

PLANNING STATEMENT

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

Application Address: 23 Foster Avenue, Huddersfield, HD4 5LN

Local Planning Authority: Kirklees Metropolitan Council

Agent: Anjum Design Ltd, 435 Stratford Road, Shirley, Solihull, B90 4AA

Existing Use: Dwellinghouse / Bungalow (Use Class C3)

Proposed Use: Children's Home (Use Class C2)

Date: December 2025

1. Introduction

This Planning Statement has been prepared by Anjum Design Ltd on behalf of the applicant in support of a planning application for the change of use of 23 Foster Avenue, Huddersfield, HD4 5LN from a dwellinghouse (Use Class C3) to a children's home (Use Class C2) for a maximum of two children.

The Statement sets out the proposed development, demonstrates compliance with relevant national and local planning policy, and addresses the key material considerations that Kirklees Metropolitan Council will take into account in determining the application. Regard has been had to the Kirklees Local Plan (adopted February 2019), the National Planning Policy Framework (NPPF) 2024, and the Written Ministerial Statement of May 2023 on children's care homes.

For the reasons set out in this Statement, it is respectfully submitted that the proposed development is acceptable in planning terms and should be approved without delay, consistent with the Government's clear national policy intention that the planning system should support and not obstruct the provision of homes for looked-after children.

2. Site and Surrounding Area

The application site is 23 Foster Avenue, Huddersfield, a detached single-storey dwellinghouse (bungalow) situated within a predominantly residential area of Huddersfield. The plot extends to approximately 400 square metres in total, with a private rear garden of approximately 163 square metres, as shown on the submitted Site Plan (Drawing PL02).

The property is set within Foster Avenue, a residential street of mixed dwelling types including bungalows and two-storey houses. The surrounding area is predominantly residential in character and benefits from good access to local services, schools, healthcare facilities, open space, and public transport connections.

The site benefits from off-street parking for two vehicles to the front of the property, as shown on Drawing PL02. The property is located in a sustainable and accessible location within Huddersfield, appropriate for a small-scale residential use of this nature.

The site is unallocated within the Kirklees Local Plan (adopted 2019).

3. Description of the Proposed Development

3.1 The Proposed Use

The proposal is for the change of use of the existing bungalow from a single dwellinghouse (Use Class C3) to a children's home (Use Class C2) for a maximum of two children aged between 5 and 17 years. No extensions or external alterations are proposed; all accommodation is contained within the existing building footprint.

As shown on the proposed floor plans (Drawing PL04), the single-storey accommodation will be arranged as follows:

- Two dedicated children's bedrooms.
- A staff room for use by on-site care staff.
- A shared living/dining room for communal use by children and staff.
- Kitchen, bathroom, and shower facilities shared by all occupants.

The single-storey nature of the property offers particular advantages for a children's home: all rooms are at ground level, eliminating the need for stair access, simplifying the means of escape in the event of a fire, and making the property more accessible for any child with mobility needs. The layout is open, easily supervised, and well-suited to the provision of residential care in a family-style setting.

3.2 Children to be Accommodated

The home will accommodate a maximum of two children at any one time, aged between 5 and 17 years on admission. The home will be registered with Ofsted and will care for children with Emotional and/or Behavioural Difficulties (EBD), learning difficulties, and/or sensory impairment. Children will be cared for on a medium-to-long-term basis, enabling them to integrate properly into the local community and build stable relationships with their carers and environment.

Children will attend full-time mainstream education during the day and will not be home-schooled. They will be transported to and from school by an appropriate vehicle and, where suitable, by public transport. At all times outside of school hours, children will be accompanied by at least one member of care staff.

3.3 Staffing Arrangements

The home will be staffed as follows:

- Registered Manager: available Monday to Friday, 9:00am to 5:00pm.
- Support staff: shift patterns covering 7:30am to 10:30pm.
- Night staff: on duty from 10:00pm to 8:00am, with one waking night staff and one sleep-in staff member.
- A minimum of two staff members will be present at all times, in addition to the Registered Manager during daytime hours.

Staff shift changeovers will be managed in a co-ordinated manner to minimise the number of vehicles at the property simultaneously. All handovers will take place inside the property to reduce external activity and avoid disturbance to neighbouring residents. The Registered Manager will not reside at the property but will be contactable outside of normal working hours.

3.4 Visitors and External Professionals

External visits to the property will be carefully managed and kept to a minimum:

- Statutory social worker visits: approximately two visits every six weeks, by appointment only, each lasting approximately one hour.
- A therapist will attend the home once a week for approximately two hours, by appointment only.
- All other routine healthcare appointments (doctors, dentists, and so on) will take place off-site.
- Visits from family and friends of the children will be strictly limited; children will generally visit the homes of their family and friends rather than receiving visitors at the property.

