



Appeal Decision

Site visit made on 3 June 2025

by **N Kempton BAHons, PGDip, MA, IHBC, MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 30 June 2025

Appeal Ref: APP/F4410/W/24/3357800

Moorville, Marshland Road, Moorends, Doncaster DN8 4RP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a grant of planning permission subject to conditions.
 - The appeal is made by Mr Christopher Goundry on behalf of the Hennessy Group against the decision of City of Doncaster Council.
 - The application Ref 24/01529/COU was approved on 18 October 2024 and planning permission was granted subject to conditions.
 - The development permitted is change of use from dwellinghouse (Class C3) to children's home (Class C2) for up to 4 children.
 - The condition in dispute is No 4 which states that: The following security measures shall be installed before the development hereby permitted is brought into use and be retained thereafter:
 1. All doors and windows must comply with PAS 24 (2022) or LPS 1175 SR2.
 2. The glazing units should consist of a minimum of one pane of glass that achieves compliance under the BS EN356 P1A attack resistance standard.
 3. External lighting to all facades controlled by dawn to dusk sensors. The system should comply with security standard BS 5489 -1:2013.
 4. A CCTV system on the exterior of the property. An operational requirements report should be completed to ensure that the system is fit for purpose. Further information is available from the Government website:
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/378443/28_09_CCTV_OR_Manual2835.pdf .
 - The reason given for the condition is: In the interests of safeguarding vulnerable children and to create an environment where crime, and the fear of crime, do not undermine quality of life or community cohesion and resilience, in accordance with NPPF (Dec 2023) paragraphs 96(a), 101, 135(f) and Doncaster Local Plan policies 10(A.1), 47 and 50.
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Decision

1. The appeal is allowed and the planning permission Ref 24/01529/COU for change of use from dwellinghouse (Class C3) to children's home (Class C2) for up to 4 children at Moorville, Marshland Road, Doncaster DN8 4RP granted on 18 October 2024 by City of Doncaster Council, is varied by deleting condition no 4.

Background and Main Issue

2. Planning permission was granted for the change of use of a dwellinghouse to a children's home to accommodate a maximum of 4 children aged below 18 years of age. The appeal seeks to carry out the development without complying with condition 4 which requires the installation of a number of security measures relating to door and windows, external lighting and CCTV. The main issue is whether the specified security measures are necessary to safeguard vulnerable children and to create an environment where crime, and the fear of crime, do not undermine quality of life or community cohesion and resilience.

Reasons

3. The appeal property is a detached dwelling set in an elongated plot that is bound to the front, roadside elevation by a brick wall, railings and metal gates. The sides and rear boundaries are enclosed by close boarded timber fencing, blockwork walls and vegetation.
4. Situated in a predominantly residential area, the appeal property is flanked by dwellings. There is natural surveillance from neighbouring occupiers of surrounding dwellings, pedestrians and other road uses passing the site.
5. The appeal property is staffed 24 hours a day every day of the year. A minimum of 2 adult carers would be on site to provide support and supervision, at all times, to the residents - specifically a maximum of 4 children under the age of 18 years old. This arrangement is broadly comparable to a family home which accommodates responsible adults and dependent children, except in the case of the appeal property, the adults are not permanent residents at the property rather they work on a rotating shift pattern.
6. The South Yorkshire Police Architectural Liaison Officer (PLO) confirmed that there is no evidence that this children's home would be subject to attacks or that this area would provide a higher-than-normal level of threat to the property.
7. In addition to employed personnel, I observed security measures on site including: CCTV, which has been installed at the property, intended to be a deterrent only- this system does not record; locks on all windows and doors; external, sensor reactive lighting; robust boundary treatments including tall, lockable metal gates.
8. Therefore, in the absence of any substantive evidence of heightened risk, I am satisfied that the development would not harm the living conditions of the occupiers of the appeal property or neighbouring occupiers, with particular regards to crime, fear of crime and community cohesion.
9. I conclude that the disputed condition is not reasonable or necessary in the interests of safeguarding vulnerable children and to create an environment where crime, and the fear of crime, do not undermine quality of life or community cohesion and resilience. The development without the disputed condition would thus comply with the following policies of the Doncaster Local Plan (adopted 2021) (LP): Policy 10 which states that new residential development will be supported provided the development would, amongst other things, provide for an acceptable level of residential amenity for both new and existing residents; Policy 47 which supports developments which are designed in a way that reduces the risk of crime and the fear of crime.
10. The Council's decision notice also refers to Policy 50 of the LP, which relates to health. It is a strategic policy that aims to improve and promote strong, vibrant and healthy communities. It is considered that this strategic policy has less direct relevance to this appeal.
11. Furthermore, the proposal would comply with the following paragraphs of the National Planning Policy Framework (the Framework) (2024). Firstly, paragraph 96 which states that decisions should aim to achieve healthy, inclusive, and safe places that promote social interaction, are safe and accessible so that crime and disorder, and the fear of crime, do not undermine the quality of life or community

cohesion. Secondly, paragraph 102 which states that decisions should promote public safety and take into account wider security requirements by anticipating and addressing possible malicious threats. Finally, paragraph 135(f) which states that development should create a high standard of amenity for existing and future users.

Conclusion

12. For the reasons given above, I conclude that the appeal should be allowed and I vary the planning permission by deleting the disputed condition.

N Kempton

INSPECTOR