

TWC/2024/0605

34 Avon Close, Little Dawley, Telford, Shropshire, TF4 3HP

Change of use from dwelling house (use class C3) to Residential Institution (use class C2) ****AMENDED CERTIFICATE RECEIVED****

APPLICANT

C/o Agent

RECEIVED

08/08/2024

PARISH

Dawley Hamlets

WARD

Horsehay and Lightmoor

THIS APPLICATION IS BEING HEARD AT PLANNING COMMITTEE AS THE PROPOSAL HAS RECEIVED A NOTABLE NUMBER OF OBJECTIONS

<https://secure.telford.gov.uk/planning/pa-applicationssummary.aspx?ApplicationNumber=TWC/2024/0605>

1. SUMMARY RECOMMENDATIONS

1.1 It is recommended that **DELEGATED AUTHORITY** be granted to the Development Management Service Delivery Manager to **GRANT FULL PLANNING PERMISSION** subject to conditions, and informatives.

2. SITE AND SURROUNDINGS

2.1 The application site comprises a corner plot at the end of the cul-de-sac of Avon Close, linking through to Holly Road and the wider area via South View Road. No.34 Avon Close is a semi-detached dormer bungalow and is surrounded by other semi-detached dormer bungalows and bungalows of a similar scale. The property is finished in render, with a tarmac drive comprising two parking spaces to the front, with gated access round to a rear garden which backs onto the Dawley Hamlets Local Nature Reserve, with woodland and The Dandy pool sitting adjacent.

2.2 The site is within 3 miles of Telford Town Centre and near to other local centres. Public amenity areas and schools are also available nearby.

3. PROPOSAL

3.1 This application seeks full planning permission for the change of use from a dwellinghouse (Use Class C3) to a residential care home (Use Class C2), accommodation currently comprises:

Ground Floor – a kitchen, dining room, living room x 2, WC, hall, porch and storage cupboards.

First Floor – 2 x bedroom, bathroom with separate WC, storage cupboards.

Through the proposal this would be amended to:

Ground Floor – a kitchen / dining room, therapeutic room, living / activities, Manager's room including bed provision, WC, hall, porch and storage cupboards.

First Floor – 2 x bedroom, bathroom with separate WC, storage cupboards.

No external changes are proposed to the property.

- 3.2 The proposed use would provide a home with therapeutic care and support for up to two children who have faced behavioural, emotional, and social challenges, as well as placement breakdowns, between the ages of seven (7) and seventeen (17). The children would be under the care of the staff comprising one support worker, one senior officer (Team Leader), and a Home Manager. In line with the Children Leaving Care Act 2000, it is proposed that the leaving age could be extended to 18, on the basis of a Pathway Plan identifying that it would significantly assist a child in their transition to adulthood provisions. Short, medium, and long-term placements would be provided. The home would be operated by Madumere Ltd, in conjunction with an established provider Williams Welfare Ltd, and would be subject to regulation by Ofsted.
- 3.3 The application material advises that placement matching assessing processes must be followed prior to all admissions which outlines if the placement can meet the individual specific needs of the children and the impact of the admission on the current children in placement. Multi agency consultation would be had as part of the admission process to include discussions with social workers of both current children and the proposed referral. Children would not be placed in the home in emergency situations.
- 3.4 The application material identifies that placements would be taken from within the West Midlands and surrounding Boroughs, with the leading Local Authority being Telford & Wrekin, national placements could be taken when the need arose.
- 3.5 The application is accompanied by the following supporting documents, further identifying the context and operation of the proposed care setting:
 - Design & Access Statement
 - Operational Management Plan
 - Table of Staffing Numbers
 - Assessment Table – Persons on Site
 - Business Plan
 - [Proposed Operations of Service Guide](#)

- [Location Risk Assessment](#)
- Proposed Children's Guide
- Monthly Home Monitoring Checklist
- [Telford & Wrekin Council Commissioning Strategy and Market Position Statement for Children's Safeguarding and Family Support 2024-2029.](#)

4. PLANNING HISTORY

4.1 There is no planning history related to this property.

5. RELEVANT POLICY DOCUMENTS

- 5.1 National Planning Policy Framework (NPPF)
National Planning Policy Framework (NPPF)
- 5.2 Telford and Wrekin Local Plan (2011-2031)
SP1 Telford
SP4 Presumption in favour of sustainable development
HO7 Specialist housing needs
C3 Implications of development on highways
C5 Design of parking
BE1 Design Criteria
- Homes for All SPD