The home will endeavour to ensure that no more than one external visitor is present at any given time. All visits will be pre-booked and arranged in a manner designed to avoid unnecessary additional activity at the property.

3.5 Management Plan

A detailed Management Plan is submitted alongside this application and sets out the full operational arrangements for the home. In summary:

- The home will be registered with Ofsted and operated in accordance with the Children's Homes (England) Regulations 2015.
- The Registered Manager will hold a minimum Level 5 qualification in Leadership and Management and a Level 3 in Health and Social Care (or equivalent). All support staff will hold, or be working towards, a minimum Level 3 qualification in Health and Social Care.
- Training and staff meetings will be arranged off-site.
- All children will have individual care plans tailored to their specific needs.
- All staff will be trained in positive behaviour support and de-escalation techniques.
- Children will be supervised 24 hours a day, 7 days a week.
- No external commercial signage will be installed; the property will retain its standard domestic appearance at all times.
- The Registered Manager will serve as the designated neighbour liaison contact and will provide a direct telephone number to adjacent residents prior to the home opening.
- CCTV will be installed to provide additional security, and external door sets will be fitted with appropriate access controls.
- The perimeter of the property will be secured to an appropriate standard in consultation with West Yorkshire Police's Designing Out Crime Officer.

4. National Need and the Case for the Development

4.1 The National Shortage of Children's Home Placements

The national shortage of registered children's homes and suitable accommodation for looked-after children is well documented. The Children's Commissioner's reports of 2020 — 'The Children Who No-One Knows What to Do With', 'Private Provision in Children's Social Care', and 'Stability Index 2020' — document the systemic failure of national and local government to meet the residential care needs of this group and recommend that the barriers to creating more residential care placements be addressed as a matter of urgency.

In practical terms, the shortage has resulted in vulnerable children being placed in hotels, bed and breakfasts, and unregistered accommodation, or being relocated many miles from their home communities, with serious implications for their safeguarding, education, and well-being.

Under Section 22G of the Children Act 1989, local authorities have a statutory duty to take reasonably practicable steps to ensure that looked-after children are accommodated within their own local authority area in accommodation that meets their needs. This proposal will contribute to Kirklees Metropolitan Council's ability to discharge that duty, enabling children placed in its care to remain within or close to the Huddersfield area.

4.2 Written Ministerial Statement, May 2023

A Written Ministerial Statement (WMS) was issued on 23 May 2023 by the then Housing Minister specifically addressing the relationship between the planning system and children's care homes. This WMS is a material planning consideration to which significant weight must be given. It stated:

- "The planning system should not be a barrier to providing homes for the most vulnerable children in society."
- "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."
- "All parties in the development process should work together closely to facilitate the timely delivery of such vital accommodation for children across the country."

The Council is accordingly expected to approach this application with a presumption in favour of granting permission, giving significant weight to the pressing national and local need for children's home placements.

5. Planning Policy Framework

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004

Applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The statutory development plan for Kirklees is the Kirklees Local Plan (adopted February 2019). The NPPF 2024 and the May 2023 WMS are material considerations of significant weight.

5.2 National Planning Policy Framework (NPPF) 2024

The following provisions of the NPPF 2024 are of direct relevance to this application:

Paragraph 11 — Presumption in Favour of Sustainable Development: Plans and decisions should apply a presumption in favour of sustainable development. For decision-taking, this means approving proposals that accord with an up-to-date development plan without delay. This proposal accords with the development plan and should be approved accordingly.

Paragraph 8 — Dimensions of Sustainable Development: Sustainable development has economic, social, and environmental dimensions, which are mutually dependent. The provision of high-quality residential care for looked-after children delivers clear social benefits. No economic or environmental harm is identified.

Paragraph 63 — Housing Needs of Different Groups: Planning policies and decisions must address the housing needs of different groups, specifically including looked-after children. This paragraph requires planning authorities to actively support the delivery of such accommodation.

Paragraphs 96–97 — Healthy, Safe, and Inclusive Places: Decisions should enable healthy lifestyles and plan positively for community facilities and services that support well-being for all sections of the community. The provision of a stable, nurturing home for vulnerable children plainly falls within this objective.

Paragraph 116 — Highways: Development should only be refused on highway grounds where the impact on highway safety would be unacceptable, or the residual cumulative impact severe. Neither applies here.

Paragraph 135(f) — Well-Designed Places: Development should create places that are safe, inclusive, and accessible, and which promote health and well-being.

