

Planning Committee

29 April 2026



Application No.	26/00017/FUL
Site Address	115 School Road Ashford TW15 2AL
Applicant	The Prospering Place Manager
Proposal	Change of use from a dwelling (Use Class C3) to a children's care home (Use Class C2).
Case Officer	Vanya Popova
Ward	Ashford East
Called-in	<p>This application has been called in by Councillor Sexton for the following reasons:</p> <ul style="list-style-type: none"> • Out of character • Adverse impact on the amenities of the immediate neighbouring properties • Insufficient outdoor or recreation space in the vicinity • Highway safety concerns • Inadequate parking • Insufficient or unsafe vehicular access for staff, visitors, emergency services, or school transport.

Application Dates	Valid: 06.02.2026	Expiry: 03.04.2026	Target: Extension of time agreed to 01.05.2026
Executive Summary	<p>The subject property is an extended four bedroomed, two-storey end of terrace dwelling. This application seeks the change of use from a dwellinghouse (Use Class C3) to a children's care home (Use Class C2) for up to four residents.</p> <p>The proposed use would not have an adverse impact on the character and appearance of the area, nor the residential amenity of adjoining properties. Furthermore, it is considered to provide an adequate level of amenity for future occupiers.</p> <p>In terms of highway safety and the proposed parking provision, the County Highway Authority raises no objection, subject to conditions and informatives.</p> <p>The proposal is therefore considered to be acceptable and is recommended for approval.</p>		
Recommendation	Approve the application subject to conditions.		

MAIN REPORT

1. Spelthorne Local Plan

1.1 The following policies in the Spelthorne Local Plan 2024- 2039/40 are considered relevant to this proposal:

- ST1: Presumption in Favour of Sustainable Development.
- ST2: Planning for the Borough.
- PS2: Designing places and spaces.
- H1: Homes for All.
- ID2: Sustainable Transport for New Developments.

1.2 Also relevant are the following Supplementary Planning Documents/Guidance:

- Spelthorne Design Code

1.3 The policies contained within the National Planning Policy Framework (NPPF) (December 2024) are also relevant.

2. Relevant Planning History

2.1 The site has the following planning history:

24/00783/HOU	Proposed loft conversion including the installation of a rear facing dormer with 2 no. rooflights within the front roof slope to provide second floor of habitable accommodation (retrospective).	Grant Unconditional 19.08.2024
23/01369/FUL	Change of use from a dwelling (C3) to a children's care home (C2).	Withdrawn 11.01.2024 *due to unauthorised house works prior the submission of this application
23/01102/CPD	Certificate of Lawfulness for the proposed loft conversion facilitated by a rear facing dormer plus insertion of 2 no. rooflights on front roof slope.	Refused 20.10.2023 * the proposal did not meet the requirements of Schedule 2, Part 1, Class B of the Town and Country Planning (General

		Permitted Development Order 2015.
23/00598/HOU	Erection of a first floor side extension and part two storey part single storey rear extension. Proposed garage conversion into a habitable space with the replacement of existing garage door with a new window opening and hipped roof over the existing part single storey front/side element.	Grant Conditional 06.07.2023

3. Description of Current Proposal

- 3.1 The application site relates to a two storey end of terrace property, which is situated on the western side of School Road in Ashford. The northern boundary of the site adjoins an electricity sub-station, with an access road serving a block of flats (Cheffrey Court) located immediately beyond this. The vehicle access and parking area associated with the flattened development lies directly adjacent to the application site's rear boundary, whereas the residential building itself is positioned further to the south-west of the application site. The southern flank boundary adjoins the residential mid terraced property of No. 117 School Road. The subject property has been substantially extended with a part two storey, part single storey, side/rear extension and rear facing dormer.
- 3.2 The area surrounding the site is predominantly residential in character, comprising a mixture of dwelling types, including two-storey houses, chalet-style properties and bungalows. The character of the locality has evolved over time as a result of changes to individual properties, many of which have been extended or altered, and it therefore cannot be regarded as a uniform street scene. As School Road is a classified highway, many properties along it have extensive hardstanding across their frontages to provide off-street parking. The front garden of the application site is similarly laid entirely with hardstanding. There is also an enclosed rear garden.
- 3.3 This application seeks permission for the change of use from a dwelling (Use Class C3) to a children's care home (Use Class C2). The applicant has submitted a Planning Statement which confirms that the building is proposed to be occupied by four children between the ages of 7 and 18 years. The submission also confirms that during the day and evening, a maximum of two members of staff will be on duty, consisting of one waking staff member and one sleeping staff member at night, but two staff members during the day, rotating on a shift basis. The applicant states that the home will be staffed by a team of eight employees, comprising six full time and two part time staff members. The provider will be looking after children that might have mental health needs and learning disabilities. In addition, as a provider of care, they would need to meet the requirements of all registered bodies such as the

Office for Standards in Education, Children’s Services and Skills (Ofsted) & Care Quality Commission (CQC) to operate a care facility. They would need to be registered with Ofsted.

