

DELEGATED OFFICER REPORT



WOKINGHAM
BOROUGH COUNCIL

Application Number:	250273
Site Address:	32 Cirrus Drive, Shinfield, Wokingham, RG2 9FL
Expiry Date:	18 April 2025
Site Visit Date:	4 March 2025
Proposal: Change use of a dwelling (use class C3a), to a children's home for two children (use class C2)	

PLANNING CONSTRAINTS/STATUS

Bat Roost Habitat Suitability
Scale and Location of Development Proposals – Major Development Location (Shinfield)
Great Crested Newt Consultation Zone
Nuclear Consultation Zone
Landscape Character Assessment Area
SSSI Impact Risk Zones
Thames Basin Heaths SPA Mitigation Zones
JCEB Mineral Safeguarding Areas
Great Crested Newt Consultation Zone Minor

PLANNING POLICY

National Policy	National Planning Policy Framework (NPPF) National Planning Policy Guidance (NPPG)
Core Strategy (CS)	CP1 – Sustainable Development CP2 – Inclusive Communities CP3 – General Principles for Development CP5 – Housing Mix, Density and Affordability CP6 – Managing Travel Demand CP7 – Biodiversity CP8 – Thames Basin Heaths Special Protection Area CP9 – Scale and Location of Development Proposals
MDD Local Plan (MDD)	CC01 – Presumption in Favour of Sustainable Development CC02 – Development Limits CC03 – Green Infrastructure, Trees and Landscaping CC06 – Noise CC07 – Parking TB05 – Housing Mix TB09 – Residential Accommodation for Vulnerable Groups TB23 – Biodiversity and Development
Joint Minerals and Waste	M2 – Safeguarding sand and gravel resources

Plan (JMWP)	
Other	Borough Design Guide Supplementary Planning Document CIL Guidance + 123 List Shinfield Neighbourhood Plan

PLANNING HISTORY

Application No.	Description	Decision & Date
242232	Application for a certificate of lawfulness for the proposed change of use of the dwelling to residential institutions (Use Class C2).	Refused 23/01/25

CONSULTATION RESPONSES

Internal

WBC Environmental Health – No comments received
WBC Highways – Objection (which was then subsequently not being pursued)
WBC Growth & Delivery (Planning Policy) – No comments received
WBC Health and Wellbeing – No comments received
WBC CIL – Not CIL liable
WBC Cleaner and Greener – No comments received
WBC Childrens Services – No objection

External

None.

REPRESENTATIONS

Parish/Town Council	No comments to make
Ward Member(s)	No comments received
Neighbours	No comments received

APPRAISAL

Site Description:

The application site is a mid-terrace property located on the norther side of Cirrus Drive, a residential estate. The property has one allocated parking space which is located on Aphelion Way.

Proposal:

Planning permission is sought for the change of use of the property from a C3 family dwelling (use class C3(a)) to a children's care home (use class C2). The care home would accommodate two children, to be looked after by a manager and up to three carers, two of whom would sleep overnight. It would be a long-term home for these children. It is the intention to register the children at age 7, and they would continue to live at the property until their 18th birthday.

No external alterations to the property are proposed.

This application follows on from a refused certificate of lawfulness for this change of use (see planning history). The application was refused for the following reason:

The proposed use of dwelling as a children's care home as described constitutes development requiring planning permission as it would result in material change of use from Use Class C3 to C2. The description provided in the supporting Planning Statement falls within a C2 Use Class. The use as described would not form a single householder and therefore would be a C2 Use Class. The proposed use would result in a material change to the character of the use of the site. C2 and C3 uses draw upon different planning policies; strategic assessments and can attract different material weight: they are materially different uses with different material planning consequences. The certificate is therefore recommended for refusal.

Principle of Development:

The principle of development is assessed under the NPPF, the Development Plan (Core Strategy, Managing Development Delivery Plan and Shinfield Neighbourhood Plan).

The Joint Minerals and Waste Plan (JMWP) also forms part of the Development Plan and the site is located within a Mineral Safeguarding Area. However, as the proposal is for a change of use only, an assessment is not considered necessary under the JMWP as no new built form is proposed that could sterile or affect scarce natural resources.