Chapters 8 and 12 — Safe and Well-Designed Communities: Decisions should achieve safe, inclusive, and accessible places where crime and disorder do not undermine quality of life or community cohesion. The regulated, staffed, and Ofsted-inspected nature of the proposed use directly supports these objectives.

5.3 Kirklees Local Plan (adopted February 2019)

The site is unallocated within the Kirklees Local Plan. The following Local Plan policies are relevant:

Policy LP1 — Achieving Sustainable Development: Establishes a presumption in favour of sustainable development. The proposed use delivers clear social benefit with no identified adverse impacts of sufficient weight to outweigh those benefits.

Policy LP2 — Place Shaping: Requires development to contribute positively to local identity and sense of place. The property will retain its domestic appearance throughout, with no external alterations, signage, or operational indicators of the care use, ensuring no adverse impact on the character of Foster Avenue.

Policy LP21 — Highways: Requires development to not have an unacceptable impact on highway safety or capacity. As demonstrated in Section 8 below, vehicle movements associated with the proposed use will be comparable to or less than those of a typical family household.

Policy LP22 — Parking: Requires adequate off-street parking provision. The site provides two off-street parking spaces, sufficient for the staffing levels proposed.

Policy LP24 — Design: Requires development to respect and enhance the character of the area, maintain appropriate distances between buildings, and minimise impact on neighbouring residential amenity. No external alterations are proposed and the occupancy level is comparable to a family dwelling, as set out in Sections 7 and 8 below.

Policy LP30 — Biodiversity and Geodiversity: As a change of use with no external works of significance, the proposal does not engage mandatory Biodiversity Net Gain requirements, subject to the parking area remaining within the applicable threshold. Biodiversity enhancement measures can be incorporated into the rear garden as appropriate.

Policy LP33 — Trees: No trees are proposed to be removed as part of this application. The existing trees and planting on the site will be retained.

6. Principle of Development and Use Class

6.1 Use Class C2 — Residential Institutions

The proposed use falls within Use Class C2 (Residential Institutions). A children's home registered with Ofsted appropriately falls within this use class. Children cannot form an independent household without adult supervision, and accordingly a change of use from C3 to C2 reflects the nature of the proposed occupation. The site's location within an established residential area is entirely appropriate for a small-scale C2 use of this nature, which is residential in character and purpose.

A recent officer report for an analogous application at 315A Old Wakefield Road, Moldgreen, Huddersfield (Kirklees ref: 2025/92153), which was approved by delegated authority in January 2026, confirmed that the principle of changing an existing dwelling to a children's residential home (Use Class C2) is acceptable where the proposed use operates in a broadly similar way to a family home, with children living as a household and continuing their education during the day. That application was for up to three children and two staff — conditions directly comparable to this proposal. The same principle applies here.

6.2 Relationship with Use Class C3(b)

Without prejudice to the primary C2 application, it is noted that the proposed use may also fall within Use Class C3(b) without requiring formal planning permission. The application property is a bungalow. Following the change of use, the dwelling would house a maximum of two children and associated staff, not exceeding the C3(b) threshold of six occupants. Residents and staff would share kitchen, bathroom, living areas, and garden in a manner akin to a single household. The level of activity would not be materially different from the existing C3 use.

This position is supported by established case law and appeal decisions:

- In *R (Hossack) v Kettering Borough Council* [2002], the court held that the key consideration under C3 is that six or fewer people are resident, and that care staff need not reside full-time as a principal address for a small care home to fall within the use class.
- In *Debbie Moore v Sefton Borough Council* (December 2022), the Planning Inspector confirmed that the use of a dwelling as a children's home by two children and two staff members does not amount to a material change of use and falls within Permitted Development rights.

Nonetheless, it is understood that Ofsted requires a formal grant of C2 planning permission. This application is therefore submitted on the primary basis that the proposed use constitutes a C2 use for which permission is sought and should be granted.

6.3 Comparable Approved Application — Kirklees

As noted above, Kirklees Metropolitan Council granted conditional full planning permission in January 2026 for the change of use of a dwellinghouse to a children's home (C3 to C2) at 315A Old Wakefield Road, Huddersfield (ref: 2025/92153). The officer's assessment concluded:

- The principle of the use is acceptable as the proposed C2 use will not have a dissimilar impact to a C3 use.
- The intensity of occupation and associated day-to-day operational movements are expected to be comparable to those generated by a dwellinghouse and would not represent a significant change in activity at the site.

- There is no substantive evidence that accommodating children under 18 in a regulated care setting would result in any increase in crime or disorder.
- The proposal is consistent with the NPPF presumption in favour of sustainable development and delivers clear social benefit.

