



Wyre Council

Children's Homes - Guidance for Applicants

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1. Purpose of the advice note

- 1.1 This guidance document is intended to inform and assist applicants seeking planning permission for the development of, or change of use of an existing building to a children's home. The guidance note is also relevant for Lawful Development Certificates.
- 1.2 The guidance document is intended to offer clarification and information, it has undergone formal public consultation and will be a material planning consideration in the assessment of planning applications.
- 1.3 This guidance document does not provide exhaustive guidance on these matters but simply highlights relevant legislation, regulations or guidance that can have a bearing on the planning judgement about the proposed development. The best approach is to engage with the planning service through the [pre-application advice service](#) to ensure a full and correct understanding of the proposed development.

2. Aims and objectives

- 2.1 The council's aim is to ensure that good quality accommodation is available in appropriate premises and locations within the borough to meet the needs of looked-after children within the care of Lancashire County Council and other authorities, without causing undue harm to the character and amenities of local neighbourhoods.
- 2.2 In light of the specific issues in Wyre as set out above, the council has identified the following principal objectives:
 - Ensure that new children's homes are established in appropriate premises and in suitable locations;
 - Prevent an undue concentration of specialist uses in any particular area of the borough in order to safeguard the local character and amenity; and
 - Safeguard the children in care and the interests of local communities by requiring premises to be operated in accordance with a robust Management Plan.

3. Children's care in Wyre – a planning perspective

- 3.1 Over recent years, there has been an increasing number of Certificate of Lawfulness submitted for the proposed use of a dwellinghouse as children's homes. The availability of relatively large properties within the borough at reasonable prices is understood to be a key driver behind this trend.
- 3.2 A Certificate of Lawfulness for a proposed use is granted when the council judges that the use proposed is not materially different in planning terms from the existing lawful use of a building. Many factors must be taken into account when considering materiality.

- 3.3 Officers from Wyre council's planning department have worked closely with colleagues at Lancashire County Council's Children's Commissioning Team to better understand the nature of children's homes and the issues that exist within the sector.
- 3.4 As a result of these discussions, notwithstanding the fact that every planning application must be determined on its own merits, the council is now of the opinion that a change of use from a dwellinghouse to a children's home will generally be material for the following reasons:
- Change in the character of the use as a result of increased day-to-day activity;
 - Change in the character of the use as a result of the necessary form of operation of the premises;
 - Change in the character of the use as a result of typical physical alterations to the property;
 - Impact of the proposal in terms of the loss of family dwellings;
 - Impact of the proposal on local public service delivery; and
 - The change of use could include minor alterations that require planning permission.
- 3.5 By requiring operators to apply for planning permission for the creation of children's homes, the council is able to ensure that such provision is established in appropriate properties in suitable locations.
- 3.6 In determining planning applications for children's homes, the council will identify and consult a number of different groups, this could include Lancashire County Council Children's Commissioning Team and Lancashire Constabulary.

4. Relevant planning policy

National Planning Policy Framework (NPPF) (September 2023)

- 4.1 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England. Paragraph 60, 61 and 62 relate to the delivery of a sufficient supply of homes.
- 4.2 Paragraph 60 makes clear that in order to *"support the Government's objective of significantly boosting the supply of homes.....the needs of groups with specific housing requirements are addressed"*.
- 4.3 Paragraph 61 makes clear how housing need in an area should be assessed and understood, and paragraph 62 advocates that planning policies should reflect the housing needs for different groups in the community.

Written ministerial statement: planning for accommodation for looked after children (23 May 2023)

- 4.4 On 23 May 2023, the Housing Minister issued a written ministerial statement on planning for accommodation for looked after children. The statement set out that

the planning system should not be a barrier to providing homes for the most vulnerable children in society. The statement referred to paragraph 62 of the NPPF which requires local authorities to assess the size, type and tenure of housing needed for different groups in the community and reflect this in planning policies and decisions. The statement said local planning authorities should consider whether it is appropriate to include accommodation for children in need of social services care as part of that assessment.

Wyre Local Plan (2011-2031) (incorporating partial update of 2022) (January 2023)

- 4.5 The local plan sets out the development strategy for Wyre up to 2031, including a vision and objectives that seeks to deliver a wider choice of quality homes to meet the needs of Wyre's community. The plan also sets out a number of planning policies to direct development.
- 4.6 Notwithstanding the fact there is no specific policy relating to children's homes, the local plan includes a number of policies that are of most relevance:
- SP2 Sustainable Development;
 - SP8 Health and Well-Being;
 - CDMP1 Environmental Protection;
 - CDMP3 Design;
 - CDMP6 Accessibility and Transport;
 - HP1 Housing Requirement and Supply; and
 - HP10 Houses in Multiple Occupation.
- 4.7 Policy SP2 sets out how sustainable development requirements will be applied at the local level in Wyre. It also sets out the sustainable framework to ensure housing provision meets the needs of all sections of the community and facilitate the provision of strategic and local infrastructure and services.
- 4.8 Policy SP8 supports development that promotes the health and well-being of local communities and which helps to maximise opportunities to improve quality of life and to make it easier for people in Wyre to lead healthy, active lifestyles.
- 4.9 Policy CDMP1 requires new developments to be compatible with adjacent existing or proposed uses and would not lead to significant adverse effects on health, amenity, safety and the operation of surrounding uses and for occupants or users of the development.
- 4.10 Policy CDMP3 requires new developments to respect the character of the area and is an appropriate form of development for the surroundings. The policy sets out how development should achieve good design and not result in unacceptable adverse impact on the amenity of occupants and surround nearby properties.
- 4.11 Policy CDMP6 seeks to maximise opportunities for sustainable transport. The policy also acknowledges Wyre's rural nature means that there is a high reliance on the car, the policy therefore seeks to ensure adequate parking provision and

that the development will not have an adverse impact on the existing highway network.