6. NEIGHBOUR REPRESENTATIONS

- 6.1 The application has been publicised through direct neighbour notification to neighbouring properties, local members and Dawley Hamlets Parish Council.
- 6.2 The Local Planning Authority (LPA) received twenty four neighbour representations objecting to the scheme (a number from parallel addresses), the following summarised issues were raised:
- Insufficient parking provision and highway safety impacts
 - Nature of local residents and negative impact on them – large number of older generation and small children
 - Property unsuitable for intended use – including egress from adjacent pool, water pump in the void under the ground floor, semi detached property noise nuisance to neighbours
 - Location unsuitable at end of cul-de-sac, adjacent pool and woodland, access by emergency services
 - Variation in reports submitted and competence of applicant, lack of due

- diligence, profit led, inexperience of operator in children's care homes
- Poor experience of previous Children's Care Home in the locality, and anticipated impact on local community through this proposal
 - Wish for application to be put forward to Planning Committee
 - No consultation by applicant.

7. STATUTORY REPRESENTATIONS

7.1 Dawley Hamlets Parish Council – **No representation received**

7.2 Highways – **Comment:**

The proposals are to accommodate 2no. children and 3no. support staff (with sleeping arrangements available for 1no. staff also). The applicant has outlined that there would be 2no. staff members on shift 24 hours a day and a manager working 9am – 5pm Mondays to Fridays (subsequently amended to 8am-4pm).

Based on how the 'Residential Institution' will operate there may be the likelihood of more frequent visitors attending the site than the previous residential 'class use'.

However, whilst there is some concern from the LHA in relation to the availability of parking and the potential effect these proposals may have the LHA feel it would be difficult to sustain a Highway refusal.

7.3 Specialist Housing Team – **Comment:**

Discussion with Telford & Wrekin Council's Children's Safeguarding & Family Support Commissioning has confirmed that through the Market Provision Statement (MPS) there is a sufficiency need for the form of accommodation proposed, with the benefit of local provision to reduce the need to transport children elsewhere, and minimise the engagement of stakeholders through out of Borough travel. It is guided that the proposed home would be regulated by Ofsted around the suitability of the provider to deliver the service in this setting and safeguarding of the children.

7.4 Shropshire Fire Service – **Comment:**

As part of the planning process, consideration should be given to the information contained within Shropshire Fire and Rescue Service's "Fire Safety Guidance for Commercial and Domestic Planning Applications" document.

8. APPRAISAL

8.1 Having regard to the development plan policy and other material considerations including comments received during the consultation process, the planning application raises the following main issues:

- Principle of development
- Scale and Design
- Impact on the amenity of adjacent properties / uses
- Highways impacts
- Other matters.

Principle of Development

8.2 Section 38(6) of the Planning & Compulsory Purchase Act 2004 requires that planning applications must be determined in accordance with the adopted development plan unless material considerations indicate otherwise. The Development Plan comprises the Telford & Wrekin Local Plan (TWLP) which was adopted in January 2018. The National Planning Policy Framework (NPPF) is also a material planning consideration.

8.3 The application site is located within the Built up Area of Telford, where the principle of residential development is generally considered acceptable. This is subject to appropriate scale and design, impact on neighbouring properties and any technical constraints being satisfactorily addressed; all of which have been considered during the assessment carried out.

8.4 The proposed development would see the existing 2-bedroom dwelling being adapted to provide a care home for up to two children with the second ground floor living room utilised as a third bedroom / office for staff use.

8.5 Discussion with Telford & Wrekin Council's Children's Safeguarding & Family Support Commissioning has confirmed that through the Market Provision Statement (MPS) there is a sufficiency need for the form of accommodation proposed, with the benefit of local provision to reduce the need to transport children elsewhere, and minimise the engagement of stakeholders through out of Borough travel. It is guided that the proposed home would be regulated by Ofsted around the suitability of the provider to deliver the service in this setting and safeguarding of the children. In this instance, the application site is already in residential use, therefore the principle of this form of residential development on the application site is considered appropriate and therefore complies with Policies SP1 and SP4 of the TWLP.