This application is directly comparable in scale, nature, and location context. The same conclusions should apply, and significant weight should be given to this recent decision from within the same local planning authority area.

7. Impact on Residential Character and Amenity

7.1 Residential Character and External Appearance

No external alterations whatsoever are proposed to the bungalow. The property will retain its entirely domestic external appearance. No commercial signage, notices, or operational indicators of the care use will be displayed at any time. The home will present to Foster Avenue and to neighbouring properties as a normal residential bungalow, entirely consistent with the character of the surrounding area.

The single-storey form of the property is inherently in keeping with the residential character of the street. The proposed internal alterations are modest: the existing reception room is converted to a staff room, and a shower room is added. These changes have no impact on the external character of the building or the street scene. Subject to the retention of the property's domestic appearance, the proposal accords with Policies LP2 and LP24 of the Kirklees Local Plan and Chapter 12 of the NPPF.

7.2 Impact on Neighbouring Residential Amenity

The proposed use will accommodate a maximum of two children and two staff members at any one time, giving a peak total of approximately four persons on site — an occupancy level comparable to and lower than that of a typical family dwelling of this size. As the Kirklees officer concluded in approving the comparable Moldgreen application, the intensity of occupation and day-to-day operational movements are expected to be comparable to those of a dwellinghouse.

The bungalow layout provides a particularly settled, quiet residential environment: all activity is at ground level, there is no noise from upstairs rooms, and the substantial rear garden (163 square metres) provides ample outdoor space for the children, reducing the likelihood of any activity at the front boundary. No external structural works are proposed, meaning there are no implications for overshadowing or overlooking of neighbouring properties.

Staff shift patterns are no different in nature from those of a household where family members work shifts — a commonplace arrangement in a residential area. There is nothing inherently commercial in the nature of the movements to and from the site; they would not be jarring with the residential character of Foster Avenue.

The children will attend full-time mainstream education during the day and will be supervised at all other times by trained care staff. Children will be supported within a structured daily routine, minimising the likelihood of noise or disturbance to neighbouring properties. Any incident will be managed promptly under the provider's incident management procedures.

It is therefore considered that the proposed use will not result in any adverse impact on the residential amenity of neighbouring properties, in accordance with Policy LP24 of the Kirklees Local Plan and Paragraph 135(f) of the NPPF.

7.3 Crime and Anti-Social Behaviour

Concerns relating to crime and anti-social behaviour are sometimes raised in connection with children's homes. The Kirklees officer's report for the comparable Moldgreen application addressed this issue directly and concluded that there is no substantive evidence to support a direct link between children's homes and increased crime levels. This conclusion is consistent with national guidance and the established body of appeal decisions in this area.

The proposed home will be registered with Ofsted and must operate under the Children's Homes (England) Regulations 2015, which provide a robust framework of safeguarding, management, and staffing requirements. The 24-hour supervision provided by trained care staff ensures that any emerging behavioural issues are identified and managed at the earliest opportunity, before any disturbance to the wider community could arise.

Security measures will include CCTV, appropriate access controls on external door sets (including thumb-turn locks and buzzers), and a secured site perimeter, implemented in line with the recommendations of West Yorkshire Police's Designing Out Crime Officer, consistent with the approach taken at the comparable Moldgreen application.

Under Section 17 of the Crime and Disorder Act 1998, the Council is required to have due regard to the likely impact on crime and disorder. It is considered that the proposed use, as a regulated and staffed residential care setting, will have a neutral or positive impact on community safety.

8. Highways and Parking

The application site benefits from off-street parking for two vehicles to the front of the property, as shown on Drawing PL02. All staff and visitor vehicles will be accommodated within the site curtilage, with no reliance on on-street parking on Foster Avenue.

The vehicle movements associated with the proposed use will be minimal and entirely comparable to those of a typical family dwelling. The principal movements will be:

- Children travelling to and from school daily by appropriate vehicle.
- Staff arriving and departing at shift changeover times (7:30am, 10:00–10:30pm, and 8:00am), co-ordinated to avoid unnecessary overlap.
- Occasional visits from social workers (approximately two visits per six-week period) and a weekly therapist visit, both by appointment only.

At no time will the number of vehicles at the property significantly exceed that which might reasonably be expected at a family dwelling of equivalent occupancy. Paragraph 116 of the NPPF states that development should only be refused on highway grounds where the impact on highway safety would be unacceptable, or the residual cumulative impact severe. Neither condition arises here.

The area is well served by public transport, and where appropriate, trips including school runs will be made on foot or by public transport, further reducing vehicle movements. The proposal accords with Policies LP21 and LP22 of the Kirklees Local Plan and the Kirklees Highway Design Guide (adopted November 2019).

