the most vulnerable children in society.” “local planning authorities should assess the size, type and tenure of housing needed for different groups in the community and reflect this in planning policies and decisions.” … “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”.

### **Shortage in Sector:**

The national shortage of children's homes and suitable accommodation has been widely documented. Instances include vulnerable children being placed in hotels and bed and breakfasts and being relocated hundreds of miles away, increasing safeguarding risks.

### **Permitted Development C3(b):**

The site currently benefits from its Permitted Development Rights. The property could be used as a dwelling by up to six residents living together as a single household (Class C3) or by not more than six residents as a house in multiple occupation (Class C4).

The application property is a four bedroom detached house. Following the change of use, the dwelling would house a maximum of two **occupants aged between 5 –17 years**. Residents would share facilities such as a bathroom, kitchen, living area and garden, and as such would live in a manner similar to tenants within a residential property.

The level of activity associated with the use would not be materially different from the existing use, and the occupancy would not exceed six persons, which meets the threshold for C3(b).

### **Recent Successful Appeal:**

A most recent appeal ( Buryfield Care Services Ltd vs Solihull Metropolitan Borough Council ) confirmed that the proposed small children's home (up to three residents) would not result in an unacceptable impact on neighbour amenity or the character of the area. The level of activity, noise and comings/goings would remain comparable to a typical family dwelling, and there is no substantive evidence that the proposal would cause materially greater disturbance. Parking demand and vehicle movements would not be severe, and any short-term peak activity would be consistent with existing residential patterns. Operational and care management matters are controlled through OFSTED and are not material planning considerations.

In appeal (Debbie Moore vs Sefton Borough Council, 2022) confirmed that the use of a dwelling as a children's home for two children and two staff did not amount to a material change of use. This supports that small-scale children's homes of this nature fall comfortably within acceptable planning parameters.

### **Relevant National & Local Policy Context:**

National Planning Policy Framework

Solihull Local Plan

- Policy P15
- Policy P14
- Policy 8

### **Principle of Development:**

The National Planning Policy Framework (NPPF) seeks to ensure the provision of sustainable development, of good quality, in appropriate locations and sets out principles for developing sustainable communities. It promotes high quality design and a good standard of amenity for all existing and future occupants of land and buildings. The NPPF also seeks to boost housing supply and supports the delivery of a wide choice of high-quality homes, with a mix of housing (particularly in terms of type/tenure) to create sustainable, inclusive and mixed communities.

Small children's homes of this scale are residential in character and operate similarly to typical family dwellings. Such a home "would be similar in function to a family dwelling" and that the number of occupants "would be similar to that of a family dwelling".

The proposal reflects this principle exactly: two resident children, supported by trained carers, represents the same occupancy and daily pattern expected within a typical small family. It is therefore requested that the principle of the proposed change of use from a dwellinghouse (use class C3) to a children's care home (use class C2) should be acceptable subject to below site-specific planning considerations.

### **Standard of Accommodation:**

The application property is a typical five-bedroom dwellinghouse. The two **children's bedrooms** all exceed Nationally Described Space Standards.

The rear garden measures approximately 131 **sq.m.**

All habitable rooms are provided with adequate light, ventilation, and outlook.

### **Impact on Residential Amenity:**

Comings and goings associated with the children's home (staff changeovers, statutory visits, etc.) would be comparable to those of a typical family dwelling. With Ofsted regulation and a detailed management plan, there would be no adverse impact on residential character or amenity.

The presence of trained staff provides a stable, supervised environment that reduces safeguarding risks and protects community wellbeing.

Policy P15 of the Solihull Local Plan requires all development to achieve good quality, inclusive and sustainable design, which conserves and enhances local character, distinctiveness and streetscape quality and ensures the scale, massing, density, layout, materials and landscape of the development respects the surrounding natural, built and historic environment. Developments will be expected to create a sense of place. Policy P15 of the Local Plan is consistent with policies set out in the Framework and full weight can be attributed to this Local Plan Policy.

The proposed development would use the existing layout of this two-storey detached house. This will provide living areas on the ground floor (kitchen/dining room, living room, pantry), as well as a staff office used by the staff for the management of house, and then three bedrooms at 1st floor level (three children ), is akin to a typical residential house.

No external changes has been proposed ,therefore there would be no harm to the external existing character or appearance of the property, nor to the wider street. Taking the above into account, it is considered that the change of use from a C3 use to a C2 use would not significantly change the character and appearance of this residential street to such an extent that the application be refused. This is because the application property is to be occupied by a maximum of two children and a maximum of two staff on duty at the property at any one time during the day and night. This would be similar to that of an existing house located on this predominantly residential street. Therefore, the proposal would accord with Policy P15 of the Solihull Local Plan, which carries neutral weight in the planning balance.

Policy P14 of the SLP seeks to protect the amenity of existing and potential occupiers of houses when considering new developments. Careful consideration must be made to amenity of both existing neighbours. The policy is consistent with the NPPF and thus carries significant weight. It is not considered that the use of this two-storey detached house with two bedrooms to accommodate two children and a maximum of two members of staff, will result in any undue impacts on the amenities currently enjoyed by the occupiers of any neighbouring or nearby dwellings. It is therefore considered that the proposal is compliant with Policy P14 of the Solihull Local Plan and the NPPF 2024, which carries neutral weight in the assessment and determination of this type of application.

#### **Highway Safety and Parking:**

The site benefits from two off-street parking spaces on the front driveway. Existing tarmac area will be slightly extended to allow parking for one extra car. Professional visits are infrequent and scheduled by appointment. The development will not result in any significant increase in parking demand or vehicle movements compared to a typical family dwelling. The area is well served by public transport. The effect of the proposal on highway safety and parking would therefore be negligible.

Paragraph 116 of the Framework indicates that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.

Policy P8 of the Solihull Local Plan states that development which results in a reduction in safety for any users of the highway will not be permitted. Policy P8 of the Local Plan is consistent with policies set out in the Framework and full weight can be attributed to this Local Plan Policy.

The existing parking configuration at the site provides space for at least two cars to the front of the dwelling, with slight amendment, it will be increased to 3 parking spaces, which are all accessed off Rowthorn Drive. These vehicles are located on existing hardstanding to the front of the property. It is therefore, considered that the existing parking layout will provide adequate space for sufficient on-site parking. It is unlikely that the proposed change of use will generate a significant increase in vehicle trips to have a severe impact on public highway safety or on the operation of the local highway network. On this basis the proposals accord with Policy P8 of the Solihull Local Plan 2013. This carries neutral weight in the balancing exercise.

**Conclusion:**

This proposal would provide a needed specialist accommodation within a residential area without detracting from the character of the area. The proposal would provide satisfactory, safe accommodation for two **children**, with activity levels comparable to those of a typical family home. No extensions or external alterations are proposed. The house retains its look and character as a normal dwelling. The management structure and Ofsted regulation ensure the development will not adversely affect amenity, parking, or highway safety.

This proposal meets an identified social need, aligns with national and local planning policy, and preserves residential amenity. It is therefore respectfully requested that the Council grants planning permission.