

Children's Residential Care and Children's Supported Accommodation

DRAFT

Supplementary Planning Document

September 2025

1. Introduction

The Purpose and Scope of the SPD

- 1.1 This Supplementary Planning Document (SPD) has been prepared by Sefton Council as part of its planning policy framework. It supplements the policies of the Sefton Local Plan, which was adopted in April 2017, especially policies:
- Policy HC2 Housing Type, Mix and Choice
 - Policy HC3 Residential Development and Primarily Residential Areas
 - Policy SD2 Principles of Sustainable Development
 - Policy IN1 Infrastructure and Developer Contributions
- 1.2 The SPD will also supplement the policies in the Bootle Area Action Plan (AAP) (expected to be adopted before the end of 2025), specifically policy BAAP18 Housing for Older People and Supported Living (sections 5-10).
- 1.3 SPDs elaborate upon the policy and proposals in Local Plans (and AAPs) but do not have their formal statutory 'Development Plan' status. They are, however, material considerations in assessing relevant development proposals. This SPD provides detailed guidance on the application of the Local Plan policies in respect of proposals for Children's Residential Care and Supported accommodation.
- 1.4 This SPD sets out to inform and assist applicants seeking planning permission for the development of, or change of use of an existing building to, a children's residential care home or children's supported accommodation.

Policy Context Overview

- 1.5 Government planning policy and how it is to be applied is set out in the National Planning Policy Framework (NPPF). The NPPF requires each council to have robust and comprehensible policies that support high-quality sustainable and inclusive development.
- 1.6 Paragraphs 61, 62 and 63 of the NPPF (published December 2024) relate to the delivery of a sufficient supply of homes:
- Paragraph 61 makes it 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 62 explains how housing need in an area should be assessed and

- Paragraph 63 advocates planning policies that support the needs of particular groups in the community.

1.7 Sefton Local Plan was adopted in April 2017. The Local Plan includes a range of policies, which conform to national planning policy, to shape the future of Sefton. It sets out how new development will be managed in the period from 2012 to 2030, encouraging sustainable development and economic growth and giving current and future generations more opportunities to live and work in Sefton's outstanding environment.

1.8 This proposed SPD will support the following Local Plan and Bootle AAP policies:

Policy HC2 sets out that 'proposals for residential care accommodation that would result in or exacerbate an existing oversupply will be refused'

Policy HC3 sets out that new residential developments will be permitted in Primarily Residential Areas shown on the Policies Map when consistent with other Local Plan policies.

Policy EQ2 sets out that developments are required to protect the amenity of those within and adjacent to the site.

Policy SD2 sets out that the Local Plan has been developed in accordance with, and will apply the following principles:

- To help meet the needs of Sefton's changing population for market and affordable housing; homes for families, the elderly, people with other special housing needs and others
- To meet the diverse needs for homes, jobs, services and facilities, as close to where they arise as possible

Policy IN1 sets out that *'Social, community, environmental and physical infrastructure will be protected, enhanced and provided where there is an identified need to support sustainable communities'*.

Bootle AAP Policy BAAP18 sets out that we will not allow any undue concentrations of Residential Care Homes for Children (C2 use) in the AAP area that meet a similar need. The policy also sets out the type of homes that should be used for children with educational, behavioural or social difficulties (EBSD) and that a management plans must be submitted with all proposals for children's care homes.

Aims and Objectives

- 1.9 The fundamental aim of this SPD is to ensure that residential accommodation for children in care or children in supported accommodation provides a good quality, safe and secure environment that allows the child to receive the care and support that they need and to establish themselves within the community.
- 1.10 The council aims to ensure that proposals promote the integration of children into communities to help build resilience and friendship support networks for when leaving care.
- 1.11 The Council aims to guide applicants for children's homes and supported accommodation for children to appropriate properties and suitable locations as to prevent undue harm for the existing character and amenities of a local area.
- 1.12 The Council also aim to safeguard the children and young people housed and the interests of local communities by requiring premises to be operated in accordance with robust management plans.

Demonstrating Local Need for Children's Care Homes

- 1.13 The Council will not support a proposal for a new children's care home if there is evidence that the proposal would lead to an oversupply of a particular type of children's care home or within a specific location within Sefton.
- 1.14 The Council's Children Services Team is consulted on all planning applications for children's care homes. The team monitors demand and provisions on a regular basis and is therefore able to advise applicants on levels of local need. If the Children Services Team advise that there is no need for the type of care accommodation proposed, in the location proposed, then it is likely that the Council would not support the proposal. If the Council determine there is no need for the accommodation proposed, it is the responsibility of the applicant to clearly provide evidence to the contrary.
- 1.15 Before applying for planning permission for a children's residential care home, applicants are strongly encouraged to contact the Council's children services team at the earliest opportunity (see Appendix A).
- 1.16 The Council will not normally require evidence of need for supported accommodation for children if there is no care provided.

