

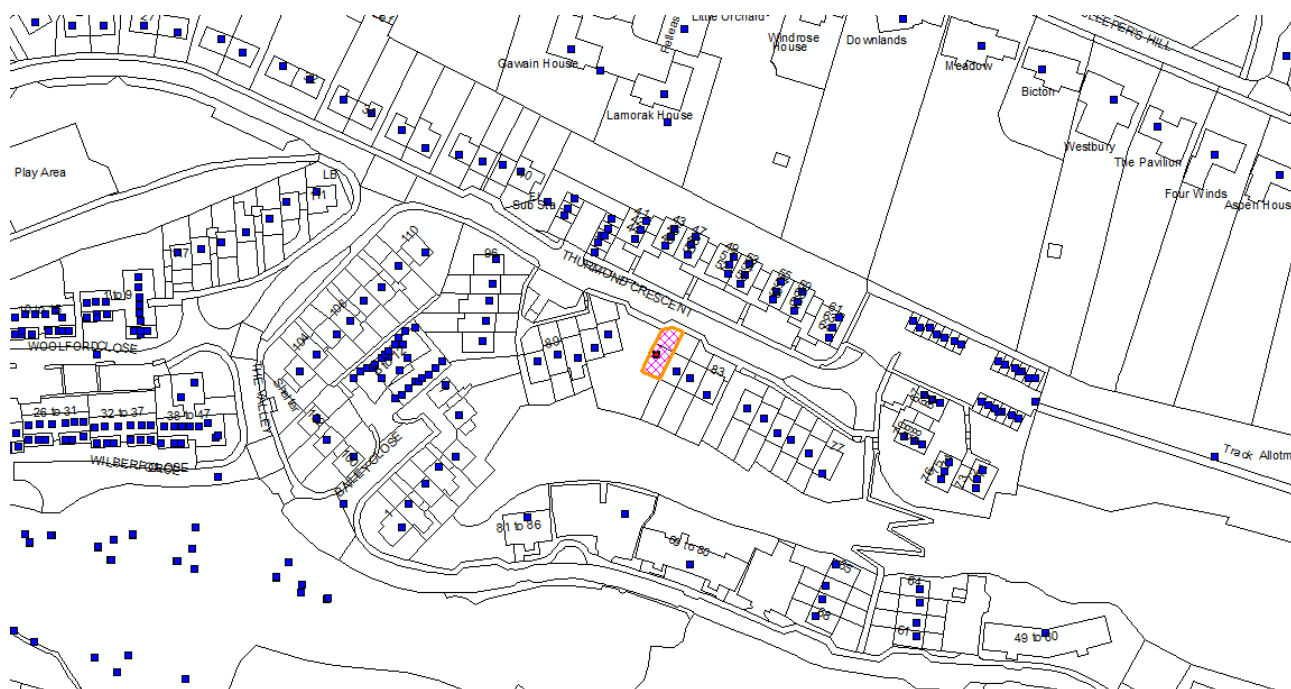
WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Case No: 25/01617/FUL
Proposal Description: Change of use of 86 Thurmond Crescent from its current classification under Use Class C4 (House in Multiple Occupation) to Use Class C2 (Residential Institution). The proposed change will facilitate the establishment of a small childrens residential care home.
Address: 86 Thurmond Crescent Winchester Hampshire SO22 4DH
Parish, or Ward if within Winchester City: St Luke
Applicants Name: Ifeoma Ozoemena
Case Officer: Ethan Townsend
Date Valid: 21 August 2025
Recommendation: Approve with conditions
Pre Application Advice No

Link to Planning Documents

[Link to page – enter in reference number 25/01617/FUL](#)

<https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple>



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Reasons for Recommendation

The development is recommended for permission as it contributes to the variety of housing options available in the district in accordance with policy CP2 of the LPP1, and it will not have an adverse impact on the character of the area in accordance with policies DM15 and DM16 of the LPP2 and would not harm neighbouring residential amenity in accordance with policy DM17 of the LPP2.

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General Comments

The application is reported to Committee due to the number of objections received contrary to the Officer's recommendation.

Amendments to Plans Negotiated

None

Site Description

The application site comprises an end of terrace two-storey dwellinghouse which consists of buff mixed brick and a tiled roof. The building is currently used as a four-bedroom house of multiple occupancy (HMO). The dwelling is set at a slightly lower ground level than the road. The site has a small front garden with steps leading down from the road to the dwellinghouse. The site is located on the southern side of Thurmond Crescent, amongst other small terraces of houses that share a similar design and form. On the northern side of the road lies blocks of flatted accommodation.

Proposal

Permission is sought for a change of use from a House of Multiple Occupancy (Use Class C4) to a home for the accommodation and care of children (Use Class C2). The building would host three children aged 9 to 17.