The other documents which form part of the Development Plan (as mentioned above) will be considered in assessing the principle of the change of use, alongside the NPPF.

Principle of C2 use

The National Planning Policy Framework has an underlying presumption in favour of sustainable development which is carried through to the local Development Plan. The Managing Development Delivery Local Plan Policy CC01 states that planning applications that accord with the policies in the Development Plan for Wokingham Borough will be approved without delay, unless material considerations indicate otherwise.

With regard to the proposed C2 use, paragraph 96 of the NPPF states that planning policies and decisions should aim to achieve healthy, inclusive and safe places which promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other, are safe and accessible, and enable and support healthy lifestyles. Paragraph 63 of the NPPF makes reference for authorities to establish the housing need for different groups; one group is looked after children.

Policy CP9 sets out that development proposals located within development limits will be acceptable in principle, having regard to the service provisions associated with the

major, modest and limited categories. The site is within a major development location, and the proposed C2 use would host up to two children with no increase in habitable rooms on site, which is commensurate with a large family dwelling. As such, the scale of the development would respond to the existing level of facilities as set out in policy CP9, therefore the proposal would be acceptable in principle.

Policy CP2 states that to ensure that new development contributes to the provision of sustainable and inclusive communities (including the provision of community facilities) to meet long term needs, planning permission will be granted for proposals that address the requirements of:

b) Children, young people and families, including the co-ordination of services to meet their needs;

Policy TB09 of the MDD Local Plan supports the need for proposals which provide accommodation for people's needs over a lifetime. It states that *"Applications for small group homes for vulnerable adults, children and young adults leaving care will be considered on a site-by site basis. The Council will have regard to the specific requirements of these groups, including the location of the development including vulnerable adults, children and young adults leaving care"*.

Furthermore, Policy 2 of the Shinfield Neighbourhood Plan states that developments for extra care housing will generally be supported. Officers consider this proposal could be categorised as extra care housing.

Upon consultation with WBC Childrens Services, it was acknowledged that there is presently a struggle to find local residential children's homes to meet need. Whilst the Council are currently opening two of their own homes in Wokingham which will reduce pressure, the most recent work/ surveys carried out in 2023 identified a need for local residential provision.

Based on the above, there is an identified need for this type of accommodation within the borough.

Loss of family housing (C3(a) use)

The proposed change of use to Class C2 would result in the loss of a single residential dwelling, thus conflicting with part i) of the CP3 of the Core Strategy which states that planning permission will be granted on schemes that *'do not lead to a net loss in dwellings and other residential accommodation or land'*. In light of the boroughs 5YHLS position (as of March 2024) at 1.7 years, the loss of the property as family housing is regrettable. The NPPF, in section 5, also places great focus on boosting the supply of homes (including family homes).

However, the dwelling would not be physically altered in a way which would prevent its conversion back into a single dwelling at a point in the future. Furthermore, whilst the proposal would result in a loss of C3 accommodation, the property would still be a form of residential accommodation (in a 'C' use class) and meets an identified need.

Summary on principle of development

There is national and local level policy support for both accommodation for vulnerable individuals, including children, but also for family housing. Given the identified need for care home accommodation through the consultation response from WBC Childrens Services, the principle of the change of use is on balance, acceptable, given that the proposal would still be a form of residential accommodation and because the proposal would not result in changes to the building that would prevent it being used for C3 purposes in the future.

Character of the Area:

Policy CP3 of the Core Strategy states that planning permission should be granted if development is 'of an appropriate scale of activity, mass, layout, built form, height, materials and character to the area.

The proposed change of use would not involve any external alterations to the appearance of the building, therefore there would be very little if any visual changes to the site. The existing property would remain unchanged and part of the street scene.

There would be a slight change in the way the property is used, however as described above, the proposal would continue to be used for residential purposes, and both internal and external areas would be used in the same way as a family dwelling. The proposal would therefore accord with the NPPF, policies CP1 and CP3 of the Core Strategy and the principles contained within the Borough Design Guide.

Neighbouring Amenity:

Policy CP3 of the Core Strategy aims to protect neighbouring amenity. Policy CC06 states that noise impact of the development must be assessed.