Scale and Design

- 8.6 The application site comprises an existing detached 2-bedroom dwelling with private amenity space. No physical external alterations are proposed, and whilst no physical internal alterations are proposed, an element of reconfiguring the use of rooms is proposed, including the modification of a 2nd living room to an office / staff bedroom.
- 8.7 The proposed development would provide private bedrooms for each of the two children in their care, and the new third bedroom (and office) utilised for staff sleeping quarters (during the shared night shift). The private garden amenity space would be utilised by the children and carers, in the same manner as a standard 'family home' and is therefore considered appropriate in size for this use.
- 8.8 The scale and design of the dwelling will not alter and therefore not impact the existing streetscene and the design of the internal arrangements are considered appropriate for the type and level of care being proposed. The proposal is therefore considered in line with the relevant parts of BE1 and HO7 of the TWLP in respect to scale and design.
- 8.9 Policy HO7 of the TWLP will support proposals within Use Class C2 and other forms of residential accommodation to address specialist housing needs, provided that:
- i. The proposed development is designed to meet the specific needs of residents, including requirements for disabled people, where appropriate;
 - ii. The location of the development (including where such provision is part of a larger scheme) is in close proximity to community and support facilities, shops and services, and public transport connections; and
 - iii. The proposed development relates well to the local context in design, scale and form.
- 8.10 The site sits in a sustainable location 0.28 miles from local shops and services, 0.6 miles from Aqueduct Primary Academy and 1.3 miles from The Telford Langley Secondary School, is appropriate in design given the limited changes being made and meets the specific needs of its proposed residents and as such complies with Policy HO7 of the TWLP.
- 8.11 Section 7 of the Homes for All SPD sets out the type of supported and specialist housing that is required to meet identified needs within the Borough. Accommodation for vulnerable young people is an identified need and the proposal is supported by our Specialist Housing Team. This is further supported

by a Ministerial Statement on planning for accommodation for looked after children released in May 2023.

Impact on the amenity of adjacent properties / uses

- 8.12 Policy BE1 of the Telford & Wrekin Local Plan states that the Council will support development which demonstrates that there is no significant adverse impact on nearby properties by noise, dust, odour or light pollution or that new development does not prejudice or undermine existing surrounding uses.
- 8.13 As an existing dwelling, and the proposed use being that which shares similarities to the working of a family home, with coverage of this approach addressed within the submission, Officers do not consider that there will be any adverse impact on nearby properties by way of noise, dust, odour or light pollution that could arise over and above the occupation of the property as a C3 dwelling.
- 8.14 The proposed development would provide a care home for up to two children (appreciating that various numbers have been cited within the documentation, and would be controlled through condition) ranging between the ages of seven and seventeen, which could potentially be extended to eighteen where identified in the Pathway Plan as in the best interests for the child through transitional arrangements. Children would be supported to attend their current school, were this not possible the application material identifies that the Home Manager and a virtual school will liaise with the relevant education, health and social care professionals to ensure that the needs of the child are accurately assessed and appropriate education provision is identified, secured and maintained within the local community.
- 8.15 It is the intention of the proposed operator that staff would actively engage with the children's interests, various sports and hobbies to provide them with positive role models. The children would also be encouraged to be involved in the planning of their holidays and short breaks.
- 8.16 Care would be provided by two carers - one support worker, and one senior officer (Team Leader), with a Home Manager present during the week, anticipated to be at the property two days a week 08:00-16:00 as confirmed through an Operational Management Plan as requested by the Local Planning Authority, and accompanying table of staffing numbers. Staff handover would take place within the hours of 07:30-08:00 consisting of current pattern line staff handing over information in relation to what has happened in the home since the new shift pattern line staff were last in the home.

- 8.17 The Local Planning Authority have sought clarification as to the additional level of anticipated movement to and from the property. The applicant has in turn confirmed that statutory visits by a child's social worker would be made every 6 weeks, however this may vary based on the needs of each individual child and could not be set in stone. It is nonetheless guided that these visits would not be for an extended time, and suggest would put as much restriction as a family friend coming to visit.
- 8.18 In terms of healthcare visits, Ofsted, family members and friends, other than being able to state that Ofsted will carry out a minimum of one 2 day graded inspection annually, the applicant cannot provide the information as to anticipated visits as each child would have contact arrangements in place based on their individual needs, but would be prearranged, and not during unsocial hours. The submission further confirms that larger staff meetings and training would not take place at the home. As a consequence the intensity of visits are considered comparable to a family home.
- 8.19 Whilst the proposed development will offer a level of on-site care (as set out in the supporting documents), it is intended that the daily operation of the home would be undiscernible to that of a modest dwelling house with the children coming and going for education purposes and the adults coming and going for work purposes and thus, would not prejudice or undermine the existing surrounding uses. It is considered therefore that the proposal accords with Policies BE1 and HO7 of the TWLP in relation to impact on neighbouring residential amenity.

