

PLANNING, DESIGN AND ACCESS STATEMENT

Harmony House

143 Church Lane

Gomersal

BD19 4QN

Application Ref: 2026/90484

The Application is for the change of use of a house (C3a), to a children's home, for up to four children, with a Manager, Deputy Manager and up to three carers, two of whom will sleep overnight, working on a rota basis (C2).

11/05/2026

Background

1.1. This statement is submitted on behalf of Harmony House Retreat Ltd in support of an application relating to 143 Church Lane. The property is presently occupied as a dwellinghouse (Use Class C3a). Although it has been vacant in in bad state of repair for almost 10 years, this property has now been brought back into use and refurbished to a very high standard ready for the children to occupy. Permission is sought to operate the premises as a small children's home for up to four looked-after young people (aged 7–18), which is generally regarded as falling within Use Class C2.

1.2. The proposed operation is a care-led, therapeutic and nurturing environment with support structured around individual needs and care plans. The underlying objective is to provide a stable and secure home setting, enabling residents to re-establish routines, strengthen relationships and progress towards independent living outcomes.

1.3. Engagement with Children's Services is being sought. Any relevant observations arising from that dialogue will be forwarded to the Local Planning Authority in due course.

1.4. The application site comprises a proposed detached, five-bedroom dwelling. On-site parking provision is available for up to four vehicles, with two spaces located on the double-width driveway and a further two spaces accommodated on the existing hardstanding.

1.5. A parking management policy has been prepared and submitted with the application. This sets out how staff and visitor parking will be managed so as to avoid reliance on on-street spaces and to limit any inconvenience to surrounding residents.

1.6. The children's home will be registered with Ofsted for a maximum of four residents aged 7–18. In advance of any placement, a comprehensive location and impact assessment will be undertaken, considering the immediate surroundings, community context, local risks, peer influences and the specific needs of the proposed resident. The scheme is intended to provide longer-term, settled placements and is not promoted as emergency, respite or short-stay accommodation.

Proposal

2.1. The application is made to secure planning approval for the proposed use. This is required to demonstrate that the change of use is acceptable in planning terms and to support the subsequent Ofsted registration process and lawful operation of the home.

2.2. External alterations are proposed and are being progressed under this planning submission. No further substantive internal reconfiguration is required to achieve compliance with Ofsted expectations, as existing internal renovations are complete, with room sizes and the general arrangement that are suitable and ready for the children. Ofsted will, in any event, independently confirm that the internal environment meets the relevant standards prior to registration and occupation.

2.3. Rachel Maclean (Minister of State, Department for Levelling up, Housing and Communities) in May 2023 she stated in a ministerial address: *'The planning system should not be a barrier to providing homes for the most vulnerable children in society. When care is the best choice for a child, the care system must provide stable, loving homes close to children's communities. These need to be the right homes, in the right places with access to good schools and community support. It is not acceptable that some children are living far from where they would call home (without a clear child protection reason for this), separated from the people they know and love.'*

2.4. *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. It is important that prospective applicants talk to local planning authorities about whether their service is needed in that locality, using the location assessment (a regulatory requirement and part of the Ofsted registration process set out in paragraph 15.1 of the Guide to the Children's Homes Regulations) to demonstrate this.*

2.5. 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: '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.

2.6. Ofsted's regulatory framework expects children's homes to operate, so far as practicable, in a manner comparable to a family household, with staff working on a rota to provide day-to-day care and supervision. The physical measures commonly associated with registration are limited and are not generally distinguishable from domestic installations. By way of example, CCTV (where installed) is also commonplace at private dwellings; emergency lighting does not create an external visual change; and bedroom door locks relate to privacy and safeguarding rather than any planning impact.

2.7. In relation to fire safety requirements for children's homes, the principal physical adaptations typically comprise the provision of fire doors to

bedrooms and other habitable rooms. Such doors are standard safety features and do not materially alter the external appearance of the building or the character of the property for planning purposes.

2.8. The accommodation will house three to four children, supported by a registered manager and a care team. Overnight supervision will ordinarily be provided by two carers working 48-hour shifts, with a single daily changeover at approximately 09:30. Day staff will typically be on duty from around 08:30 to 20:00, and the manager is expected to attend during weekday office hours (approximately 09:00–17:00).