The proposed change of use would not involve any changes to the external appearance nor to the internal layout of the existing property, which already has first floor windows serving habitable rooms (bedrooms), and views from these windows would not be different to the existing situation and existing bedrooms would continue to function as such. Therefore, it is not considered there would be any detrimental impact upon neighbouring residential amenities by way of loss of light, overlooking or overbearing.

Noise and disturbance

In terms of noise and disturbance, the level of occupation would remain similar to that of its current C3(a) use as a 3 bedroom dwelling, and the external amenity areas would be used in the same way. As such, there is no evidence to conclude that the proposal would result in undue noise and disturbance to the surrounding area above and beyond if the property were to remain in a C3 use with children residing there.

In the event that noise and disturbance did arise from individuals living in the care, or if they had any behavioural or emotional needs, this would be the responsibility of staff/ the company to control, along with other appropriate bodies. As discussed, in

planning terms, there is no evidence to conclude that the level of noise and disturbance would be greater than what could occur as a result of general residential use.

Whilst not material to the determination of this planning application, the applicant, in their supporting statement, has said that the children who will live at the home will undergo a thorough impact risk assessment before admission to ensure they are well-suited to this environment. Professional carers, trained in managing emotional and behavioural needs, will provide 24-hour care and support.

Living conditions for future occupiers

The size of the dwelling is suitable in terms of space standards given it is of a sufficient size for its intended use as family housing. From a planning perspective, there is no evidence to suggest that the dwelling would not be a suitable size for the amount of occupiers proposed/ level of care required.

Whilst not relating to planning, the applicant, in their supporting statement, notes that rooms meet space standards and requirements of the Care Quality Commission. Prior to the registration of the home, OFSTED would be the organisation responsible for ensuring these standards have been met.

The garden space is also a sufficient size for future occupiers, from a planning perspective.

Highway Access and Parking Provision:

Policy CP6 of the Core Strategy seeks to manage travel demand with sustainable travel modes, appropriate vehicle parking and minimisation of traffic impacts and highway safety concerns. Policy CC07 and Appendix 2 of the MDD Local Plan set out the minimum parking requirements for development proposals. Policy CP9 states that the scale of development must reflect the existing and proposed levels of facilities, services and accessibility at or in the location.

WBC Highways initially raised objection to the proposal as it is indicated that submitted information there will be up to 3 members of staff at the property at any one time. Additional movements will take place at staff changeover periods and from other visitors/support to the children.

There is only one allocated parking space available for this property and so Highways raised concern that the proposed change of use would result in additional parking demand compared to a standard (6 habitable room) dwelling, and on that basis could lead to additional on-street parking.

Due to the location of this property close to a mini roundabout and a pedestrian dropped crossing, this additional parking could have an impact on highway safety as the roads are unrestricted.

The applicant, in their Design and Access Statement, addressed this matter by stating:

“The property is a four bedroomed town house, currently used as a dwelling under C3, with one off street parking spaces to the side. It is the company’s policy to require staff to use public transport (by means of free bus passes or subsidised taxi fares) or cycle to work and not to allow on street parking.”

Whilst Officer’s acknowledge that it is the company’s policy to encourage alternative transport modes, this cannot be enforced or controlled in planning terms.

Furthermore, permission is being applied for the permanent change of use of the building – in future, another care home operator may use the property whose employees may drive. As such, the LPA have to be satisfied that the change of use from C3 to C2 is acceptable, or justifiable, in highway terms, in longevity.

Upon further discussion with WBC Highways, it was concluded that whilst the level of parking falls short and the proposal could result in on street parking near the mini roundabout, this could occur at present when used as a family dwelling.

Owing to the care home proposing to care for 2 children with up to 3 carers and a manager, the numbers of adults who could be driving cars would not be substantially different from the number that could already be living at the family house and driving.

Given the above, WBC Highways did not wish to pursue their objection, however recommended the following conditions:

1. Conditioning the maximum number of two children residing at the property
2. Parking Management Strategy to be submitted
3. Secure and covered cycle storage to be provided

The restriction on number of children residing at the property will provide greater assurance that the number of vehicle movements will remain comparable to that of the existing dwelling. Furthermore, in neighbouring amenity terms, the restriction on number of children would also be beneficial so as not to result in uncontrolled noise disturbance.

