

HYNDBURN BOROUGH COUNCIL - COMMITTEE REPORT	
APPLICATION REF:	11/25/0400
APPLICATION ADDRESS:	4 Sefton Close, Clayton-le-Moors, Lancashire BB5 5WS
DEVELOPMENT DESCRIPTION:	Full: Change of use from a dwelling (Class C3) to a residential care home (Class C2) consisting of 3 children and 1 sleep in staff number
DATE REPORT WRITTEN:	02 February 2026

Description of the Site and the Proposed Development

This application relates to No.4 Sefton Close, a detached dwelling situated on the west side Burnley Road, within a cul-de-sac setting of Sefton Close. The property is bounded by residential curtilage of the neighbouring properties to the north and west, a pedestrian footpath providing connection between Sefton Close and Burnley Road to the south, and a row of mature hedge along the footway along Burnley Road to the east. Sefton Close is a small residential estate, accessed via Clayton Way and Higher Firs Drive. Properties at Sefton Close enjoy off-street parking. The designated on-site parking to No. 4 Sefton Close is gained via a gated access adjoining that of No. 2 Sefton Close.

As shown on the floor plans accompanying this application, the existing property comprises an entrance hall; two reception rooms; a dining room; a kitchen, utility room; a downstairs WC, four bedrooms of varying size; one of these bedrooms consists of an en-suite and a separate shared bathroom. The rear of the property has a south facing garden with the front of the property providing a driveway which the applicant states can accommodate up to 6 cars. Although the submitted planning statement suggests that the property has an integral garage, but it has already been converted into a reception room/bedroom 5 (as shown in the floor plans).

No.4 Sefton forms part of a modern housing estate situated on land between Burnley Road and the Leeds-Liverpool canal developed in the late 1990s, with other similarly designed detached and semi-detached dwellings at Higher Firs Drive in its close proximity.

This proposal is for the change of use No.4 Sefton Close to a care home for three vulnerable children aged between 8 and 17 years of age and who present social, emotional, and behavioural difficulties. The property is expected to provide support for young people who have a range of complex individual needs, providing emergency medium- and long-term placements. According to the information submitted with this application, care will be provided by two carers at night & three full time staff throughout the day on a rolling basis.

Consultation Responses/Representations

Public Consultation: Site notice posted on 13th and 20th October near the application site. Please note that the 20th October site notices were erected following the receipt of complaints from local residents on the removal of initial site notices. Neighbour notification letters have also been sent and a site notice posted adjacent to the application site. The Local Planning Authority have received 111 objections to the application. The comments are summaries as follows:

- Adverse impact to the neighbouring amenity due to: frequent staff movements across multiple shift (day and night); increased vehicle activity including staff, social workers, deliveries, and emergency services; heightened noise and disturbance beyond normal household levels; loss of privacy and tranquillity for neighbouring properties.
- The application states the property has a double garage, but this has already been converted into a downstairs room. This misrepresentation materially affects: calculation of parking provision, assessment of intensification, consideration of amenity space, compliance with SPG requirements.
- The applicant has not demonstrated an identified local need for the children homes.
- Place three children plus rotating staff in a four-bed properties constitutes over-intensification use of the property. The loss of garage further reduces internal amenity spaces.
- Without double garage, parking provision is significantly reduced. This would result in on-street parking, congestion and safety risks.
- Potential risk of increasing level of crime and anti-social behaviour.
- The appeal case APP/K2420/X/11/2155849 referred by the applicant in the planning statement was specifically stated to care for children with learning difficulties, not behavioural and emotional difficulties as it laid out in the application 11/25/0400.
- Sefton Close is a small and enclosed section of the Sefton Farm estate, accessible only via Higher Firs Drive. This limited egress makes any additional traffic a significant concern for residents.
- No. 4 Sefton Close is located in a corner of the Close and can only be accessed by driving directly past the driveway of No. 2 Sefton Close. As the property is enclosed by fencing and an electric gate, non-resident vehicles must stop and wait for access approval. This results in vehicles either blocking the driveway of No. 2 or obstructing the highway.