- 3.4 The submitted information also indicates that there are no changes to the parking arrangements currently in place (three off street parking spaces). The only external alteration proposed is the removal of the existing low-profile front boundary wall. However, planning permission is not required for this change. In addition, the only internal change indicated is the use of study room as a staff office/sleep in room. No further internal alterations are indicated, with the proposal consisting solely of a change of use.

4. Consultations

- 4.1 The following table shows those bodies consulted and their response.

Statutory Consultees

Consultee	Comment
County Highway Authority	No objections on highway grounds, subject to conditions and informatives.

Non-Statutory Consultees

Consultee	Comment
Surrey Police	No objection - Refers to Secured by Design standards.
Surrey Parenting Commissioning	No objection - The proposed new home would support Surrey County Council’s Sufficiency Strategy 2025-2028.
Environment Health - Contamination	No comments, recommends informatives.
Environmental Health Officer (Noise)	No comments received up to date.

5. Public Consultation

- 5.1 A total number of 13 neighbouring properties were notified of the planning application. At the time of writing 5 letters of representation have been received objecting to the proposal.

Reasons for objecting include:-

- Needs to be designed to comply with Building Regulations Part M4(2): accessible and adaptable dwellings.
- Out of character.
- Limited on-street parking in the vicinity/Insufficient off-street parking.
- Parking pressure.
- Increased traffic.

- Highway safety concerns.
- Noise and disturbance.
- Anti-social behaviour.
- No infrastructure to support a higher intensity use.

5.2 In addition, a letter of representation has been submitted by the applicant, which raises the following points:

- The property will be set up as a family-style home as per Ofsted requirement.
- One car will be used to transport children to school and other activities.
- 24 hours a day supervision.
- Operate as a single household.
- Sustainable location.
- adequate off-street parking on site.
- the proposal will follow Secured by Design standards, in line with advice from Surrey Police.
- Ofsted regulations in place.
- The Prospering Place works closely with the Surrey County Council.
- The proposal supports support Surrey County Council's Sufficiency Strategy 2025 to 2028.

6. Planning Issues

- Principle
- Residential amenity.
- Parking & highways.
- Other matters

7. Planning Considerations

Principle

- 7.1 Planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The [Town and Country Planning \(Use Classes\) Order 1987](#) (as amended) identifies under Part C that Class C3 is for use as a dwellinghouse (whether or not as a sole or main residence) (a) by a single person or by people living together as a family, or (b) by not more than 6 residents living together as a single household (including a household where care is provided for residents). A change from C3 (a) to C3 (b) would not normally be classed as development requiring planning permission under Section 55 (f) of the Act as amended.
- 7.2 Use Class C2 includes the provision of residential accommodation and care for people in need of care and treatment (other than a use within a Class C3

dwellinghouse). In some circumstances where the total number of residents does not exceed 6, Case Law and appeal decisions suggest that a Children's Home or a home for people in need of care, can be regarded as falling within the C3(b) Use Class and the fundamental question in determining this is whether the residents of the property form a single household and receive care.

- 7.3 The case law *North Devon District Council v FSS & Southern Childcare Ltd [2003] EWHC 157 (Admin)*; *[2003] JPL 1191* held that the concept of what constitutes a household means more than simply the number of people, as it was necessary to assess whether the unit could be regarded as a household. It is also understood from the applicant's statement that the carers (who will be at property 24hours a day) would not reside at the property permanently and instead would rotate on a shift basis. Having regard to the number of occupiers of the property, together with the conclusions of the *North Devon v SOS* case, it is considered that the proposed use of the building would fall within the C2 Use Class (Residential Institutions).
- 7.4 The submitted information states that there will be up to four children aged between 7 and 18 years living in the property. The submitted information indicates that these individuals will receive care on site in a domestic, household setting, whereas the care staff would not fully reside at the property (rota basis). The issue to be assessed is whether the change of use from a dwellinghouse (C3) to a children's care home (C2) is acceptable in planning terms.
- 7.5 Local and national planning policy is extremely limited in its guidance in respect of Children's Homes. The operation and regulation is not a planning matter and the Council must instead consider the principle of the C2 use of the site. However, the applicant has stated that the provider will be looking after children age between 7 and 18 years that may have a background as a care leaver or those with mental health needs and learning disabilities.
- 7.6 Policy H1 (Homes for all) at paragraph 9, states the provision of well-designed specialist forms of accommodation, including sheltered housing, care homes and other appropriate form of accommodation for the elderly and those with particular needs, will be permitted provided that the development: a) meets demonstrable established local community need; and b) is in a sustainable location, with access to appropriate services and facilities where these are not provided on site. This includes public transport, shops, local services community facilities and social networks. Furthermore, the Policy also refers to the fact that the Council will work with specialist providers and bodies, such as Surrey County Council, to identify and secure provision of suitable sites for specialist housing.
- 7.7 The applicant states that the proposal aims to provide specialised residential care, therapy, and education for up to four children. It is noted that children may require out-of-home care for a variety of reasons, including family breakdown, abuse, neglect, or behavioural difficulties. The submitted information emphasises that there is a recognised need for children's care homes within Spelthorne, to enable children from the local area to be placed