2. In which use class do children's care homes fall?

- 2.1 Depending on the circumstances of each case, a children's care home will fall into either a C2 or C3 use classification within the Town and Country Planning (Use Classes) (Amendment) Order 2005 (amended further in 2010).
- 2.2 Use Class C2 (Residential Institutions) of the Use Class Order reads as follows:
Use for the provision of residential accommodation and care to people in need of care (other than a use within class C3 (dwelling houses)).
- 2.3 Use Class C3 (Dwelling houses) reads as follows:
Use as a dwelling house (whether or not as a sole or main residence) by — (a) a single person or by people to be regarded as forming a single household; (b) not more than six residents living together as a single household where care is provided for residents; or (c) not more than six residents living together as a single household where no care is provided to residents (other than a use within Class C4).
- 2.4 The starting point is to first establish as a matter of fact and degree, whether such a use would constitute a change of use from C3 to C2. The issue largely centres on whether or not the children are in themselves capable of living together as a single household.
- 2.5 If a children's home was being run on the basis of children being looked after by a permanent adult occupant of the dwelling (*in loco parentis*), there may be no requirement for planning permission.
- 2.6 However, as children need to be looked after (i.e. they are not expected to deal with all the matters that go to running a home) they cannot be considered to be able to form their own household and how they are cared for is key. A children's care home run with staff shift patterns could not be considered to fall within Class C3, because this is not occupation of a dwelling house by a single person or people living together as a family.
- 2.7 Supported accommodation for children is usually for children aged 16-17 that provides support but not care. The children will live more independently than in a care setting. Therefore, this accommodation would not fall under the definition of Use Class C2 and will fall under either Use Class C3 (see above) or a Home in Multiple Occupation (Use C4 or *Sui generis*) depending on a number of factors, including number of residents, whether they are forming a single household, whether they share certain facilities.

3 When is planning permission required?

- 3.1 Care for children, including children's homes, is regulated by Ofsted. As part of the process for registering children's homes, Ofsted require the operator of the home to confirm the planning status of the property by either obtaining planning permission or, where there is no material change of use, obtaining a Certificate of Lawful Development.
- 3.2 Planning permission is usually required for development, including *'the making of any material change in the use of any buildings or other land'*.
- 3.3 The key test is whether a change of use from residential to children's care home would be considered a 'material' change of use when compared with the current way in which the property is being used or occupied. The term 'material' in planning is not clearly defined but in general terms means a factor that is relevant to making the planning decision in question. If the change of use is not considered 'material', then it would not constitute development and planning permission is not necessary.
- 3.4 While every application must be determined on its own merits, the Council consider that a change of use from a dwelling-house to a children's care home is generally considered to be 'material' for the following reasons:
- Change in the character of the use as a result of increased day-to-day activity
 - The comings and goings from staff and staff turnover
 - Increase in noise levels of the property
 - Change in the character of the use as a result of physical alterations to the property
 - Impact of the proposal in terms of the loss of family dwellings
 - Impact of the proposal on local service delivery
 - Impact of the proposal on the Council's ability to meet its own housing needs for young people requiring supported accommodation
- 3.5 It is up to the applicant to clearly demonstrate, to the satisfaction of the Council, if they consider a material change of use would not occur if a children's care home were proposed in a residential property.
- 3.6 For proposals for Supported Accommodation for Children (or others) without care, whether the change is material will depend on whether the units are self-contained, what facilities are shared and the number of occupants. It could be that they will fall under a Homes in Multiple Occupation, guidance for which is available in [another SPD](#).

4 Choosing appropriate properties for children's care homes

- 4.1 The type of property suitable for a children's care home will depend on the number of children that will reside at the property and their individual needs.
- 4.2 Where the accommodation would be aimed at children suffering from some degree of educational, behavioural or social difficulties (EBSD) the following types of property are considered to be appropriate (subject to the number of bedrooms available):
- Terraced properties – are generally only suitable for accommodating one child
 - Semi-detached properties – are typically only suitable for accommodating up to two children
 - Detached properties – can be used to accommodate one or two children but suitable proposals seeking to accommodate three children or more may be considered acceptable
- 4.3 Where more intense care models are proposed, such as a two-to-one care model, operators should consider larger detached properties wherever practicable.
- 4.4 Where less intense care models are proposed because the children require less specialist care, some degree of flexibility may be appropriate.
- 4.5 The applicant should set out, as part of a proposal, if the care home is intended to house children with educational, behavioural or social difficulties (EBSD) or not.

Choosing an appropriate location

- 4.6 In order to protect the character and amenity of residential areas, and avoid any undue concentration, no building will be allowed to be converted into Residential Care Homes for Children within 400 metres of existing converted property meeting similar needs.
- 4.7 Each month OFSTED provides the Council with a list of registered children's residential care homes within the Sefton borough. The Council maintains a map showing the locations of all children's care homes and this is updated monthly. In order to safeguard the children in care, it would be inappropriate for the Council to make the map available for public view.