- The driveway at No. 4 cannot realistically accommodate six cars with adequate space for turning or manoeuvring. Vehicles would likely block each other in, forcing multiple reversals and causing obstruction to neighbouring driveways and the highway. Visitors would likely park on the road instead, further reducing accessibility for residents and emergency vehicles.
- Children from Sefton Close and the wider Sefton Farm estate regularly play on the grassed areas and roads near the egress of No. 4. Residents already take care when driving here, but increased and unfamiliar vehicle movements linked to this proposal would pose a heightened safety risk to these children.
- Normal family homes are managed by parents, not employees. Parents care about their offspring and choose to love, nurture, teach them.
- Residential care homes for vulnerable children cannot be compared to a normal family home. Residential Care home staff are just that, staff. They may cook, clean etc. but when trouble takes place, they do not have the paternal care to manage the situations, they are just staff. The behaviour of the children who are already 'troubled' and living away from anybody they know, is not managed as a family unit is.
- As a result, the ensuing issues caused to the residents of Sefton Close and the Sefton Farm estate, noise, anti-social behaviour, increased crime (national research/documented OFSTED figures) are all in contravention to Planning Policy SP23 as it would result in undue impact, not only on highway safety issues but also on the local amenity and living environment.
- Planning App 11/24/0502 was recently granted approval by appeal (APP/R2330/W/25/3361464) for a property on Burnley Road. In this appeal it is mentioned by the inspector that there are two operational children's homes under one mile away from this site so the addition of another, no more than 63 metres away from this one on Burnley Road. Granting this application by appeal or otherwise is beyond disproportionate and would be in direct contravention of: Supplementary Planning Guidance 2025 Policy 2 iv. 'That the development will not result in a concentration or cluster of children's care homes in that area'.
- Over 50% of Hyndburn Borough's housing stock consists of small, old terraced properties built before 1919 and removing a larger residential family property from the area also contributes to the increasing age demographic in Hyndburn as younger families who need this type of housing cannot access it anymore.

Lancashire County Council (LCC) Children's Services: At the time when this report is written, LCC Children's Services hasn't provided consultation response to the application.

LCC Highways: LCC Highways provided initial comments and requested further information on 25 November 2025. The applicant submitted the following plans and documents on 02nd Feb 2026:

- Local Plan with red line boundary extended to the public highway
- Parking layout Plan
- Rolling three week staff rota
- Nurture Nest's comments dated 28th Jan 2026 in response to LCC's initial comments

Having reviewed the documents submitted, LCC acting as the local highway authority does not raise an objection regarding the proposed development and concludes that there are no highway grounds to support an objection as set out by NPPF.

Based on the staff rotas submitted, particularly with the staggered start and end times to shifts, the highway authority considers that sufficient on-site car parking can be provided to prevent staff vehicles from having to park on the surrounding highway network. Vehicles should also be able to enter and leave the site in forward gear.

Subject to two recommended conditions, LCC Highways raise no objection to the proposal.

Relevant Planning History

N/A

Relevant Policies

Hyndburn Core Strategy (CS)

Policy H1 Housing Provision
Policy DM10 New Residential Development
Policy Env6 High Quality Design
Policy Env7 Environmental Amenity
Policy T1 Improving Connectivity

Hyndburn Development Management Development Plan Document (DMDPD)

Policy DM26 Design Quality and Materials
Policy DM29 Environmental Amenity
Policy DM32 Sustainable Transport, Traffic Management and Highway Safety (including GN8: Car Parking Standards)

Hyndburn Children's Residential & Supported Accommodations Supplementary Planning Guidance (SPG) (Children's Home SPG)

The Council's Children's Residential & Supported Accommodation SPG was published by the Council in June 2025, following a six week public consultation (between Friday 21 March and Friday 2 May 2025) and the subsequent approval of the Council's Cabinet meeting.

This SPG document was produced in response to the sharp increase in numbers of children's homes in the Borough since 2022, and the associated increase in the number of applications for planning permission and lawful development certificate (as proposed).