9. Biodiversity and Trees

The proposal is a change of use of an existing building with no external structural works proposed. The parking provision to the front of the property, as shown on Drawing PL02, is modest in extent and designed to remain below the threshold triggering mandatory Biodiversity Net Gain (BNG) requirements under the Kirklees BNG Technical Advice Note (June 2021) and Policy LP30 of the Local Plan.

No trees are proposed to be removed as part of this application, and no alterations are proposed to the site boundaries or soft landscaping. Existing planting on the site will be retained. The rear garden (163 square metres) provides significant soft landscaping which will be maintained. The applicant is willing to incorporate additional native planting within the rear garden to provide a modest level of biodiversity enhancement if required by condition.

The site's location within a residential area means the proposal has no impact on any protected species or habitats, and no ecological assessment is considered necessary for a change of use of this nature and scale, consistent with the approach taken in the comparable Moldgreen application.

10. Loss of Residential Accommodation

The proposed change of use is from one form of residential accommodation (Use Class C3 dwellinghouse) to another (Use Class C2 children's home). Both uses provide residential accommodation within the community. There is no net loss of residential floorspace, and the overall residential character of Foster Avenue is entirely maintained. The supply of residential accommodation in the Kirklees area is not diminished as a result of this proposal.

11. Standard of Accommodation

The standard of accommodation proposed for the children at 23 Foster Avenue is of high quality:

- Both children's bedrooms meet or exceed the Nationally Described Space Standards (NDSS) minimum bedroom sizes.
- All habitable rooms benefit from adequate natural light, ventilation, and outlook.
- The substantial rear garden (163 square metres) provides ample outdoor amenity space for the children's everyday use, play, and recreation.
- The single-storey layout is inherently accessible and easily supervised, with all rooms at ground level.
- Shower and bathroom facilities will be provided within the property, proportionate to the number of occupants.

The home will provide a safe, stable, and nurturing residential environment for looked-after children in line with the Children's Homes (England) Regulations 2015.

12. Climate Change

The proposal involves a change of use of an existing building with no external works or significant operational changes affecting energy use. No new building is proposed. Any technical measures relating to energy efficiency, ventilation, or water use arising from internal works will be addressed through Building Regulations as applicable.

The absence of a specific climate change or energy statement is not considered to weigh against the proposal.

13. Conclusion

This Planning Statement has demonstrated that the proposed change of use of 23 Foster Avenue, Huddersfield, HD4 5LN from a dwellinghouse (Use Class C3) to a children's home (Use Class C2) is acceptable in planning terms for the following reasons:

- The proposal accords with the presumption in favour of sustainable development at NPPF paragraph 11 and Policy LP1 of the Kirklees Local Plan.
- It directly addresses the well-documented national shortage of children's home placements and supports Kirklees Metropolitan Council in discharging its statutory duty under Section 22G of the Children Act 1989 to accommodate looked-after children within the local authority area.
- It is consistent with the Written Ministerial Statement of May 2023, a material planning consideration carrying significant weight, which requires local planning authorities to be supportive of applications of this nature.
- The principle of the proposed use is established within Kirklees by the recent approval of a directly comparable children's home at 315A Old Wakefield Road, Moldgreen, Huddersfield (ref: 2025/92153, approved January 2026).
- The proposed use is residential in character and scale, operating in a manner comparable to a family dwelling. No external alterations are proposed; the property will retain its domestic bungalow appearance throughout.
- The level of activity, vehicle movements, and comings and goings will not be materially different from those of a typical family household. No unacceptable impact on residential amenity, highway safety, or the character of the area will result.
- There is no substantive evidence of a link between children's homes of this scale and increased crime or anti-social behaviour. The regulated and staffed nature of the home provides robust safeguards for residents and the wider community.
- The site benefits from two off-street parking spaces. No unacceptable highway impact arises.
- No trees are to be removed; existing planting is retained. The proposal is below the mandatory BNG threshold.
- The standard of accommodation provided for the children is high and compliant with the Nationally Described Space Standards and the Children's Homes (England) Regulations 2015.

Kirklees Metropolitan Council is respectfully invited to support this application and grant planning permission without delay, in accordance with the development plan, the NPPF 2024, and the Written Ministerial Statement of May 2023. Doing so will make a meaningful and direct contribution to addressing the pressing need for children's home placements for looked-after children within the Kirklees area.

Prepared by: Anjum Mehmood, Anjum Design Ltd
435 Stratford Road, Shirley, Solihull, B90 4AA
Tel: 0121 364 7650 | Email: info@anjumdesign.co.uk
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