close to home and maintain important connections with their families, schools, and wider communities.

- 7.8 It is also worth noting that Surrey County Council's Corporate Parenting Commissioning Team has also acknowledged the ongoing challenge of having to place a large proportion of children in residential care homes outside the county boundary, due to insufficient provision within Surrey. All local authorities have a statutory duty to provide care and accommodation for children looked after in the local area (the 'sufficiency duty'). It was acknowledged that this site in Ashford is located in a suitable geographical region to support Surrey County Council sufficiency, with transport links and education settings nearby. The Surrey County Council further notes that they are working with external providers developing children's homes in the county, alongside developing additional in-house provision for children who are looked after. The application proposes a community facility and is considered to be in accordance with Policy H1 in this regard and the proposed use is acceptable in principle.

The Character of the area

- 7.9 There is already hardstanding covering the entire frontage for the parking. The current proposal would not result in any further additional internal or external changes to the building. As such the proposal would not change the appearance of the building and is considered that the design and appearance would not cause harm to the character of the area or street scene. The property is located along a residential road and adjoins other residential properties along School Road.
- 7.10 The proposal is therefore considered to have an acceptable impact upon the character of the area and would be in accordance with policy PS2 and the NPPF on design grounds.

Amenity of future occupants

- 7.11 It is reasonable to expect that future occupants should have access to good standard of communal accommodation in which to prepare food, dine and mix with fellow residents. The NPPF requires spaces that promote health and well-being, with a high standard of amenity for future users (Para 135). Social interaction is important for mental health and well-being inclusive communities (Paragraph 96).
- 7.12 Each bedroom is of sufficient size with a good size window for outlook and light. The proposed plans show a functional space for the future occupants including a kitchen, lounge/dinner and access to the rear garden as well as the use of a study area. The understanding is that the occupiers would eat together and share prepared meals or make their own meals and they would share all the facilities of the home. During the day, it is expected that children would engage in various activities including attending a school in the area.
- 7.13 The submitted information indicates that there would always be at least two members of staff who will be rotating on a shift basis providing integrated personal support for the occupiers' development and acting as co-parents by supporting with their life, social and behaviour skills and assist them in re-

engaging with education. This will be on a 24 hour basis. The frequency of shift changes and other visits is not considered to alter the character of the use and the way its occupants interact with one another as a single household.

- 7.14 Although the LPA does not have any minimum requirements for garden sizes for care homes, the Design Code minimum size of a garden for a three or more bedroom semi-detached or detached dwellings home is 70 sq. metres. The proposal will provide a rear garden area of some 167 sq. metres and therefore this is considered to be acceptable. It is accessed from the communal kitchen indoor space.
- 7.15 Each bedroom would be of a sufficient size to accommodate one bedspace with a floor area that meets the Government's nationally described Technical Housing Standards (March 2015) for new dwellings. It is recommended that a planning condition is imposed in order to limit the number of residents to four. The shared kitchen and lounge/dinner would be located on the ground floor of the property, which is considered to be sufficient in size for the number of occupants. Residents would also have access to a shared rear garden and have cycle and refuse storage facilities.
- 7.16 Therefore, it is considered that the number of occupants would be able to be comfortably accommodated in the subject property. The quality of the communal space provided within the development is considered to be sufficient and would provide an acceptable living environment for its future residents.