Relevant Planning History

None relevant.

Consultations

Service Lead – Public Protection (Environmental Health) – No objection

- No adverse comments

Hampshire County Council (Childcare Development) –No comments

Representations:

City of Winchester Trust (neither object nor support):

- Share concern over whether property is suitable due to impact on neighbours

12 Objecting Representations received, 8 from different addresses within the Winchester district citing the following material planning reasons:

- Not suitable for the area
- Unsuitable location due to lack of access to public transport and facilities
- The proposed use would be an overly intensive use for the site
- Impacts upon neighbouring amenity through increased noise and disturbance
- Proposal will increase vehicular movements and parking pressures
- Compromises the residential character of the area
- Concerns over antisocial behaviour

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- Impact on wellbeing

2 Supporting Representations received from different addresses citing the following material planning reasons:

- Provides a safe space and home for children

Relevant Government Planning Policy and Guidance

National Planning Policy Framework (December 2023)

- 2. Achieving sustainable development
- 5. Delivering a sufficient supply of homes
- 8. Promoting healthy and safe communities
- 9. Promoting sustainable transport
- 12. Achieving well-designed places

National Planning Practice Guidance

Biodiversity net gain
Effective use of land
Healthy and safe communities
Housing needs of different groups
Noise
Use of planning conditions

Winchester Local Plan Part 1 – Joint Core Strategy (LPP1)

- CP1 – Housing Provision
- CP2 – Housing Provision and Mix
- CP10 – Transport
- CP13 – High Quality Design
- CP14 – The Effective Use of Land
- CP17 – Flooding, Flood Risk, and the Water Environment

Winchester District Local Plan Part 2 – Development Management and Site Allocations (LPP2)

- WIN8 – Stanmore
- DM1 – Location of New Development
- DM15 – Local Distinctiveness
- DM16 – Site Design Criteria
- DM17 – Site Development Principles
- DM18 – Access and Parking
- DM20 – Development and Noise

Emerging Local Plan 2020-2040

- Policy D1 – High Quality, Well Designed and Inclusive Places
- Policy T2 – Parking for New Developments
- Policy H1 - Housing Provision
- Policy H4 – Development Within Settlements
- Policy H5 – Meeting Housing Needs
- Policy H10 - Houses in Multiple Occupation (HMOs)

Supplementary Planning Document

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National Design Guide 2019
High Quality Places 2015
Air Quality Supplementary Planning Document 2021
Residential Parking Standards 2009

Other relevant documents

Climate Emergency Declaration, Carbon Neutrality Action Plan 2020-2023.
Nature Emergency Declaration.
Statement of Community Involvement 2018 and 2020

Planning Considerations

Principle of development

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and paragraph 48 of the National Planning Policy Framework (2024) require that applications for planning permission be determined in accordance with the Development Plan unless material considerations indicate otherwise.

The Regulation 19 Local Plan has been agreed by Full Council and the examination has now been completed. Therefore, the emerging policies can be given appropriate and increasing weight in the assessment of development proposals in advance of Adoption.

There is no specific policy relating to children's care homes within the Local Plan. Notwithstanding this, policy CP2 (Housing Provision and Mix) of the LPP1 supports the creation of a mixed and balanced community and identifies that development should meet a range of community housing needs. The policy specifically requires most homes to be 2/3 bed houses; however, the property is currently an authorised 4-bedroom HMO, so there is no policy conflict. The need to consider different housing needs is also reflected in paragraph 63 of the NPPF (2024) where it states that planning decisions should account for the size, type, and tenure of housing needed for different groups in the community.

Paragraph 6 of the NPPF (2024) sets out that other statements of government policy may be material when preparing plans or deciding applications, such as relevant Written Ministerial Statements. In the Ministerial Statement (23rd May 2023), 'Planning for accommodation for looked after children', the need for and importance of children's homes across the country was recognised and it clearly states that 'the planning system should not be a barrier to providing homes for the most vulnerable children in society... we expect local planning authorities to support these vital developments where appropriate, to ensure that children in need of accommodation are provided for in their communities'.

The information accompanying this application identifies that the property would be occupied by a maximum of 3 children, aged between 9 to 17 years. There is a general need for this type of accommodation within Winchester. The application site is within the city's defined settlement boundary where the principle of development such as that proposed is acceptable.

Assessment under 2017 EIA Regulations.

The development does not fall under Schedule I or Schedule II of the 2017 Environmental Impact Assessment Regulations; therefore, an Environmental Impact Assessment is not required.

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Impact on character and appearance of area

The Town and Country Planning (Use Classes) (Amendment) Order 2005 (as amended) distinguishes a range of uses of buildings and specifically permits changes of use from one use to another within individual classes. Where activity results in a material change of use of a building to a use falling within a different use class then planning permission will be required to authorise that change of use. A children's care home will fall into a C2 use classification.