2.9. Expected staffing patterns and typical associated journeys are summarised in the table below.

2.10. The proposed provision is intended to support children to achieve improved wellbeing and life chances, including the development of practical and social skills needed for adulthood. The care model is based on small, stable placements with consistent staffing, which is widely recognised as beneficial when compared with more institutional arrangements.

2.11. On school days, residents would generally attend education provision and participate in normal age-appropriate activities. Where a short settling-in period is required, education may initially be delivered remotely via the virtual school framework, with no tutors attending the property. This approach is comparable with home-based learning within a family context and does not of itself alter the planning character of the use.

2.12. Many children entering care have experienced disrupted education or may find mainstream settings unsuitable at the outset. It is therefore envisaged that some residents could begin with online learning, progressing to specialist provision (often with smaller class sizes) and, where appropriate, later transitioning back to mainstream schooling. Equivalent choices are made

within ordinary households, and such arrangements do not represent a separate or intensified planning use.

2.13. The home is designed to operate on a small-scale, domestic basis, creating an environment that is consistent with a family household. Staffing is arranged to provide continuity and routine, with care delivered in a manner broadly analogous to a fostering arrangement.

2.14. By providing care in a household setting, residents can practise day-to-day living skills within a supervised and supportive environment. In the absence of stable placements, young people leaving care can face poorer outcomes and increased vulnerability; the proposed development would contribute positively to addressing this identified need.

Planning Assessment

3.1. The principal policy context comprises the National Planning Policy Framework (NPPF, December 2024) and the Kirklees Local Plan.

3.2. The relevant sections of the NPPF are as follows:

Paragraph 2 of the NPPF is highly relevant as it states that applications for planning permission should be determined in accordance with the development plan unless material considerations indicate otherwise.

Paragraph 61 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'*. Paragraph 63 makes particular mention of the needs of looked-after children.

Paragraph 62 makes clear how housing need in an area should be assessed and understood, and paragraph 63 advocates that planning policies should reflect the housing needs for different groups in the community.

3.3. Recent Government guidance reiterates the importance of Paragraph 63 of the NPPF, which requires local planning authorities to consider the size, type and tenure of housing needed for different groups within the community and to reflect that evidence in both policy and decision-making. Paragraph 63 identifies looked-after children among the groups to be considered. Evidence of local need is typically set out within the relevant local authority's Children's Social Care Sufficiency Strategy.

3.4. In a ministerial statement the then Housing and Planning Minister said councils *should consider whether it is appropriate to include accommodation for children in need of social services as part of the NPPF assessment*'. She went on to say that *'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'*.

3.5. Paragraph 116 is specifically relevant, *'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'*.

3.6. Section 8 – Promoting healthy and safe communities emphasises the need to make appropriate provision for the special needs of young people.

Kirklees Local Plan

Principle of Development

3.7. The site is not subject to any specific designation within the Kirklees Local Plan. Policy LP1 confirms that the Council will approach proposals positively, reflecting the NPPF presumption in favour of sustainable development.

3.8. In considering a change of use to a children's home, a number of Local Plan policies and national objectives are engaged.

LP11 & LP24 of the KLP are relevant, in conjunction with Chapters 5, 8 & 12 of the NPPF, regarding in terms of supply of housing, the character of the area, the neighbouring properties amenities, highway safety, ensuring the safe operation of the home and community cohesion. The location is considered to be sustainable with its proximity to transport links, including bus stops, local educational facilities and services. In this case, the principle of the use is considered acceptable, and the development shall be assessed against all other material planning considerations, including the character of the area, residential amenity and highway safety.

Specialist Housing

3.9. Specialist schemes will be supported in the borough's towns and excluded villages where accessibility to services and facilities is good. *'However, where a proposal is likely to lead to a concentration of specialist accommodation in any one neighbourhood area, primary health care service providers should be consulted to ensure that the residents will be sufficiently supported by primary health care services.'*

3.10. There are no comparable care homes in the immediate vicinity. The proposed development would not therefore give rise to a concentration of specialist accommodation and is not expected to place undue pressure on local primary care services.

Location of Specialist Housing

3.11. Ofsted requires a location-based risk assessment prior to registration of a children's home. Planning control is therefore one part of a wider regulatory framework governing suitability. A relevant planning principle is whether other legislation provides the more appropriate mechanism to regulate detailed operational matters. In the context of children's homes, the principal statutory controls include the following:

Care Standards Act 2000

The Care Standards Act 2000 (Registration)(England) Regulations 2010

The Children's Homes (England) Regulations 2015

Children's Homes and Looked after Children (Miscellaneous
Amendments) (England) Regulations 2013

Neighbouring Amenity

3.12. There is no evidence to suggest that the proposed use, which will be closely supervised and managed, would result in noise levels materially greater than those that could arise from the lawful use of the property as a family dwelling.