Amenity of neighbouring properties

- 7.17 Policy PS2 states that proposals for new developments should demonstrate that they will achieve a satisfactory relationship to adjoining properties avoiding adverse and un-neighbourly impacts in terms of loss of privacy, daylight or sunlight, or overbearing effect due to bulk and proximity or outlook.
- 7.18 The proposal does not include any extensions. The existing building will be converted for the proposed use, and will continue to be residential in nature. Therefore, it is not considered that the proposal would lead to harmful overlooking or loss of privacy, as the relationship will remain the same as existing.
- 7.19 Policy E4 sets out the Council's general approach to minimise the impact of noise and refers to reducing noise levels from noise generating activities and locating noise sensitive development away from sources of high noise.
- 7.20 The house and its curtilage will retain the character of neighbouring houses. Whilst there could be a potential increase in activity (in terms of people entering and leaving the property) associated with the proposed use, it is not considered that this would be significantly different to those experienced in a 4 bedroomed family dwelling. It is not considered that the use of the property as C2 care home for up to 4 persons would cause unacceptable noise or general disturbance and would lead to material harm to the living conditions of neighbouring and adjoining properties.

- 7.17 Consequently, the proposal is not considered to have a significant impact on the amenity of neighbouring residential properties that would justify refusal on these grounds. The proposal would be in accordance with policies PS2 and E4 as well as the NPPF.

Highway and Parking Provision

- 7.18 Paragraph 115 of the NPPF states that ‘Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.’
- 7.19 Third party representations have raised concerns about highway safety. The County Highway Authority (CHA), in its role as highway authority, has undertaken an assessment in terms of highway safety, parking and operational impact of the proposed development. The CHA is of a view that the proposed change of use will not significantly cause a highway safety issue and believes that provided the recommend conditions of the application are achieved, there is no justifiable reason that this proposal should be refused on highway safety grounds. It would not be acceptable to refuse this application based on the widespread common practice of parking on the footway in the vicinity of the site, which cannot be solely linked to this particular development.
- 7.20 The County Highway Officer considers that the proposed change of use will not result in a significant increase in vehicle movements. The Use Class of children’s care home (C2) will be characterised by trips from staff, visitors and deliveries and while this is more varied than the current use as a dwelling (C3), it will not result in a significant increase of trips that create highway safety concerns. The site’s close proximity to cycle infrastructure and local, bus stops also supports active travel options for visitors and staff. The site’s access will not experience any intensification, as the on-site parking capacity will stay the same. The CHA considers three off-street parking spaces is adequate for this size of development. The development proposes to extend the vehicle crossover to provide more manoeuvring space, as well as better visibility for exiting vehicles.
- 7.21 The development will also provide cycle parking facilities for staff or visitors to help promote sustainable modes of transport. These facilities are considered to be acceptable and to the standard set out in Surrey County Council’s Guidance for active travel.
- 7.22 It is therefore considered that the proposed parking provision would not conflict with Policy ID2 of the Spelthorne Local Plan 2024- 2039/40 and is acceptable.

Other matters

- 7.23 In regard to neighbouring safety concerns, Surrey Police refer to encouraging the applicant to apply for the Secure by Design Award in regard to crime prevention measurement. The supporting statement indicates that there will be some security measures in place such as the installation of CCTV, monitored by the staff on duty, high boundary treatment at the side and rear

of site, undertaking Safe Area Assessment of Risk and others. It is recommended for these to be added as an informative to the decision notice.

- 7.24 It is relevant to note that the application is not subject to the National Biodiversity Net Gain requirements as it involves a change of use.

Financial Considerations

- 7.25 Under S155 of the Housing and Planning Act 2016, Local Planning Authorities are now required to ensure that potential financial benefits of certain development proposals are made public when a Local Planning Authority is considering whether or not to grant planning permission for planning applications which are being determined by the Council's Planning Committee. A financial benefit must be recorded regardless of whether it is material to the Local Planning Authority's decision on a planning application, but planning officers are required to indicate their opinion as to whether the benefit is material to the application or not. It is relevant to note that the proposal is not a CIL chargeable development. The proposal will continue to generate Council tax payments which is not a material consideration in the determination of this proposal.

Equalities Act 2010

- 7.26 This planning application has been considered in light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due regard to:

The elimination of discrimination, harassment and victimisation; The advancement of equality of opportunity between persons who share a relevant protected characteristic and person who do not share it; The fostering of good relations between persons who share a relevant protected characteristic and person who do not share it; which applies to people from the protected equality groups.