Highway Impacts

- 8.20 As advised at the beginning of this report, No. 34 Avon Close benefits from two parking spaces on the driveway sitting to the front of the property. Given that at the outset of the application the submission material identified two support staff and Manager would be present, at the request of the Local Planning Authority, further clarification has been sought around how staff would be accommodated on the site. The applicant has in turn provided the Operational Management Plan accompanied by a Table of Staffing Numbers.
- 8.21 This confirms that the two spaces would be utilised by the two staff on shift, that the Manager would not be on site full time – suggested two days a week 08:00-16:00, but have been factored in each weekday as the worst case scenario. It is advised that all staff drivers would have badges allocated to them and in their cars which would make it easy for neighbours to identify the staff. It is further advised that the applicant would promote, encourage and support staff to use public transport with the nearest bus stop located

approximately a 5 minute walk and other means of travel such as cycling and carpooling.

- 8.22 The Local Highway Authority have noted that the 'Residential Institution' will operate such that there may be the likelihood of more frequent visitors attending the site than the previous residential 'class use'. However, whilst there is some concern in relation to the availability of parking and the potential effect these proposals may have the LHA have confirmed it would be difficult to sustain a Highway Refusal. Officers do nonetheless recognise there may be concern as to the level of on-site parking. Given this position, the LPA considers a balanced approach is necessary, in turn the potential for a temporary two year planning permission has been suggested to and agreed by the applicant, in conjunction with conditioning of the Operational Management Plan and staffing numbers. This would be in order to ascertain if the use can be undertaken without significant detriment to residential amenity in the locality and the proposed mitigation measures are managed successfully.
- 8.23 Consultation on the application has not derived concerns around access from Shropshire Fire Service.

Other Matters

- 8.24 The LPA concur that there have been factual inconsistencies within the application material, thus undermining the standard of the submission and causing confusion, and have sought to rectify this. Fundamentally, the number of children residing can be controlled through condition, with suitability of the care operator and safeguarding being subject to Ofsted regulation.
- 8.25 Proximity to the Dandy Pool and woodland is noted, this however sits outside of the material planning considerations for the application, with the operation regulated by Ofsted again confirmed.
- 8.26 It is noted that there had been a Children's Care Home in operation in the locality historically, with the use of this now having ceased. Each application must be taken on its merits, the Local Planning Authority have reviewed the form and nature of the proposal, and consider that the operation can be suitably controlled through condition alongside regulation by Ofsted.
- 8.27 Whilst local engagement is encouraged prior to the submission of planning applications, this is not obligatory or within the control of the Local Planning Authority.

8.28 As an existing residential dwelling, the reference to the existence of a water pump in the property related to egress from the adjacent pool is not relevant to the planning considerations for the proposal.

9. CONCLUSIONS

9.1 In conclusion, the proposal represents a sustainable form of development that falls within the 'Built Up' area of Telford with a sufficiency need through the Council's Market Provision Statement. The proposal is considered to be acceptable in regards to scale and design, with no external changes thus remaining in-keeping with the character and appearance of the immediate area, and accords with Policy around the amenity of neighbouring residential properties. Given concerns raised around the level of parking serving the property, the provision of a temporary consent is considered an appropriate step to establish the operational reality of a care home in this location. As such, there are considered to be no principle or technical reasons to warrant refusal of this application and appropriate conditions imposed to control its future use and management.

9.2 The proposal is therefore deemed to be compliant with the Telford & Wrekin Local Plan 2011-2031 and the guidance contained within the NPPF.

10. DETAILED RECOMMENDATION

10.1 Based on the conclusions above, the recommendation to the Planning Committee on this application is that **DELEGATED AUTHORITY** be granted to the Development Management Service Delivery Manager to **GRANT PLANNING PERMISSION** (with the authority to finalise any matter including conditions, legal agreement terms, or any later variations) subject to the following:

A) The following conditions (with authority to finalise conditions and reasons for approval to be delegated to Development Management Service Delivery Manager):-

A06 – Temporary Permission

C038 - Development in accordance with plans

Custom – Development in accordance with Operational Management Plan and Table of Staffing Numbers

Custom – Restrict use and number of children in care (2)

Informatives:

I32 Fire Authority

I40 Conditions

I41 Reason for Grant.