3.13. Likewise, the level of day-to-day activity associated with staff and residents is not anticipated to give rise to an unacceptable impact on the amenity of neighbouring occupiers.

3.14. Operationally, the proposal would function in a manner similar to a conventional household, albeit with a structured staff rota. Regular handovers, school-related journeys and occasional professional visits would occur, but such movements are comparable in nature to those associated with a larger family home. Experience from comparable small children's homes indicates that overall activity levels typically remain within normal domestic parameters.

3.15. Across a typical week, trips will mainly relate to school attendance, routine staff changeovers and scheduled visits from professionals (for example, social workers). The operator will manage these activities to avoid unnecessary disturbance and to promote considerate behaviour within the local area.

3.16. In summary, the frequency and timing of arrivals and departures are expected to remain consistent with a domestic baseline. The manager will generally attend during weekday office hours (circa 09:00–17:00). Overnight staff work 48-hour shifts with a single daily handover at around 09:30, and day carers are typically present between approximately 08:30 and 20:00.

3.17. By way of comparison, it is not unusual for a dwelling to accommodate residents with particular needs who receive regular visits from carers throughout the day. Such arrangements are generally accepted as compatible with residential amenity, and the proposed staffing movements would likewise remain within a domestic pattern of activity.

3.18. The surrounding context is also relevant. In locations with established activity and movement, the effects of routine comings and goings are typically less perceptible than would be the case in a particularly quiet residential setting.

3.19. In addition to Ofsted's annual inspection, the home can expect periodic visits from local authority officers (typically every four to six weeks) and a monthly Regulation 44 visit. Social worker visits are usually undertaken on an individual basis, although this may be combined where residents are placed by the same authority. In any event, the frequency and scale of these visits is modest and would not materially affect the character of the property or the amenity of neighbours.

3.20. Subject to individual care plans, there may also be occasional attendance by other professionals. Family and friend visits may occur where appropriate; these are managed in advance and, where necessary, contact may be facilitated away from the property. The overall level of visitation is not expected to exceed that commonly associated with a typical household, and is summarised within Schedule 2 below.

3.21. For completeness, an indicative comparison of weekly movements associated with the existing lawful use and the proposed use is set out below.

3.22. Day-to-day domestic tasks—such as cooking, cleaning and gardening—will be undertaken as part of the household routine with the involvement of the children. No separate ancillary staff are proposed to work from the premises.

Schedule 1 (estimated comings and goings from family use)

Activity	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Journeys to work		4	4	4	4	4	
School Run		4	4	4	4	4	
Shopping/ Social/recreational outings	4			2	2		4
Other visitors	4	2	2	2		2	2
Total Movements (in and out)	8	10	10	12	10	10	6

Schedule of Proposed Use (based upon experience of other similar homes)

Activity	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Home Manager/ daily carers	2	4	4	4	4	4	2
Care workers starting and finishing shift	2	2	2	2	2	2	2
School run		4	4	4	4	4	
Shopping/ Social/recreational outings	4						4
Visitors (inspections/ social workers/ family and friends)	2			2			2
Total Movements (in and out)	10	10	10	12	10	10	10

3.23. The schedules indicate that, in broad terms, the level of comings and goings would remain similar to that which can reasonably be expected from residential occupation of a house.

Impact of the presence of staff

3.24. In visual terms, the property would remain indistinguishable from neighbouring dwellings. During the day, it is anticipated that up to three members of staff would typically be present at any one time. This level of occupation would not give rise to a material change to residential amenity or to the established character of the area.

3.25. In an appeal in Stockport (Appeal Ref. 2162636) an Inspector noted that although the building would be fitted with an office [and fire alarm], this was not uncommon in many dwelling houses around the country and would not materially alter its basic character as a dwelling house.