Although children's homes are predominantly operated on a commercial basis, as the primary use is for residential purposes, they are appropriate uses for a residential area. Whilst the change of use would allow for occupation by up to three children, along with associated members of staff, the use would still have many similarities to a normal family home (C3 use class) or a student house of multiple occupation (C4 use class), in that the children residing there would have their own private bedrooms, continue to go to school (if able to) and partake in group activities both within and outside of the home. The level of comings and goings associated, while different in nature with more visitors likely during working hours is considered to be comparable to the current use as a 4-bed HMO.

Having reviewed the type of residential properties and accommodation within the surrounding area, the proposal would not lead to an undue concentration of children's homes on this street and in surrounding area.

The proposal does not involve any external changes to the building. Therefore, the building would continue to appear as a dwellinghouse, and its character will remain compatible with other properties in the area. As such, the proposal would comply with policies DM15 and DM16 of the Local Plan Part 2 (LPP2), which seek to ensure that development respects the character and appearance of the surrounding area.

Development affecting the South Downs National Park

The application site is located 1.3 km from the South Downs National Park.

Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) updated 2024. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 189 that great weight should be given to conserving and enhancing landscape and scenic beauty in national parks and that the conservation and enhancement of wildlife and cultural heritage are also important considerations and should be given great weight in National Parks.

Due to the distance and intervening features, an adverse impact on the National Park and its statutory purposes is not identified.

In conclusion therefore the development will not affect any land within the National Park and is in accordance with Section 11a of the National Parks and Access to the Countryside Act 1949.

Historic Environment

No Impact, the works do not affect a statutory Listed building or structure including setting; Conservation Areas, Archaeology or Non-designated Heritage Assets including setting.

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Neighbouring amenity

Policy DM17 of the LPP2 identifies Site Development Principles that must be followed, including that the proposal must not have an unacceptable adverse impact on adjoining land or neighbouring amenities by reasons of overlooking, overshadowing or overbearing, or any other adverse impact to primary amenity spaces. The proposal only seeks the change of use from a HMO to a children's home. Given the lack of any operational development, and presence of existing windows, there would be no additional overlooking, overbearing or overshadowing impact.

Comments have been received regarding the potential for the change of use to result in increased noise and disruption. It should be noted that the officer's assessment should be made on the assumption that residents will behave reasonably. In addition, it is acknowledged that the existing building is a four-bedroom HMO which carries with it its own level of noise. The proposal is modest in scale, seeking consent to host three children (which is secured by condition 2). Staff are on site to supervise and manage the behaviour of the children in their care 24 hours a day. Therefore, an element of supervision would likely reduce the risk of any anti-social behaviour and associated noise impacts on the amenity of neighbouring properties and that of the wider area.

Notwithstanding the above, noise complaints can also be enforced under separate legislation to control statutory noise nuisance. Furthermore, the strict safeguarding requirements of Ofsted as the regulatory authority for children's care institutions would further ensure that the resident children are supervised appropriately and the potential for noise and disruption can therefore be suitably managed.

The Authority's Environmental Health team have been consulted on the application and have not raised any concerns regarding potential for proposal to result in adverse noise.

In conclusion, given the modest scale of the proposal (for three looked-after children), it does not follow that the proposed C2 use would result in a material increase in noise levels compared to the current use as a four-bedroom HMO. In light of the above, the proposal is considered to comply with policy DM17 of the LPP2.

Sustainable Transport

The application site is located on Thurmond Crescent, within the settlement boundary of Winchester. The site itself has no parking provision. There is on-street parking available to the front of the site. Numerous comments have been raised regarding the potential for the change of use to increase traffic and parking.

Paragraph 116 of the NPPF (2024) sets out 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.

The application dwelling will be occupied by three resident children and a carer. The children in care will not be driving. The children's home will operate with three staff on rotation. It is likely that there would be a modest increase in trips generated by the movement of carers, specifically during working hours, however, this would have a degree of similarity to that of a household and/or HMO.

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The Authority do not have any specific parking standards for C2 children's homes. The residential parking standards (for C3 dwellinghouses) require a 4-bedroom property to provide three parking spaces albeit it notes in areas of higher accessibility, car parking may be provided to a lower standard. The application site currently operates as a four-bedroom HMO with multiple individual tenants each with their own vehicle. Whilst the site does not provide any parking, there is on-street parking available, and it is considered that the proposal would not result in a greater demand for parking in comparison to the current use.