- 4.8 If an operator has a particular property in mind, they can contact the planning department or Children's Services [see Appendix A] to find out if it falls within a 400m radius of a similar use.
- 4.9 Although children's homes are predominantly operated on a commercial basis, as the primary use is for residential purposes, they are appropriate uses for residential areas.
- 4.10 Proposals to convert a property outside a Primarily Residential Area will be assessed against the relevant criteria in the Local Plan for the site, alongside the guidance in this SPD. This may include:
- Employment areas
 - Mixed use areas
 - Town Centres

5 Protecting the amenity of nearby residents

- 5.1 Local Plan policy EQ2 sets out that developments should protect the amenities of those within and adjacent to the site.
- 5.2 Applicants should demonstrate that development would not cause heightened levels of disruption to adjacent or nearby residents, compared to if the dwelling were to be occupied by a typical family.
- 5.3 Applicants are encouraged to consider the implementation of a noise control plan, good neighbour policy and management statement for the control of noise to demonstrate that the living conditions of neighbouring occupiers would not be affected. The submission of these statements should be in addition to noise insulation on party walls and not acting as a replacement.

Car Parking and Storage Facilities

- 5.4 It is recognised that children's homes may require more parking than an equivalent sized dwellinghouse due to the number of support staff and frequent visits from other professional workers.

- 5.5 Vehicular movement that would result in the intensification of activity in and around the site, particularly in unsociable hours, can be disruptive in a residential setting and impact on residential amenity.
- 5.6 Proposals for children's care homes will only be supported where adequate car parking provision is available to meet the needs of the use.
- 5.7 If a change of use will result in an increased intensification of the usage of the property, applicants must demonstrate that proper consideration has been given to both cycle and bin storage.

Adapting an existing property

- 5.8 It is acknowledged that some children may have complex needs and vulnerabilities. These children deserve to live in a pleasant, caring and supported residential environment as part of the community, but it is also important that the amenities of neighbours be appropriately protected. As such, the following measures may be required;
- Installation of sound-proofing to protect party walls
 - Prevent children from having access to balconies and any flat-roof areas
 - Provision of appropriate boundary treatments to garden areas
 - Installation of appropriately located external CCTV (ensuring privacy of neighbouring properties are respected).

6 Protecting residents from crime

- 6.1 Paragraph 135 (f) of the National Planning Policy Framework sets out that developments should create places that are safe, inclusive and accessible, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 6.2 Some children in care may have complex needs and vulnerabilities that may increase their risk to becoming victims of crime. As a result, applicants are encouraged to consider crime rates in the area to ensure that development will not put vulnerable children under unnecessary risk. High rates of certain types of crime in an area will be particularly incompatible with locating vulnerable children, such as drugs and street violence. A robust local area risk assessment should be submitted to show that any risks have been identified and mitigated.

- 6.3 If an operator has a particular property in mind, area crime data is available at <https://www.police.uk/pu/your-area>. Following submission of the application, the Council will also consult with Merseyside Police.
- 6.4 The Council do not accept claims that children in care themselves are likely to contribute to a noticeable increase in crime in the area and this is therefore not considered to be a material consideration.

7 Preparation of a management plan

- 7.1 The Council will expect that a proposal for a children's care home will be supported by a management plan which will be secured by condition. The following issues are all advised to be considered when preparing a management plan;
- How many children would be accommodated?
 - What is the ratio of staff to children that is required, i.e. delivery model?
 - What is the likely level of need of the children accommodated, i.e. is there a focus on complex and vulnerable needs?
 - What is the likely shift pattern of staff, i.e. how many staff (management and care staff) would likely be at the premises at any one time and when would shift changes occur?
 - What support officers would be likely to visit the property?
 - How would visits be scheduled and would staff/support-worker meetings take place at the property?
 - If residents are unable to participate in full-time, mainstream education, what educational support would be offered on-site?
 - Would therapeutic care be offered on site?
 - Would case reviews take place on or off site?
 - Are friends and relatives of residents able to visit at any time?
 - Confirmation that the property be OFSTED registered.
 - Are children ever left alone at the property?
 - Under what circumstances are children allowed to leave the property?
 - Would staff members be informed/aware if a child left the property?
 - Is there a curfew?
 - What would happen in the event of a breach of curfew?
 - What security provisions are proposed, e.g. security and access controls on doors?
 - Would external CCTV be installed and the area of coverage?

- How would local residents know how to raise a concern in the event of an issue?

8 Advice for applicants

8.1 For all proposals for children's homes, we encourage you to use the Council's pre-application service to obtain early advice from planning officers on your proposed application. By discussing your project with us before you apply for planning permission, we can help you to put together a successful application that meets our requirements and avoid delays. There is a charge for this service. Details of our pre-application service can be found on [Pre-application advice on development proposals](#).

8.2 There are significant benefits in using our pre-application service. We will tell you:

- Whether your proposal is likely to be given permission or not
- Whether you need specialist input (e.g. if your proposal is likely to have an impact on listed buildings, conservation areas, highways, etc) before you submit your application
- About potential issues and so reduce the chances of you putting in a proposal which is not going to be acceptable
- If your proposal is completely unacceptable, and so will be able to save you the cost of putting in a formal application
- What information you need to include with your application, reducing the chances of you making an invalid application, and improving how quickly we can deal with your application

Appendix A

Key Contacts

Planning Department

Planning.department@sefton.gov.uk

Childrens Services

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