



Appeal Decision

Site visit made on 15 January 2026

by **G Sylvester BSc (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 4th February 2026

Appeal Ref: APP/P0240/W/25/3374959

31 Northfields, Dunstable, Bedfordshire LU5 5AJ

- 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 Allhandscare Ltd against the decision of Central Bedfordshire Council.
 - The application Ref is CB/25/02120/FULL.
 - The development proposed is the change of use of residential dwelling to children's home for up to three children.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. At my site visit I saw that the property was undergoing refurbishment works, which included the reconfiguration of the internal layout of the building on the first floor, which did not match that shown on the floor plan drawings. For the avoidance of doubt and in the interests of fairness, I have determined the appeal based on the drawings which were considered by the Council and interested parties, and not the layout of the building that I saw at my visit.

Main Issues

3. The main issues in this appeal are:
 - Whether the proposed development would provide satisfactory living conditions for future occupiers, with particular regard to internal space.
 - The effect of the proposal on highway safety with particular regard to the provision of off-street car parking.

Reasons

Living conditions

4. Policy H2 of the Central Bedfordshire Local Plan 2015-2035, July 2021 ("the CBLP") relates to housing standards and sets the policy requirements for internal space standards on the one hand, and accessibility and adaptable standards on the other. The requirement in Policy H2 for adaptable and accessible homes from all future developments is specifically qualified as being applicable to "*new build dwellings*". By contrast, the first paragraph of Policy H2 appears to contain no such qualification and states "*Internal space standards for all residential development will be applied to all dwelling types and tenures, including flats in accordance with the Nationally Described Space Standards*".

5. On the evidence before me I am not convinced that Policy H2 would apply squarely to a children's home in Use Class C2, even though its occupation would be akin to a C3 dwellinghouse with the intended future occupiers living together as a single household. Nonetheless, the Council is clearly concerned over the sizes of bedrooms 2 and 3 by comparison to the Nationally Described Space Standards (NDSS), which it is not disputed are shown on the drawings as being smaller than the minimum sizes in the NDSS for a single bedroom, particularly bedroom 2.
6. Whether NDSS must be applied to the appeal proposal by reason of Policy H2 does not make the sizes of bedrooms irrelevant to the exercise of my planning judgement as to whether the development would provide satisfactory living conditions for the intended future occupiers. The sizes of bedrooms would still be a material consideration and in my view the NDSS are a useful indicator of the sizes of bedrooms normally deemed adequate for occupation by occupiers of a property.
7. In this instance the intended age range of occupying children means they would be likely to spend more time in their bedrooms and to use them for a greater variety of activities than simply sleeping. Future occupiers of the proposed children's home would not necessarily be related and would be likely to highly value their bedrooms as their own space within the children's home. Therefore, providing adequate bedroom space is particularly important to the living conditions of the intended occupiers of the appeal development. I note that an Inspector reached a similar conclusion in respect of an appeal in London¹ to use a modest three-bedroom terraced dwelling as a children's home for up to three children.
8. Even if I were to step away from Policy H2 and thus NDSS, it is clear from the submitted drawings that bedroom 2 is a particularly small room with a narrow shape that in my judgement would provide its future occupiers with unacceptably cramped and poor-quality living conditions. Whilst bedroom 3 is larger in size and the drawings show that it has a more practical shape, it is still a modestly sized room, and it has not been shown through a furnished layout drawing that its size would provide adequate living conditions for future occupiers of the development. Even if the appellant was able to show otherwise, it would not alter my conclusion in respect of bedroom 2 or the outcome of the appeal.
9. The appellant refers to Ofsted standards and the Children's Home Regulations. However, I have not been provided with any alternative quantitative or qualitative standards for accommodation for children's homes on which to base my judgement. As such, those standards and regulations do not alter my conclusions on this main issue.
10. Although staff would be present overnight for supervision of the children, it would not be expected to be their home in the same way as it would for the children occupying the property. Overnight staff would most likely work in a shift rotation, returning to their own homes for sleep when not on duty at the children's home. As such, it is not likely that staff would use the office in the same way that a resident child occupant would use a bedroom as their sole independent living space. It would be reasonable to suppose that staff would store their possessions at their own home and would not require a conventional bedroom to accommodate them whilst working. If staff on the night shift were to relax and sleep, I see no reason why this could not be accommodated in the proposed office space, with the lounge

¹ APP/Z5060/W/24/3357738

also likely to be available for those purposes. There is nothing of substance to indicate that the proposal would contravene any regulations on staff working conditions. As such, the accommodation provided for staff would not result in any demonstrable harm.