4.12 Policy HP1 sets out Wyre's housing requirement and housing supply.

4.13 Policy HP10 may also be appropriate in considering conversion of buildings to Houses in Multiple Occupation (HMOs).

5. Specific advice

How do I demonstrate the premises is in a suitable location?

5.1 Applicants will be expected to include a supporting statement to provide:

- a justification that the premises is appropriate;
- that it is located in a suitable location;
- that it would not lead to undue concentration of children's homes in the particular area; and
- would not impact on local character and amenity.

What type of property should I look for?

5.2 In general, the following types of property are considered to be appropriate as follows:

- Terraced properties – are generally only suitable for accommodating one child;
- Semi-detached properties – are typically only suitable for accommodating up to two children;
- Detached properties – can be used to accommodate one or two children but become necessary for proposals seeking to accommodate three children or more, subject to the material planning considerations.

What other changes might I be expected to make to a property?

5.3 It is recognised that many children who require accommodation in a children's home may have suffered trauma or neglect of some kind. This can result in behavioural problems. Whilst such children undoubtedly deserve to live in a pleasant, caring and supported residential environment as part of the community, it is also important that the amenities of neighbours be appropriately protected. As such, the following measures may be required:

- Installation of sound-proofing to protect party walls;
- Prevent children from having access to balconies, roof terraces and any flat-roof areas;
- Provision of appropriate boundary treatments to garden areas; and
- Installation of CCTV.

What about car parking?

5.4 It is recognised that children's homes requires more car parking than a dwellinghouse of a comparable size. This is because of the number of staff

members who are likely to be working at the property at any one time, but also because of the potential for visits from other professional support workers.

- 5.5 On this basis, proposals for children's homes will only be supported where adequate car parking provision is available to meet the needs of the use. On-street parking provision will be taken into consideration where it is available and not subject to excessive pressure.
- 5.6 When considering parking availability, due regard will be given to the care ratio, the needs of the children accommodated, the operational model of the home, the nature of the surrounding area and the presence of any parking restrictions on-street. In essence, each proposal will be considered on its own particular merits.
- 5.7 Vehicular movements and frequency of access that would result from the intensification of activity in and around the site, particularly in unsociable hours, can be disruptive in a residential setting and impact on residential amenity. The increase in car parking in the locality can also affect visual amenity. On this basis, proposal for children's homes will only be supported where there is no impact on living conditions of existing residents or impact on visual amenity.

What do I need to include in my Management Plan?

- 5.8 A management plan must be submitted with all applications for planning permission for a children's home.
- 5.9 The management plan should consider the following questions to guide its preparation:
 - How many children would be accommodated and the age range?
 - What is the ratio of staff to children that is required i.e. delivery model?
 - What is the likely level of need of the children accommodated i.e. is there a focus on complex needs? Will the home have a particular specialism?
 - What is the likely shift pattern of staff i.e. how many staff (management and care staff) would likely be at the premises at any one time and when would shift changes occur?
 - What support officers would be likely to visit the property?
 - How would visits be scheduled and would staff/support-workers meetings take place at the property?
 - If residents are unable to participate in full-time mainstream education, what educational support would be offered on-site and what educational staff are needed onsite?
 - Would therapeutic care be offered on site?
 - Would case reviews take place on or off-site?
 - Are friends and relatives of residents able to visit at any one time?
 - Will the property be OFSTED registered?
 - Will the property be CQC registered?
 - As a provider, are you part of Lancashire County Council's Children's Home Commissioning Arrangements or do you intend to join these arrangements once eligible?

- Are children ever left alone unsupervised at the property?
- Under what circumstances are children allowed to leave the property?
- Would staff members be informed/aware if a child left the property?
- Is there a curfew?
- What would happen in the event of a breach of the curfew?
- What security provisions are proposed e.g. security and access controls on doors?
- Would CCTV be installed?
- How would local residents know how to raise a concern in the event of an issue?

5.10 A management plan must also be submitted with lawful development certificates for children's homes.

6. Further information

Pre-application advice

- 6.1 The council welcomes and encourages discussions with applicants or their agents before a planning application is submitted. Early discussions can help to achieve time savings, and a better standard of application, which improves the chance of a timely and successful outcome. The council does, however make a charge for advice that it provides to applicants and developers prior to submitting a planning application. The level of the fee depends on the scale and nature of the development proposed.
- 6.2 Further information on the pre-application service can be found at on the council's [website](#).
- 6.3 Lancashire County Council's Children's Services would welcome and encourage early discussions and engagement with applicants or their agents before a planning application is submitted at no charge to the provider. Children's Services can be contacted via artenquiries@lancashire.gov.uk