


Report to be read in conjunction with the Decision Notice.

Signed:	Officer:	MC	Date:	20/05/2026	Manager:	LH	Date:	22/5/26
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Application Ref:	3/2026/0256			 Ribble Valley Borough Council <small>www.ribblevalley.gov.uk</small>
Date Inspected:	19/05/2026	Site Notice:	N/A	
Officer:	MC			
DELEGATED ITEM FILE REPORT:				REFUSAL

Development Description:	Proposed change of use of a dwelling house (C3) to a children's home (C2) for up to 2 young people between the age of 8 and up to 18.
Site Address/Location:	36 Moor Field, Whalley, BB7 9SA

CONSULTATIONS:	Parish/Town Council
Whalley Parish Council:	No response received.

CONSULTATIONS:	Highways/Water Authority/Other Bodies
LCC Highways:	No objections subject to conditions relating to the retention of the car parking areas.
RVBC Environmental Health Officer:	No comment.

CONSULTATIONS:	Additional Representations.
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26 objections have been received raising the following concerns:

- the title deeds of the property restricts the use to a family dwelling
- concerns regarding antisocial behaviour and loss of safety
- the cul-de-sac is a very narrow road and there are concerns raised regarding potential parking issues and worsening of existing parking issues
- the bedrooms are very small and the development would be overdevelopment of the site
- concerns regarding harm to neighbour amenity from noise/disturbance and loss of privacy due to change of use and staff changeovers/comings and goings
- front garden has been removed to create parking spaces
- the security at the rear garden at number 36 is not adequate
- size of rear garden is not adequate for proposed use
- the proposal will affect property prices
- the site is not close to local amenities for children
- many residents of Moor Field are elderly and have medical visitors
- bungalows are in demand for people wishing to downsize
- RVBC have already set a precedent for refusing similar schemes elsewhere
- cheaper properties could be used
- queries regarding the need for children's homes in this area
- immediate neighbours were not consulted at the pre planning stage
- concerns the front driveway will not be used
- the number of children proposed has increased from the refused certificate
- the proposal would make it difficult for emergency services to access properties
- the change would be out of keeping with the character of the estate and would be incongruous

RELEVANT POLICIES AND SITE PLANNING HISTORY:**Ribble Valley Core Strategy:**

Key Statement DS1: Development Strategy
Key Statement DS2: Sustainable Development
Key Statement DMI2: Transport Considerations

Policy DMG1: General Considerations
Policy DMG2: Strategic Considerations
Policy DMG3: Transport & Mobility
Policy DMB1: Supporting Business Growth and the Local Economy

National Planning Policy Framework (NPPF)**Relevant Planning History:****3/2025/0804**

Certificate of lawfulness for the proposed use of a (Use Class C3a) dwelling house to a children's home (Use Class C3b)

Refused

ASSESSMENT OF PROPOSED DEVELOPMENT:**Site Description and Surrounding Area:**

The application relates to detached bungalow located adjacent to the settlement boundary of Whalley. The application site is accessed off Moor Field which is predominantly residential in character and comprises a cul-de-sac location.

Proposed Development for which consent is sought:

Planning consent is sought for a proposed change of use of the application property from a dwellinghouse (use Class C3) to a children's residential care home (Use Class C2).

This application for full planning permission follows a recently refused certificate of lawfulness (3/2025/0804) which was refused for the following reason:

- 1. The proposed use as described in the application would not fall within Use Class C3 of the Town and Country Planning (Use Classes) Order 1987 (as amended). The proposal by virtue of the nature of the use as a children's home involves a change of use from the existing lawful use which is Class C3 to Class C2. Having regard to the nature of occupation and care provision, visits to the property and the property's cul-de-sac location, the proposed development would amount to a material change of use requiring planning permission. Accordingly, a certificate of lawfulness is hereby refused having regard to Section 192 of the Town and Country Planning Act 1990 and an application for planning permission is required.*

Principle of Development:

Key Statement DS1 of the Core Strategy seeks to direct the majority of new development to the principal settlements of Clitheroe, Whalley and Longridge as well as the Tier 1 settlements.

Policy DMG3 of the Core Strategy requires decision taking to consider the availability and adequacy of public transport and associated infrastructure to serve those moving to and from new developments. This is consistent with the NPPF which requires development proposals to promote sustainable transport.