11. The Council refers to a conflict with Chapter 11 of the Central Bedfordshire Design Guide in respect of its guidance on space standards for new housing and new dwellings. Even if I were to take the best case scenario for the appellant and find that it does not apply to the appeal proposal because it is not a new house, it would not alter my conclusion on this main issue or the outcome of the appeal.
12. For those reasons, the proposed development would not provide satisfactory living conditions for future occupiers of the development, with particular regard to internal space. As such, even if I were to find that Policy H2 and thus NDSS are not squarely applicable to the appeal proposal, it would nonetheless fail to accord with paragraph 135.f) of the National Planning Policy Framework ("the Framework") insofar as it requires planning decisions to provide a high standard of amenity for future users as part of achieving well designed development.

Highway safety

13. There is some disagreement over how many off-street parking spaces serve the existing appeal dwelling and thus would be available to serve the proposed children's home. Like most properties along Northfields, the frontage of the appeal site is hard surfaced to provide an off-street parking space and at the time of my visit a large pick-up vehicle was parked on it clear of the footway. There is no dropped kerb to the frontage parking, but that is not uncommon on Northfields and the relatively low height of the kerb is unlikely to prevent a car from being driven onto it. In any case, it seems highly likely the frontage parking could be accessed via the existing dropped kerb to the shared driveway with the neighbouring property.
14. There is a garage to the rear of the site which appears too small to function as a parking space. The hard surfacing in front of that garage appears to be a sufficient size to accommodate a parked vehicle. I saw a vehicle parked in front of the neighbouring garage on a similar sized area of hardstanding. However, the line of the garden fence, which I am advised was erected recently, would appear to make it difficult to manoeuvre into and out of that space, particularly when a vehicle is parked in front of the neighbouring garage. The drawings are not sufficiently detailed to demonstrate otherwise and therefore I cannot be satisfied that that parking space would function satisfactorily. Based on those factors I have taken a pre-cautionary approach and assumed that the existing dwelling at the appeal site is served by 1 off-street car parking space.
15. The Council's Parking Standards for New Developments Supplementary Planning Document ("the SPD") requires a minimum of 2 car parking spaces for a new build 3 bed dwelling. If the appeal dwelling was a newbuild, it would not meet that standard and if the occupiers of the appeal dwelling were to own 2 cars it seems likely that one would be parked on the frontage and the other on the road. The SPD does not cover children's homes specifically, but the parking standard for nursing and care homes in Use Class C2, is 1 space per 4 beds, plus 1 space per 2 members of staff.

16. The proposal would operate as a relatively small children's home with a maximum of 3 resident looked after children. There is some dispute over the number of staff that would be present at any one time, with the number having been altered by the appellant through the processing of the planning application. However, I find no evidential basis to conclude that having 2 members of staff on the site would be unrealistically low given the proposed level of accommodation and the care needs of the children described by the appellant. In my judgement, those staff would most likely generate a parking demand for no more than 2 vehicles, which based on the SPD's parking standards would hardly be any different to the likely parking demand of the existing dwellinghouse.
17. It is proposed that looked after children at the appeal property would be between 11 and 18 years of age, and therefore it is possible that a child 17 years of age could own a car. That possibility would equally apply to the existing dwellinghouse. If one were to resort to worst-case scenarios, there is a possibility that all 3 resident children of the children's home, were they to be 17 years of age, could own a car. Equally, the existing 3 bed dwellinghouse could also be occupied by 2 children of the same age who own cars or even young adults with cars.
18. The management say they will not permit children in the children's home to own cars. The Council say it is not unlikely that children would own a car or have access to one. It has not been shown that the planning system could prevent a citizen from lawfully owning a car. However, in my judgement it is reasonable to suppose that a child taken into care in the circumstances described by the appellant would be amongst those least likely to have a full driving license and to acquire and run a car. The extract from the Written Ministerial Statement dated May 2023 ("the WMS") that is before me describes looked after children as the most vulnerable in society. It is therefore extremely unlikely, in my judgement, that any resident child of the appeal development would own or have access to a car. It is relevant that Dunstable is a large settlement with a range of amenities in walking distance of the appeal site.
19. Nonetheless, in having regard to the SPD's parking standards I have assumed that the proposed use would generate a regular parking demand for approximately 3 vehicles, which by comparison to the parking standard for a 3 bed dwelling and the available off-street parking at the appeal property would be expected displace a small number of additional vehicles onto the public highway.
20. At my site visit, there were several on-street parking spaces available on Northfields and little evidence of parking stress. I acknowledge that my visit is only a snapshot in time and was carried out during normal business hours. However, there is no firm evidence to indicate that the parking conditions that I observed at that time of the day, when deliveries and visits to the appeal development seem most likely to occur, were abnormal. None of the parties to this appeal have undertaken a parking survey to quantify the extent of any parking stress that might exist on Northfields.
21. Levels of on-street parking are likely to be higher during the evening and night when residents are most likely to be at home. Several interested parties have submitted photographs, mostly during the hours of darkness, showing rows of vehicles parked on both sides of Northfields, partly on the carriageway and partly on the footway. However, even if there is a high level of parking stress on Northfields, there is no firm evidence to show that a small increase in the level of

on-street parking would be detrimental to highway safety, were it to arise from the appeal use.

