

Design, Access and Planning Statement

Change of Use from Residential (C3) to Children's Home (C2)



Above Image: Homz 2024

Site Location:	40 Elm Road, Earley, Wokingham, RG6 5TR
Date:	28/01/2025
Planning Authority:	Wokingham Borough Council

Introduction

Homz (**The agent**) has been instructed by Munir Mobin (**The applicant**) to prepare and submit an outline planning application to Wokingham Borough Council (**the Planning Authority**) for a the change of use from residential to children's care home (**The proposal**) at 40 Elm Road, Earley, Reading, Wokingham, RG6 5TR (**the Site Location**). In support of this application, the following Design and Access Statement is submitted to demonstrate the need for the proposal and evaluate its accordance with national and local policies.

Site Description

The site relates to a two storey detached, four bedroom dwelling to the south of Elm Road. The area is predominantly residential and lies in very close proximity to schools, including Whiteknights Primary School (70m), the Ridgeway Primary School (500m) and Hillside Primary School (600m). The site lies 130m from the nearest bus stop and 2km from Earley train station. The site does not lie in an area specifically designated under the current local development plan.

Planning History

Ref: 241594

Householder application for the proposed part single storey rear, front & part first floor rear extension along with changes to fenestration.

Approved 21 August 2024

Proposed Development

The proposal is for the change of use from a single dwelling (use class C3) to a children's home (Use Class C2) for children [REDACTED] Up to three children would live at the house, with a carers working on a rota basis, with one bedroom converted to an office.

The dwelling would have a private garden amenity space, vehicular access from Elm Road and 3 no. car parking spaces to the front driveway and also an additional space within the existing garage.

There are no external or internal structural changes proposed.

The proposed internal accommodation would comprise of its three double bedrooms each with their own en-suite, living room, a well-equipped kitchen, dining room and an office.

There are public transport links, both trains and buses in close proximity.

Further, the applicants have provided further information for how the care home will be run:

At Radiant Care Homes, we are dedicated to transforming the lives [REDACTED] by providing a nurturing and supportive residential environment where they can thrive. Our mission is rooted in our collective belief that every child deserves the opportunity to achieve their potential, regardless of their circumstances.

We are a team of three directors, each bringing unique professional expertise and personal passion to this endeavour:

- One of us comes from a background in social work and management, with extensive experience supporting children and families in need as the Responsible Individual of an established Ofsted Good organisation.
- Another has a strong foundation in education, systems and IT, understanding the critical role of learning and growth in shaping young lives.
- The third brings business acumen and operational expertise, ensuring that Radiant Care Homes is run effectively and sustainably.

Together, we are committed to creating a safe, stable, and enriching environment for children [REDACTED]. Our goal is to provide not just care but also the structure and encouragement needed for them to build confidence, develop life skills, and achieve success.

We strongly believe that opening a children's home at this site will address a critical need in the local area. This location offers access to excellent amenities, schools, and community resources, making it an ideal setting for a residential care facility. Additionally, we are confident that our home will contribute positively to the community by offering [REDACTED] a second chance at stability and security in a family-like environment.

Our vision for the home is to create a place where children feel valued, supported, and empowered to overcome challenges and build brighter futures. We are committed to working closely with local authorities, schools, and other stakeholders to ensure that our home integrates seamlessly into the community while delivering the highest standards of care.

Radiant Care Homes is more than a company – it is our shared purpose and passion. We are excited about the opportunity to bring this vision to life at this site and to make a meaningful difference in the lives of the children we serve.

Relevant Planning Policy Considerations

The following local and national planning policy and guidance is relevant to this application:

National Planning Policy Framework (December 2024)

- Section 2 – Achieving sustainable development
- Section 4 – Decision making
- Section 6 – Building a strong, competitive economy
- Section 8 – Promoting healthy communities
- Section 11 – Making effective use of land

Core Strategy (CS 2010)

- CP1 – Sustainable Development
- CP2 – Inclusive Communities
- CP3 – General Principles for Development
- CP9 – Scale and Location of Development Proposals

MDD Local Plan (MDD 20114)

- CC01 – Presumption in Favour of Sustainable Development
- CC02 – Development Limits
- CC06 – Noise
- CC07 – Parking
- TB09 – Residential Accommodation for Vulnerable Groups

Material Considerations

The subject premises, is a dwellinghouse currently falling within Class C3(a) ie persons living together to form a single household. On the face of it the proposal could be seen as a change of use to that of Class C3(b) ie not more than six residents living together as a single household where care is provided for residents. This sub-category makes provision for supported housing schemes [REDACTED] as is the case here. Moreover, due to the provisions of s55(2)(f) which allows a change between sub-categories within a particular use class, no planning permission would be required for such.

It is clear from the wording of the Use Classes Order that there is intended to be no overlap between Class C2 'Use for the provision of residential accommodation and care to people in need of care (other than a use falling within Class C3 dwellinghouses). As indicated, the extent of the care provided in the current proposal would not involve staff being resident at the premises. Instead, supervision would be provided on a shift basis. This is consistent with the

High Court judgement of R v Bromley LBC ex parte Sinclair [1991] 3 PLR 60 where it was accepted that staff providing care for residents need not themselves be resident. However, this did not involve children.

More recently, the judgement of North Devon DC v FSS [2003] EWHC 157 (Admin) specifically concerned children living in the same house. Here, the court went on to consider the meaning of 'household' in the context of Class C3(b). Children cannot be regarded as constituting a household by themselves; they could not run a house as they could not be expected to deal with all the matters that go to running a home. The question then arose as to whether carers who do not live on the premises but who provide, between them, continuous 24 hour care can be regarded as living together as part of the household. In the court's view they could not.