In this instance, the application site lies immediately adjacent to the defined settlement limits of Whalley which is identified as a main Settlement in the Core Strategy. In addition, the application site is within walking distance to Whalley railway station and within 20 minute walk of Whalley Bus Station where there are frequent bus services (every 30 minutes) to and from Clitheroe and also to the larger town of Blackburn outside of the Borough.

Accordingly, the proposed development would satisfy the requirements of Key statement DS1 and Policy DMG3.

Impact Upon Amenity:

Policy DMG1 of the Core Strategy stipulates that development must be sympathetic to existing and proposed land uses in terms of its size, intensity and nature and not adversely affect the amenities of the surrounding area. Furthermore, Policy DMG1 of the Core Strategy requires all proposals for development to consider the effects of development upon existing amenities.

Paragraph 135 (f) of the National Planning Policy Framework states that planning policies and decisions should ensure that developments:

“create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”

With regards to loss of light, overshadowing, overlooking or overbearing impact, given that there are no extensions or alterations proposed to the property, it is not considered that there would be any adverse impact on the amenity of neighbouring properties on the above grounds.

Turning to potential noise and disturbance, there have been concerns raised from the occupiers of neighbouring properties with regards to potential noise and disturbance that would arise from both the children and staff utilising the site, including disturbance during staff changeovers.

The Council’s Environmental Health Officer has been consulted on the application but no comments have been provided.

The submitted management plan indicates that the dwelling would be occupied by 2 no. looked after children between the ages of 8-18. The supporting information states that there would be a maximum of 2 no. members of staff present at night (which includes a mixture of waking nights and sleep-ins). The statement advises that for the sleep-in shift, one member of staff would leave and the remaining 2no. members of staff would sleep in at the property. For the waking night shift, an additional staff member would arrive at the property and 2no. members of staff would then leave at the end of the shift.

The remaining staff member who has carried out the day shift would sleep in at the property. As such, during staff changeover, there would be a maximum of 4no. cars present at the property which the applicant considers could be accommodated for within the site. In addition, the statement confirms that there would be occasional visits from visitors/management which would occur during the day, outside of changeover period.

The shifts would operate from 07:30am to 22:00pm for day staff and 21:00pm – 09:00am for waking night staff. As such, staff changeover times would be in the mornings and evenings.

The supporting statement confirms that a risk assessment was carried out with a local PCSO who advised that Whalley is a generally safe area with a relatively low crime rate and no significant concerns regarding the home's location. They said that there are occasional reports of minor seasonal youth nuisance, typical for the area, but nothing persistent or serious and that although the home is near Calderstones Hospital, which can sometimes result in welfare or missing person calls, this is not expected to have a significant impact. Overall, the location presents a low level of community risk.

Given the planning application is for 2 no. children, it is considered that the risk to public safety is low.

The presence of a 2 no. children and 2-3 no. adults in the property, would not be dissimilar from the number of persons that could occupy the existing 2-bedroom dwelling (or 3-bedrooms if the dining room were to be converted). The scale and nature of 2 no. children being present at the property would function on a similar level to a family residential dwelling and noise from young people i.e. playing in the garden would not be different from that which would be generated by a family unit living at the property, where there would be no restrictions on the number of children living there. For this size of dwelling with 2 bedrooms, occupation by a family with 2 children could be possible. The number of children occupying the property could be conditioned to be 2 no. and any increase in the number of children would then need consent.

Notwithstanding this, the Council could not condition how the shift patterns would take place. The shift pattern would mean that staff changeover times would occur early in the morning around 07.30 and later in the evening between 21:00 – 22:30. The Council would not be able to enforce such planning condition to restrict the staff changeover times nor could it control the number of staff or visitors to the property during the day, as such there would be the potential for shift patterns and visits to change resulting in an increase in the frequency and times of staff changeovers and visits. The development therefore has the potential to adversely affect the amenity of neighbouring properties.

As such, limited weight can be given to the proposed staff model and structured visitor policy.

There would likely be a maximum number of 4 no. vehicles present at one time in the morning and evening when staff are changing over. Given that there would likely be some overlap during staff changeover times to ensure that the children are not alone at any given point, it is likely that there would be 4 no. vehicles parked at the site at any one time on those days. The parking spaces within the site are not full size parking spaces as it is not considered that the parking spaces are 2.4m wide and 4.8m in depth. As such, it is likely that there would likely be vehicle manoeuvring taking place to allow the staff finishing their shift to leave and it is likely that staff would end up parking on street during this period for ease.

