



Appeal Decision

Site visit made on 7 November 2025

by R Gravett BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 December 2025

Appeal Ref: APP/M4510/W/25/3372920

22 Ross Way, Gosforth, Newcastle Upon Tyne NE3 2BL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr J Singh of Step Forward Care Ltd against the decision of Newcastle Upon Tyne City Council.
 - The application Ref is 2025/0495/01/DET.
 - The development proposed is change of use from dwelling house (Class C3) to children's residential care home (Class C2) with associated car parking and hard landscaping.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development in the banner heading above has been taken from the Council's decision notice and the appeal form, as it more accurately describes the proposal before me than the description on the planning application form.

Main Issues

3. The main issues are:
 - whether the development could provide acceptable living conditions for future occupants having regard to accessibility;
 - whether acceptable living conditions could be provided for future occupiers of the proposed development, with particular regards to internal living space and external amenity space; and
 - the effect of the proposed development on the living conditions of neighbouring residents, with particular regards to noise and disturbance.

Reasons

Accessibility

4. The appeal property is a modest sized semi-detached dormer bungalow on the corner of Ross Way and Acomb Crescent. It is proposed to change the use of the bungalow to a children's residential care home (Use Class C2).
5. Policy DM8(3) of the Development and Allocations Plan 2015-2030 (2020) (DAP) requires that all development providing 'specialist residential accommodation' is designed to Accessible and Adaptable Standard (Building Regulation M4(2)) and/or Wheelchair User Standard (Building Regulation M4(3)). Specialist

residential accommodation is defined as including Use Class C2 (Residential Institutions) and the policy applies to *all* such development. It does not distinguish between a new build or the conversion of an existing property, nor does it apply only to a generalised form of extra-care or wheelchair housing. The proposed development has not been designed to comply with these standards.

6. The Council's evidence is that almost 20% of children in care in Newcastle have disabilities. With reference to the Public Sector Equality Duty contained in the Equality Act 2010 (EA 2010), I have therefore had due regard under Section 149 of the EA 2010 to the requirement to take steps to meet the needs of persons who share a protected characteristic. As the home has not been designed to meet the needs of children with physical disabilities it would fail to meet those needs.
7. Nevertheless, the appellant states that reasonable adjustments to meet individual needs would be secured through management arrangements, such as ground floor accommodation allocation, and minor adaptations to the appeal property. However, based on my own observations of the appeal property, the constrained downstairs hallway, upstairs landing, the narrow half turn staircase and small downstairs WC would limit accessibility, and could not be easily adapted.
8. Although Policy CS11 of the Core Strategy and Urban Core Plan 2010-2030 (2015) (CSUCP) promotes a good range and choice of accommodation, this should be achieved by increasing the choice of *suitable* accommodation, and accommodation which meets varied and changing needs. Based on my findings above the appeal scheme would fail.
9. For the reasons outlined above, and having due regard under Section 149 of the EA 2010, I conclude that the proposed development would not provide acceptable living conditions for future occupiers having regard to accessibility. It would conflict with DAP Policy DM8(3) which requires, amongst other things, *all* development providing 'specialist residential accommodation' to meet accessibility standards.

Living conditions – future occupiers

10. I understand that many children in care are accommodated in standard residential housing stock and that these are regulated and approved as suitable by Ofsted. In addition to the children, the care home would be occupied by two resident carers, and there would be regular external visits from a social worker and other professionals. No internal alterations are proposed to the appeal property, which is currently arranged with a bedroom, WC, living room and kitchen/dining room at ground floor, with two bedrooms and a bathroom at first floor. Each child would have their own private bedroom and although the second bedroom has restricted headroom under the eaves, both would be a comfortable size and layout.
11. The Guide to Children's Homes Regulations¹ does not prescribe minimum space standards, and it is intended that the proposal would provide a family-like environment. However, the downstairs living space is modest in size, and it is unclear how this could comfortably be used to provide a bedroom for carers, communal living space, an office and a meeting space for visitors, as well as the children. Whilst the appellant suggests that the garage could be converted to a dedicated meeting or activity space, this is not part of the proposal before me.

¹ Department of Education: Guide to the Children's Homes Regulations including the quality standards (2015)

12. Therefore, although some meetings could take place outside of the home, realistically there would be regular sharing of the living space, or the restriction of its use, and a lack of privacy for the children at least outside of their own bedrooms. As raised by the Council's Children's Social Care Section, this could cause resentment and animosity between the children.
13. The patio area to the rear of the appeal property is fully enclosed and secure but it is not of a sufficient size to afford any genuine opportunity for children to play, even if the shed were removed. Although it is proposed to extend the existing driveway, a reasonable sized front and side garden would nevertheless remain. However, this would not be fully enclosed by the low wall and hedgerow, and the widest part of the garden would be distant from the natural surveillance of the living room. Therefore, it is unlikely that children would be able to use this garden without close supervision from staff.
14. There is a large area of publicly accessible open space at the northern end of Acomb Crescent which is a short walk from the appeal property. Whilst I acknowledge the children would have access to this outdoor environment, it would not be sufficient to mitigate the lack of a safe, secure garden at home which would give the children opportunity for independent play.
15. The appellant considers that any 'minor concerns' could be mitigated through conditions, but I have insufficient information before me as to what these conditions might be, or how they could resolve the issues I have identified above.
16. Therefore, I conclude that the development would not provide acceptable living conditions for future occupiers, with particular regards to internal living space and external amenity space. It would conflict with CSUCP Policy CS11 and DAP Policy DM20 which together promote 'lifetime neighbourhoods' with a good range and choice of accommodation to meet varied and changing needs. They further require development to provide high quality inclusive spaces and buildings which promote active and healthy lifestyles, with adequate space inside and outside of the home to meet the needs of residents.

Living conditions – neighbouring residents

17. Up to two children would be placed at the proposed care home and, subject to their age, they would likely attend school or nursery, participate in after school activities, and follow normal domestic routines. The children would be supported by two carers who would work shifts, typically resulting in two shift patterns per day. This level of occupation, pattern and intensity of use of the appeal property would not be dissimilar to a family household.
18. There would also be activity and additional movements associated with the carers and other visiting professionals. However, I have no persuasive evidence that this would result in more comings and goings than visitors or deliveries to a family home or would result in a noticeable or harmful increase in noise or disturbance. This is despite the close-knit arrangement of bungalows in the area, which are understood to be occupied predominantly by older people.
19. The interested parties raise concerns regarding anti-social behaviour in the area, including disruption to community cohesion. The Council's Children's Social Care section has also commented that there could be disruption to existing residents, creating animosity and an undesirable environment to place vulnerable children.

However, although I note it may result in increased police attendance, I have no evidence before me that the placement of only two children would lead to a material escalation in anti-social behaviour. Nor that they would prevent community stability or alter the existing residential character of the area.

20. Therefore, I conclude that the proposed development would not cause harm to the living conditions of neighbouring residents, with particular regards to noise and disturbance. It would accord with CSUCP Policy CS14 and DAP Policy DM23 in so far as they require the wellbeing and health of communities be maintained by preventing an unacceptable adverse impact on residential amenity.

Conclusion

21. For the reasons set out above, the proposed development conflicts with the development plan and material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, I conclude that the appeal should be dismissed.

R Gravett,

INSPECTOR