Human Rights Act 1998

- 7.27 This planning application has been considered against the provisions of the Human Rights Act 1998.
- 7.28 Article 8 and Protocol 1 of the First Article confer a right to respect private and family life and a right to the protection of property, i.e. peaceful enjoyment of one's possessions which could include a person's home, and other land and business assets.
- 7.29 In taking account of the Council policy as set out in the Spelthorne Local Plan and the NPPF and all material planning considerations, Officers have concluded on balance that the rights conferred upon the applicant/ objectors/ residents/ other interested party by Article 8 and Article 1 of the First Protocol may be interfered with, since such interference is in accordance with the law and is justified in the public interest. Any restriction of these rights posed by the approval of the application is legitimate since it is proportionate to the wider benefits of such a decision, is based upon the merits of the proposal,

and falls within the margin of discretion afforded to the Council under the Town & Country Planning Acts.

Conclusion and Recommendation

7.30 The options available to the Planning Committee for decision making are:

- To approve the application as set out in this report. This option is recommended. The report analyses in some detail the reasons why the application is considered to be acceptable in planning terms.
- To approve the application subject to additional /amended conditions and informatives. This option is not recommended, the conditions and informatives are set out below. The Planning Committee should be minded of paragraph 57 of the NPPF which states that :- *planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects ([National Planning Policy Framework](#))*.
- To refuse the application. This option is not recommended. The report assesses why officers consider the application to be acceptable and there are [no material planning reasons](#) to refuse the proposal.

7.34 The application is recommended for approval, subject to conditions and informatives below.

8. Recommendation

8.1 APPROVE subject to the following conditions:

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

Reason: -. This condition is required by Section 91 of the Town and Country Planning Act, 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans H/649/02-L Existing and AKOM-LP1 Received on 08.01.2026, 01 Received on 06.02.2026, 07 Revision A and H/649/02-L Proposed Received on 09.04.2026.

Reason: -. For the avoidance of doubt and to ensure the development is completed as approved.

3. The occupation of the young adult's care home hereby permitted shall be limited to a maximum of 4 residents at any time.

Reason: -. To safeguard the amenity of future residents of the property and neighbouring properties.

4. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans (drawing No. 07) for vehicles to be parked. Thereafter the parking area shall be retained and maintained for their designated purpose.

Reason: -. To ensure that the proposed development does not prejudice the free flow of traffic or the conditions of general safety along the neighbouring highways and to ensure that the facilities provided are reserved for the benefit of the development for which they are specifically required, in accordance with NPPF.

5. The development hereby approved shall not be occupied unless and until a fully operational fast-charge Electric Vehicle charging point (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) has been installed in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

Reason: -. The above condition is required in recognition of Section 9 (Promoting Sustainable Transport) of the NPPF.

6. No part of the development shall be first occupied unless and until the proposed modified vehicular access to No. 115 School Road has been constructed and provided with a means within the private land of preventing private water from entering the highway, visibility zones in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter the visibility zones shall be kept permanently clear of any obstruction over 0.6m high.

Reason: -. To ensure that the proposed development does not prejudice the free flow of traffic or the conditions of general safety along the neighbouring highways and to ensure that the facilities provided are reserved for the benefit of the development for which they are specifically required, in accordance with NPPF.

7. Prior to the occupation of the development hereby approved the facilities for the secure parking of bicycles within the development site shall be provided in accordance with the approved plans. Thereafter the said approved facilities shall be retained and maintained to the satisfaction of the Local Planning Authority.

Reason: -. The above condition is required in recognition of Section 9 (Promoting Sustainable Transport) of the NPPF.

Informatives

1. In accordance with Approved Document S of the Building Regulations, you will be required to install electric vehicle charging facilities.
2. The applicant's attention is drawn to the ACPO/Home Office Secured by Design (SBD) award scheme, details of which can be viewed at www.securedbydesign.com.

3. The property will not receive any more bins than the standard household allocation of 1 x 240 rubbish and 1 x 240 recycling, emptied on a fortnightly basis.

Any additional capacity or collections required for the tenants to manage their waste would be the responsibility of the landlord to seek/arrange on a commercial basis.

4. The applicant's attention is drawn to the Equalities Act 2010, which requires the property to be accessible to disabled people.
5. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover to install dropped kerbs. www.surreycc.gov.uk/roads-and-transport/permits-and-licences/vehicle-crossovers-or-dropped-kerbs
6. The developer is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
7. The applicant is expected to ensure the safe operation of all construction traffic to prevent unnecessary disturbance obstruction and inconvenience to other highway users. Care should be taken to ensure that the waiting, parking, loading and unloading of construction vehicles does not hinder the free flow of any carriageway, footway, bridleway, footpath, cycle route, right of way or private driveway or entrance. The developer is also expected to require their contractors to sign up to the "Considerate Constructors Scheme" Code of Practice, (www.ccscheme.org.uk) and to follow this throughout the period of construction within the site, and within adjacent areas such as on the adjoining public highway and other areas of public realm.