A parking management strategy is not considered to be justified given that there is only one parking space on site. However, a condition to secure a travel plan is considered to be justified in order to clearly outline how staff members will get to and from the site, to avoid a proliferation of car journeys. As it is expected that staff will travel by sustainable means, cycle storage details are also justified. It is expected that cycle storage will be required in the rear garden given there little front garden space. It will mean bikes are transported through the home which is not ideal, but on balance accepted due to the relatively low numbers of staff and children in the property.

On balance, the proposal is therefore justifiable in relation to highway policies, subject to conditions.

Ecology:

Policy TB23 of the MDD Local Plan requires the incorporation of new biodiversity features, buffers between habitats and species of importance and integration with the

wider green infrastructure network.

Protected species

The site is located in habitat which matches that where bat roosts have previously been found in the borough. However, given the proposal only involves a change of use with no physical alterations or modifications to the existing property, it is unlikely there would be any detriment to any protected species on site. No further consideration is therefore necessary.

Biodiversity Net Gain

The proposal is also exempt from mandatory Biodiversity Net Gain provision owing to the proposal being a change of use only.

Thames Basin Heaths Special Protection Area

Policy CP8 states that Development which alone or in combination is likely to have a significant effect on the Thames Basin Heaths Special Protection Area will be required to demonstrate that adequate measures to avoid and mitigate any potential adverse effects are delivered.

The application site is within the 7km zone of the TBH SPA. Within this zone, mitigation is only required for schemes for 50 or more net dwellings. This threshold is not met under this application and so therefore mitigation is not required.

Waste Provision:

Policy CC04 of the MDD states that all development, including conversions, alterations and extensions shall incorporate suitable waste management facilities, including on-site recycling.

As the proposal would not be dissimilar in terms of intensity to a family dwelling, no additional waste facilities or provision above the existing are considered to be required. Given the property is mid terrace, waste provision is located at the front of the property where it is shown to also be proposed for this development.

Other Matters

A planning condition would be required to limit the use of the care home as being for a children's care home and no other purpose with the C2 use class. This is to accord with the development that has been applied for and another purpose for the care home may warrant a different assessment against the material considerations discussed in this report.

Planning Balance/ Conclusion

The proposed change of use from a residential dwelling (Class C3(a)) to a residential children's home (C2) is considered, on balance, acceptable in principle, as discussed. It is also, on balance, acceptable in relation to highway and parking

considerations. It would have minimal impact on the surrounding area due to no external alterations being proposed and the scale of the care home being comparable to that of a large family that could reside in the home.

Whilst there are shortcomings of the scheme in terms of the loss of a family home in light of the Council's 5YHLS position, and the level of parking on site being sub-standard, both of these matters, individually and cumulatively are not considered robust enough (based on the evidence presented to Officers) to warrant refusal of the application in this instance. This is in light of the policy support for care homes at national and local level and given the substandard parking situation would continue with the property as a C3(a) dwelling.

The recommendation, on balance, is therefore to grant planning permission, subject to conditions.

Community Infrastructure Levy (CIL):

When planning permission is granted for a development that is CIL liable, the Council will issue a liability notice as soon as practicable after the day on which the planning permission first permits development. Completing the assumption of liability notice is a statutory requirement to be completed for all CIL liable applications.

The Public Sector Equality Duty (Equality Act 2010):

In determining this application the Council is required to have due regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief. There is no indication or evidence (including from consultation on the application) that persons with protected characteristics as identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application and there would be no significant adverse impacts as a result of the development.

RECOMMENDATION	
Conditions agreed:	Yes
Recommendation:	1. Time Limit 2. Approved Plans 3. Restriction on use – only for children's care home and no other purpose within C2 4. No more than 2 children to reside at the care home 5. Cycle storage details 6. Travel plan
Date:	17 March 2025
Earliest date for decision:	14 March 2025

Recommendation agreed by: (Authorised Officer)	<i>BJC</i>
Date:	17.03.25