It is acknowledged that the SPG document is a non-statutory guidance. The SPG may still be taken into account as a material consideration in determining planning applications particularly if it relates to matters set out in the NPPF. The weight of the SPG in the decision-making process increases if it has been prepared in consultation with the public and has been the subject of a Council Resolution. In this instance, officers are of the opinion that the children's home SPG relates to paragraph 63 of the NPPF. It has been approved by Cabinet and with a six-week public consultation within the Borough.

Hyndburn Local Plan 2040 (Emerging Local Plan)

The Hyndburn 2040: Local Plan (Strategic Policies and Site Allocations) (the Emerging LP) has been subject to public hearings and the Examining Inspector has issued a post-hearings letter, which does not raise any fundamental concerns. It is at an advanced stage of preparation. Therefore, in accordance with paragraph 49 of the Framework, the policies of the Emerging LP generally attract moderate weight.

Material Considerations

National Planning Policy Framework (NPPF)

National Planning Policy Guidance

Hyndburn Borough Council Parking and Access Standards (2010)

Observations

Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration (NPPF paragraph 2). NPPF defines sustainable development (paragraph 8), sets a presumption in favour of such development, requiring that: proposals in accordance with an up-to-date development plan be approved without delay (paragraph 11); and, that decisions should be approached in a positive and creative way (paragraph 39).

NPPF (paragraph 61) says it is important that [...] the needs of groups with specific housing requirements are addressed; and that (paragraph 63) the size, type and tenure of housing

needed for different groups in the community, including housing for looked-after children, should be assessed and reflected in planning policies.

The development plan sets out general policies regarding character, appearance and residential amenity. Additionally, the Council has prepared and published a Supplementary Planning Guidance for Children's Home SPD in June 2025 to provide guidance on applications for children's homes. The SPG is a material consideration. It makes the following guidance for new proposals:

- i. Development Principle – meeting the needs of local communities
- ii. Site specific considerations
- iii. The application property is suitable for the number of children and carers proposed
- iv. There is sufficient off-street car parking for carers and visitors and that the development will not impact on highway safety
- v. The development will not result in a concentration or cluster of children's care home in that area

Considerations

1. Principle of development

- 1.1. The application proposes the change of use of a semi-detached dwelling to a care home for three children, with care will be provided by two carers at night and three full time staff throughout the day on a rolling basis. The property is set in a large established residential estate composed of similar detached /semi-detached dwelling houses.
- 1.2. Paragraph 63 of the NPPF particularly requires that the size, type and tenure of housing needed for different groups in the community (including looked after children) should be assessed and reflected in planning policies. Footnote 26 of the NPPF suggests that evidence of need for looked after children can be found in the relevant Local Authority's Children's Social Care Sufficiency Strategy.
- 1.3. In recent years, Hyndburn has experienced significant growth of children's homes operated by agency providers, which has resulted in many children being moved to the Borough from their home communities. The Council has witnessed a steady increase since 2020 in the number of planning applications and applications for certificates of lawful development for the change of use of dwellings to children's care homes.
- 1.4. The NPPF seeks to ensure that the needs of groups with specific housing requirements should be addressed, but that the overall aims should be to meet an area's identified housing needs. In this context, the applicant has not convincingly

demonstrated there is an identified local need for the type of accommodation proposed.

- 1.5. Furthermore, at the time when this planning application is considered, the Council is unable to demonstrate a five-year housing land supply and the proposed development would result in the loss of a market dwelling. Whilst this proposal relates only to a single dwelling, there is an increasing cumulative impact of the loss of market dwellings through the change of use that must be taken into account, particularly considering the Council's housing land supply position. This weighs against the proposed development.