The site is situated in a sustainable location being close to local facilities on Wavell Way, and within walking distance of primary and secondary schools. There are bus stops along Stanmore Lane which are within walking distance from the site. Owing to the sustainable location of the site, and the level of activity/parking associated with existing use, the proposal would not lead to an adverse impact on the highway network. Therefore, the proposal complies with policy DM18 of the LPP2.

Ecology and Biodiversity

Due to the nature of the development, the proposal will not have an impact upon Nationally Protected Site of the Solent SAC and SPA and the River Itchen SAC. The proposed development does not result in a net gain in the number of residential units on site. It results in a change of use from four-bedroom HMO to a four-bedroom C2 children's home (1 for staff and 3 for children). Therefore, the number of occupiers on site remains the same. As such, the proposal is not considered to have a significant effect upon European designated sites. Therefore, an Appropriate Assessment under the Conservation of Habitats & Species (Amendment) Regulations 2011 is not required.

Biodiversity net gain is required under the statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). As such, planning applications (unless exempt) received on or after 2 April 2024, are required to provide a 10% Biodiversity Net Gain. Based on the information available, one of the statutory exemptions set out under The Biodiversity Gain Requirements (Exemptions) Regulations 2024 applies. Section 4 of this regulation sets out that de minimis development is exempt, which is defined as a development proposal that impacts less than 25 square metres of onsite habitat that has a biodiversity value greater than zero. The proposed development would involve change of use of the site and would not involve any external alterations. As such, it would comply with the de minimis exemption.

Sustainable Drainage

The proposal does not involve any external changes to the property. Therefore, there would be no impact upon flood risk or drainage network. Therefore, the proposal complies with policy CP17 of the LPP1.

Other Topics – Other Legislation

This application standards to be assessed under the Town and Country Planning Act 1990 (as amended). There is other legislation in place which regulates children's homes. Section 11 of the Care Standards Act 2000, and the Children's Homes (England) Regulations 2015 require children's homes to be registered with Ofsted.

Comments have been received on this application regarding the suitability of the development due to proximity to criminal activity, and proximity to other environmental

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hazards (i.e. railway line). For children's homes, Ofsted require a location assessment to be carried out which will address safeguarding concerns for the resident children.

It is considered that Ofsted's registration process is able to fully address the suitability of a premises for the resident children from a safeguarding perspective. These issues therefore are not regarded as material planning considerations in the determination of this planning application.

Equality

Due regard should be given to the Equality Act 2010: Public Sector Equality Duty. Public bodies need to consciously think about the three aims of the Equality Duty as part of the process of decision-making. The weight given to the Equality Duty, compared to the other factors, will depend on how much that function affects discrimination, equality of opportunity and good relations and the extent of any disadvantage that needs to be addressed. The Local Planning Authority has given due regard to this duty, and the considerations do not outweigh any matters in the exercise of our duty.

Planning Balance and Conclusion

The provision of a children's care home is acceptable in principle, and the proposal would contribute to the variety of housing options available in the city including vulnerable residents requiring extra assistance and support. Having regard to the written ministerial statement of May 2023 significant weight must be attached to the benefit of providing accommodation for looked-after children.

It is acknowledged that the proposal does not provide any on-site parking, however, the existing dwelling is used as a four-bedroom HMO with no parking provision. Given that the site is in a sustainable location (with access to public transport and the provision of street parking) and considering the level of activity and parking associated with the existing use, a reason for refusal could not be sustained on parking and highway grounds as adverse harm cannot be demonstrated.

The proposal is capable of being accommodated without causing adverse harm to the character and appearance of the area and neighbouring amenity.

Recommendation

That the application be Granted subject to the following conditions:

Conditions

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

Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

General Restrictions

2. The development hereby approved shall be limited to a children's home that will offer accommodation for up to 3 children and their required carers/support staff and for no other purposes including any other purpose within Use Class C2.

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Reason: For the avoidance of doubt and to ensure the development is carried out on the basis of the information submitted, considered and approved.

Informatives:

1. In accordance with paragraph 39 of the NPPF (December 2024), Winchester City Council (WCC) takes a positive and proactive approach to development proposals, working with applicants and agents to achieve the best solution. To this end WCC:

- * Offer a pre-application advice service; and
- * Update applicants/agents of any issues that may arise in the processing of their application, where possible suggesting alternative solutions

In this instance

- * a site meeting was carried out with the applicant
- * the application was acceptable as submitted and no modification or further assistance was required
- * the application was considered by the Planning Committee where the applicant had the opportunity to speak to the Committee and promote the application

2. This permission is granted for the following reasons: The development is in accordance with the Policies and Proposals of the Development Plan set out above, and other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning permission should therefore be granted.

3. Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements (as set out in paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990 and the Biodiversity Gain Requirements (Exemptions) Regulations 2024) are considered to apply as follows:

- The Development is below the de minimis threshold.