In addition, the siting of the dwelling, within a small cul-de-sac is considered to exacerbate the impact of the change of use and comings and goings of visitors given the close proximity to neighbouring properties. As noted previously, the Council are unable to restrict the staff changeover pattern and frequency of visits and therefore the dynamic of a children's home which could have multiple comings and goings, beyond those of a family residential house is considered to result in an adverse impact to the amenities of neighbouring properties in a quiet, residential location.

As such, the proposal fails to comply with paragraph 135 (f) of the National Planning Policy Framework, Policy DMG1 of the Ribble Valley Core Strategy.

Visual Impact/Design:

Paragraph 135 (c) of the NPPF states:

“Planning policies and decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting.”

Policy DMG1 of the Ribble Valley Core Strategy provides additional general design guidance as follows:

“All development must be sympathetic to existing and proposed land uses in terms of its size, intensity and nature as well as scale, massing and style...particular emphasis will be placed on visual appearance and the relationship to surroundings, including impact on landscape character.”

Policy DMG2 also states that:

“Within the open countryside development will be required to be in keeping with the character of the landscape and acknowledge the special qualities of the area by virtue of its size, design, use of materials, landscaping and siting. Where possible new development should be accommodated through the re-use of existing buildings, which in most cases is more appropriate than new build.”

The proposal would not include any external changes to the site and the proposal is therefore considered to accord with Policies DMG1 and DMG2 of the Ribble Valley Core Strategy.

Highways and Parking:

The Council are in receipt of objections from the occupiers of neighbouring properties which raise concerns with respect to the impact of the proposed change of use upon highway safety arising from potential occurrences of on street parking.

Paragraph 116 of the National Planning Policy Framework 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”*.

With regards to parking, Policy DMG3 of the Ribble Valley Core Strategy states that:

“All development proposals will be required to provide adequate car parking and servicing space in line with currently approved standards”.

Policy DMG1 also states that development must:

- 1. Consider the potential traffic and car parking implications.*
- 1. Ensure safe access can be provided which is suitable to accommodate the scale and type of traffic likely to be generated.”*

The Local Highway Authority have provided comments on the scheme. They raise no objection to the proposal for a maximum of 2 children and 3 no. of staff, subject to a condition that the area shown for parking on the submitted plan is retained for the parking of four vehicles.

Whilst the local planning authority has concerns about increased pressure for on-street parking, due to position of the highways authority this concern is not considered to justify a refusal reason on highway safety grounds.

Subject to a condition, restricting the driveway for the parking of vehicles, the proposal is considered to accord with the above policies.

Landscape/Ecology:

The proposal is considered exempt from needing to provide mandatory BNG as the proposed development would impact on less than 25sqm of on-site habitat.

Other Matters:

Other concerns have been raised with regards to safeguarding and concerns that the site/garden is not secure. However, these are not considered to be a material planning consideration.

In addition, concerns have been raised from neighbouring properties regarding the potential impact on property prices. However, again this is not a material planning consideration that would affect the determination of this application.

Observations/Consideration of Matters Raised/Conclusion:

The proposed change of use of the application property, by virtue of the increase in activity levels that would likely occur within and around the property, is considered to amount to an intensification of activity at the site that would adversely harm the amenity of the occupiers of neighbouring properties in the residential cul-de-sac location.

The proposed development therefore fails to satisfy the requirements of Paragraph 135 (c) of the NPPF and Policy DMG1 of the Core Strategy.

As such, for the above reasons and having regard to all material considerations and matters raised that the application is recommended for refusal.

RECOMMENDATION: That planning consent be refused for the following reasons:

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| 01: | The proposed change of use of the application property, by virtue of the increase in activity levels that would likely occur within and around the property, is considered to amount to an intensification of activity at the site that would adversely harm the amenity of the occupiers of neighbouring properties. The intensification of vehicles associated with the development and the likelihood of on-street parking during staff changeover would be to the detriment of the amenity of neighbouring residents, contrary to paragraph 135 (f) of the National Planning Policy Framework and Policy DMG1 of the Ribble Valley Core Strategy. |
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