2. Site-Specific Assessment

- 2.1. To ensure the proposed children's homes are being appropriately located and not giving rise to any harms at the local level, Policy 2 (Site Specific Requirements for Care Homes) of the Children's Home SPG sets out four criteria and states that such proposals would not be supported unless all four criteria are satisfied. In this section, the proposed development is to be assessed against the criteria contained within Policy 2 of the Hyndburn Residential & Supported Accommodation SPG.

i. General location

The application site is located within an established residential area within the defined settlement boundary of Hyndburn Borough. There is no identified environmental and planning policy constraints associated with this site to prohibit the provision of a children's home in such location.

ii. Suitability of the application property for the number of children (with carers) proposed

No.4 Sefton Close is a 4-bed detached dwelling located within an established housing estate between Burnley Road and Leeds and Liverpool Canal. The neighbouring properties at Sefton Close and Higher Firs Drive are predominately detached and semi-detached residential dwellings with off-street parking provision. That said, during the officer's site visit, on-street parking is clearly evidenced at Sefton Close before PM rush hour. In this instance, no changes are proposed to the external scale and appearance of the building.

This proposal is for the change of use of the existing dwelling to a children's care home to accommodate three vulnerable children aged between 8 and 17 years, who have a range of complex individual needs. According to the information submitted with this application, care will be provided by two carers at night and three full time staff throughout the day on a rolling basis.

Although the applicant has provided a 3-week rolling rota with this application to demonstrate that the staff and manager of the care home would have staggered start and end times to shifts, there is little doubt that there would be three staff at the property during the core daytime hours (between 7am and 5pm).

Paragraph 6.13 of the Hyndburn Children's Residential & Supporting Accommodations SPG provides a guideline for the capacity of different types of dwellings to be used as children's care home. For a detached property, it is noted that it can be used to 'accommodate one or two children but depending on their size and location, may be suitable for three children or more, subject to relevant material planning considerations'. It is noted that the above should be used as a guide only, with each application determined on its merits.

Consideration must be afforded to the size of the application dwelling and its associated private garden spaces and parking facilities, as well as the relationship between the application site and its neighbouring dwellings.

It is accepted that the application property could physically meet the operational needs for accommodating 3 children with three staff during the day and 2 staff at night.

The activities associated with the proposed care home would result in an intensified use of the property, which would be different from the activities associated with a large household with three children. This may result in additional comings and goings, but this would not result in sufficient harm to the amenity of neighbours to warrant refusal of the planning application.

ii) Parking provision and highway safety

The National Planning Policy Framework (NPPF) states that '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' (Paragraph 116).

Having reviewed the documents submitted, LCC acting as the local highway authority does not raise an objection regarding the proposed development and concludes that there are no highway grounds to support an objection as set out by NPPF. Whilst the applicant has provided further details, it is questionable whether the driveway could accommodate 6 vehicles whilst providing the ability for vehicles to enter and leave the site in forward gear.

However, based on the staff rotas submitted, particularly with the staggered start and end times to shifts, the highway authority considers that sufficient on-site car

parking can be provided to prevent staff vehicles from have to park on the surrounding highway network. As such, subject to the recommended conditions, LCC highways raised no objection to the proposal.

iii. Whether the proposal would result in concentration or cluster of children's care home in the area

Officers are of the opinion that having a cluster of children's home in a particular residential area is likely to present a challenge to sustain mixed, balanced and sustainable communities, and to affect the residential character and amenity of the neighbourhood. Supporting text of Policy 2 (Paragraph 6.18 and 6.19) of the Children's Home SPG particularly notes that it is important that groups of two or more children's care homes do not have a cumulative adverse impact on a residential area. The guidance states that new care homes should not be closer than 400m from an existing children's care home.

In this instance, the Council's planning records notes that planning application 11/24/0502 (No. 19 Pendle View, Burnley Road) was recently granted approval by appeal APP/R2330/W/25/3361464. No. 4 Sefton Close is located approximately 63 meters from No. 19 Pendle View. As such, the proposed development fails to comply with Policy 2 of the Children's Home SPG.