It was here held that the concept of living together as a household means that a proper functioning household must exist and, in such a context, it must mean that the children and a carer(s) must reside at the premises. If not, then the use must fall within Class C2.

Accordingly, this application seeks a change from Use Class C3(a) to Class C2.

The planning assessment therefore will cover the following matters of this material change of use:

- Principle of the Development
- Quality of Accommodation
- Impacts to Neighbouring Amenity
- Sustainable Transport

Principle of the Development

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.

The site is located within settlement limits and as such the development should be acceptable providing that it complies with the principles stated in the Core Strategy. Policy CP3 of the Core Strategy states that development must be appropriate in terms of its scale of activity, mass, layout, built form, height, materials and character to the area in which it is located and must be of high quality design without detriment to the amenities of adjoining land uses and occupiers.

Policy TB09 of the Managing Development Delivery Local Plan (MDDL) (Residential accommodation for vulnerable groups) also states that the Council will in principle support

proposals which provide for the following types of accommodation to provide for peoples' needs over a lifetime.

The site is located in an existing residential area. The occupation of the home would be for up to three children [REDACTED] with carers working on a rota basis. The set-up would be akin to a family dwelling and therefore would be appropriate for the area. 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 adulthood, as would be expected in a single family dwelling.

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 [REDACTED] 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.

Staffing levels will meet the individual needs of the children to ensure that their welfare is safeguarded and promoted. It is not expected that staff will be resident but, instead, there would be constant supervision by means of a roster system.

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

The proposed use is to provide a stable home environment for the occupants as their main and sole residence and that the length of stay is generally more than temporary or passing.

The applicant undertakes a SAAR (Safe Area Assessment of Risk). This is submitted to Ofsted with its registration application and provides details of the crime in the area and any comments from police, local authority etc.

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]

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'.

The proposed children's home seeks to replicate as closely as possible a normal family environment. Government policy promotes this type of service.

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.

Although the proposal would result in the loss of a family dwelling, the scheme provides great social benefit and an essential community facility [REDACTED] within the Borough instead of children being placed in care far from home, thus helping ensure essential care is delivered. The proposal therefore complies with Core Strategy Policy CP2 and policy TB09 of the MDD Local Plan. This far outweighs the loss of a residential dwelling, regardless of minor policy confliction that the principle of the proposed change of use is acceptable in planning policy terms.

As above, it is considered that the principle of development is accepted.

Quality of Accommodation

The National Planning Policy Framework pays specific regard to design being of high quality. Chapter 12 discusses how good quality design is instrumental amongst development proposals. Paragraph 131 states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development.

The dwelling would have aspects on every elevation and a total of 174sqm, which would exceed the Nationally Described Space Standards (NDSS 2015) for a two storey, four bedroom dwelling (97sqm). The future occupants would also have access to the rear garden for external amenity, which would be suitable for a family type living. Each bedroom would be above 11.5sqm, which would exceed the standards for a double bedroom and each would have their own en-suite.

The internal layout of the proposal and amenities provided is considered to constitute high quality accommodation in accordance with the internal space standards and is not proposed to be amended. As such, the proposal would provide an acceptable quality of accommodation for the future occupiers.

Impacts on neighbouring amenity

The existing lawful use of the property is C3 residential and this has a number of similarities to a class C2 use, this being said the element of providing care is a factor which could result in increased impacts to neighbours which should be carefully considered.

The existing property has 3 bedrooms and would accommodate 3 children and carers living on the property with staff operation on a night time/ day time shift pattern so there would always be a carer on site. In terms of the number of people at the property, this would be comparable to the number of occupants as a family home and possibly even less.

Therefore, any noise/ disturbance is not considered to be materially different from that which would be possible from a family occupying the dwellinghouse.

Sustainable Transport

Policy CP6 of the Core Strategy seeks to manage travel demand with sustainable travel modes, appropriate vehicle parking and minimisation of traffic impacts. 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.

Pedestrian access, vehicular access, parking and waste provision would be as existing. This is a small care facility, as such, the car parking provision should give regard to the adopted parking standards as well as take a common sense approach.

There would be only one staff member who would be able to use the existing parking space. As part of its Environmental Policy, the company actively encourages its employees to use public transport to travel to work, therefore no need for parking provision. The other residents would be children who would not be of an age to be able to own or drive a car. It is not intended that the use would attract a high number of visitors, however, this can be sufficiently accommodated locally on the street, as would a family dwelling.

Health and Safety

In terms of fire regulations for care homes, the physical requirements are to have a fire doors, fire alarm system and emergency lights. The physical appearance of such doors is not materially different from normal doors and has no material impact on the character of the property. The emergency lights will have no visual distinction from normal lighting.

Other Matters

Other matters including landscaping statement and a statement of community involvement are not applicable as the planning application is not a major development. If any further reports are required, this can be provided upon request.

Conclusion

This report has highlighted that the proposal, subject to this application, is in accordance with the Council's planning policies and national planning policy.

For the above reasons the development is sustainable development and is also in accordance with national policy and guidance. Therefore, in the absence of any other material considerations to justify otherwise, it is respectfully requested that development be considered as acceptable in principle.

Should the Planning Authority request any further information in order to process this request, please contact **Homz** (hello@homz.uk) directly as the acting agent and we will be more than happy to deliver any additional information as and when required.