3.26. A similar conclusion is drawn in the Dale Road Appeal (Appeal ref. 3263178) : *'The number of these movements is unlikely to be significantly more than the number that would be undertaken by a family and certainly not enough to result in a level of intensification in the use of the site that gives rise to concerns from a planning point of view. There is insufficient evidence before me to show that the use would be likely to result in greater levels of noise and disturbance than the existing authorised residential use.'*

3.27. Appeal (Ref. 32993519) also provides a useful assessment of a similar care home. In paragraph 12 it states: *'Whilst there will be some additional comings and goings associated with the use as a residential care home, there is no evidence before me to dispute the appellant's case that the use will not give rise to a greater level of disturbance than could be generated by the lawful use as a C3 dwellinghouse. The additional comings*

and goings identified by the appellant and Council are at a sufficiently low level so as to remain within the parameters of what could be usually expected of a family home and not therefore materially different so as to change the character of the property. Similarly, the number of people who will be typically present at the property, and therefore the associated waste generated, is not significantly higher than could be expected with its current lawful use’.

3.28. On this basis it is maintained that the proposed use as detailed in this supporting statement would not be materially different from a typical household. This is also supported by the Egerton Appeal (Appeal Ref.3161037) where the Inspector concluded a similar use would not result in significantly more movements to give rise to planning concerns.

Fear of Crime/Anti-Social Behaviour

3.29. Fear of crime and perceptions of anti-social behaviour may be treated as material considerations. However, in this case there is no substantive evidence that the proposed use would increase the likelihood of nuisance or disorder. The operation of the home, including staffing and safeguarding procedures, is subject to Ofsted regulation and inspection, providing a further control framework beyond the planning system.

3.30. Each proposed placement will be subject to an appropriate multi-agency assessment to confirm suitability for the location and for the household. Staff will be trained to manage emotional and behavioural needs and to maintain supervision. These measures are intended to safeguard residents and to minimise any risk of adverse effects on the wider neighbourhood.

3.31. Should the Local Planning Authority consider it necessary, an operational management plan could be secured by condition. Such a plan could include arrangements for recording and responding to neighbour concerns, provision of

a dedicated contact point, and proportionate measures to prevent or address any repeated issues.

3.32. Accordingly, planning consideration should focus on the nature of the use and its likely effects, rather than the individual circumstances of potential residents. The proposed staffing, safeguarding procedures and regulatory oversight are directed at ensuring the home operates responsibly and without undue disturbance.

3.33. The appropriate planning approach is to consider the existing lawful use as the baseline and to assess whether the proposal would materially alter the character of that use. In practical terms, the day-to-day operation would in many respects mirror a normal household. Residents would occupy the property as their sole and main home, with shared access to living, dining and kitchen facilities, and the ability to eat together, be supported with meals, or prepare food and drink as part of ordinary domestic living.

3.34. Residents would engage with the property in a manner akin to other household members, supported by staff who undertake a parental-style role. Shared meals and participation in domestic routines (including age-appropriate chores) form part of the care model, with the purpose of providing a stable environment that is as close as practicable to a typical family setting.

In that context, the core function of a children's home is to provide a supportive residential environment that replicates, as far as possible, the normality of family life.

Community Engagement

3.35. The applicant is committed to maintaining constructive relations with the local community. Prior to commencement, local residents will be offered an opportunity to attend an information session, and a named contact will

be provided so that queries can be raised and addressed promptly by management.

Conclusion

4.1. For the reasons set out above, it is considered that the proposal would not result in a material change from the established residential use of the property. The home will operate as a single household, with staff working to a rota and sharing the normal domestic facilities (including kitchen, bathrooms and living areas). The associated level of activity and movement is expected to remain broadly comparable with that which could occur at a dwellinghouse.

4.2. The intention is that residents will treat the property as their main and settled home, with placements expected to be of more than short duration. The proposal is not for emergency overnight accommodation, respite care or other transient arrangements. It is also established in case law that a use may remain residential in character notwithstanding that it is managed and involves an element of commercial organisation.

4.3. Following *Gravesham BC v Secretary of State for the Environment* [1982], the court accepted that the distinctive characteristic of a dwelling house was its ability to afford to those who used it the facilities required for day-day private domestic existence. It did not lose that characteristic if it was occupied for only part of the year, or at infrequent intervals, or by a series of different persons or if it was under commercial management.

4.4. It is anticipated that activity arising from the proposed children's home would be no greater than that which could reasonably be associated with the property's lawful use as a dwelling, and in certain respects may be lower due to the structured and supervised nature of the operation. On that basis, there would be no unacceptable harm to residential amenity. The Local

Planning Authority is therefore respectfully requested to grant planning permission for this proposal, which would contribute to meeting an identified need for appropriate local provision.