3. Residential Amenity Impact

- 3.1. Hyndburn Core Strategy Policy Env7 and DMDPD Policy DM29, taken together, require that development protects the amenity of neighbouring residents.
- 3.2. In this instance, the proposed children's home would provide accommodation for three children, to be cared for by three care staff (during the day) and 2 staff at night on rota. The Planning Statement accompanying this application suggests that *'the character and use of the building would not be materially different to that of a typical family home by virtue of the minimal change to the floor plan of the house'*. This is an understandable and achievable aspiration. Officers do not dispute that the building itself, would likely continue to have a character consistent with that of a dwellinghouse, and is unlikely to result in undue amenity impact by virtue of overlooking, overshadowing, or loss of privacy of the dwellinghouses within its immediate vicinity.
- 3.3. Therefore, the question for the present purpose is to consider how a small children's care home differs from a dwellinghouse in terms of planning impacts, noting, in particular, that it would be a staff workplace with routine comings and goings of staff, with additional professional visitors, in addition to being a home.
- 3.4. Whilst it is acknowledged that activity at the site would be intensified, the impacts of the proposed use on residential amenity are not considered sufficient to warrant the

withholding of planning permission in this case. Although concerns have been raised regarding noise and disturbance arising from the behaviour of resident children, the planning system is unable to control the behaviour of individuals. The key consideration is whether the proposed use, in land use terms, is inherently noisy or likely to result in unacceptable levels of disturbance. There is insufficient evidence to support the view that care homes of this nature are intrinsically noisy or give rise to increased levels of anti-social behaviour, a position that has been consistently upheld by appeal Inspectors.

4. Other Considerations

4.1. It should be highlighted that the LPA received two recent appeal decisions in November 2025 for proposals of a similar nature made by the same applicant:

- APP/R2330/W/25/3372957 - 30 Bluebell Way, Huncoat
- APP/R2330/W/25/3372952 - 30 Epping Avenue, Accrington

4.2. Both appeals were allowed with little weight afforded by the Inspector to the Children's Residential & Supported Accommodation SPG. Those appeal decisions, according to Section 70(2) of Town and Country Planning Act 1990, should be taken as a material consideration to be weighed in the overall planning balance.

4.3. Officers consider that some weight should be afforded to the SPG document in the decision-making process, but any conflict with the SPG must be weighed in the planning balance.

Planning Balance and Conclusion

In conclusion, providing accommodation and care for looked-after children is worthy and necessary. Taking into account the characteristics of the application site and the scale and intensity of the proposed use, some conflict has been identified with Policies 1 and 2 of the Children's Home SPG. Whilst it is noted that a second children's home is located in close proximity to the application site, there is no evidence to suggest that the provision of two children's in this location would result in any undue harm to the residential character of the area.

The proposed development would also result in the loss of a market dwelling at a time when the Council is unable to demonstrate a five-year housing land supply.

However, it is not considered that the harm identified above would be sufficient to warrant refusal of the planning application, particularly when taking into account recent appeal decisions for similar development elsewhere in the borough. Accordingly, it is recommended that planning permission be granted.

Recommendation

That the application be Granted for the following reasons:

1. The development hereby approved shall be commenced before the expiration of three years from the date of this permission.

Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permission and to comply with Section 91 (as amended) of the Town and Country Planning Act 1990.

2. The development shall be carried out in accordance with the following documents:

(a) Planning application forms and location plan

(b) Submitted plans, namely:

Floor Plan

Reason: For the avoidance of double and to enable Hyndburn Borough Council to control the development and to minimise its amenity impact.

3. The building shall only be used as a children's care home (for the accommodation of no more than three child as described in the application) and for no other purpose including any other purpose with Class C2 of the Schedule to the Town & Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: Notwithstanding that the proposed use (as described and defined in the application) would be an acceptable use of the building, the application does not demonstrate (taking account of its characteristics, including its location, its amount of internal accommodation and layout) that the building would be suitable for more intensive use or uses within those Use Classes in accordance with the development plan, including Policy Env6, Env7 and T1 of the Hyndburn Core Strategy, and Policy DM14, DM26, DM29 and DM32 of the Hyndburn Development Management Development Plan Document.

List of Background Papers

<https://planning.hyndburnbc.gov.uk/Northgate/ES/Presentation/Planning/OnlinePlanning/OnlinePlanningOverview?applicationNumber=11%2F25%2F0400&guid=56a07be8-9f44-41d4-8def-898a5f6e483b>