22. The section of Northfields near to the appeal site is not a through-road and is akin to a cul-de-sac. It functions as a one-way loop with a 20mph speed limit, providing access to the residential properties that front onto it, most of which appear to have off-street parking. I saw that it is a quiet residential street with low volumes of traffic moving along the road at low speeds and in a one-way direction.
23. There is nothing to suggest that cars parked on both sides regularly obstruct the free flow of normal traffic along the road, or the visibility for road users around the junctions of the few short roads that join it. There appears to be no traffic regulation orders that seek to prevent parking on this part of Northfields, which is an indication that parked vehicles do not detrimentally affect the operation of the road. There is also nothing of substance to suggest that Northfields has a history of collisions.
24. Whilst the changeover of staff shifts at the proposed children's home will likely result in a modest increased demand for parking, it would be expected to be temporary in nature with no firm evidence that it would harm highway safety. Given traffic conditions it is highly unlikely that staff vehicles would be parked unattended in the centre of the carriageway causing an obstruction to the one-way flow of traffic and long queues of waiting vehicles. In my experience, such parking would appear to be prohibited under the highway code in any event.
25. I acknowledge that parked vehicles can obstruct the passage of larger vehicles. Interested parties have submitted photographs to support their concerns that parked cars have recently obstructed a fire appliance from reaching an incident, and that a heavy goods vehicle delivering building materials near the appeal site obstructed the flow of traffic. On the evidence before me it appears the fire appliance was able to reach the location of the incident and there is nothing before me to show that there would have been a different outcome had the appeal development been in operation.
26. There is nothing to indicate that heavy goods vehicles regularly travel along Northfields. It seems most likely that deliveries by heavy goods vehicles would coincide with the times of day when parking pressure is at its lowest, as I observed during the timing of my site visit, as opposed to the evenings and overnight when more residents are likely to be at home. Even if the appeal use was to displace a small number of additional parked cars onto the public highway, there is no substantive evidence that it would significantly worsen the ability of heavy goods vehicles to travel along Northfields.
27. There is nothing of substance to indicate that the proposed use of the property would lead to a significantly greater number of home deliveries than the existing use. Even if the occasional delivery vehicle was to be parked temporarily in the centre of the carriageway whilst unloading because there was no space to park elsewhere, given the traffic conditions on Northfields, it would be expected to result in nothing more than a small queue and short duration inconvenience to drivers. In my experience, deliveries of that nature are not uncommon in a residential street. There is no substantive evidence that it would cause a level of congestion that would harm highway safety.

28. If the appeal use was to displace a small number of additional parked cars onto the public highway, I acknowledge that it might cause some inconvenience for existing residents in finding parking spaces closer to their homes. However, there is nothing of substance to indicate that those vehicles could not be accommodated on the road. Given that most properties already have some off-street parking, I find that such inconvenience would not justify a refusal of planning permission.
29. Taking all the above into account, I am satisfied that should there be any additional parking demand created by the proposal, it would not be at a level that would be harmful to traffic congestion or highway safety, nor would it result in any significant inconvenience to the occupiers of existing properties in the area.
30. For those reasons, I conclude that the appeal proposal would not be harmful to highway safety, with particular regard to the provision of car parking off-street, and it would comply with CBLP Policy T2, insofar as it requires development to not impede the free flow of traffic on the existing network or create hazards to that traffic and other road users. Even if I were to agree with the Council that the proposal would conflict with the SPD's parking standards, for the reasons I have given above there would be no actual harm from that non-compliance. Therefore, to the extent that there would be a conflict with Policy T3, insofar as it requires a decision maker to have regard to the Council's parking standards, it would carry no real weight against the proposal. I have had regard to those standards.

Other Matters

31. The matters raised by interested parties relate mostly to the Council's refusal reasons and are therefore addressed under my main issues above. Where they do not, they are largely addressed within the Council Officer's report and as I am dismissing the appeal for other reasons it is unnecessary for me to reach a finding on them as they would not have altered the outcome of the appeal.
32. The proposal would accord with the support for delivering accommodation to meet the needs of looked after children in Framework paragraph 63. The extract from the WMS advises that local authorities should be supportive of accommodation for looked after children in their area that reflect local need. The main parties agree there is a need for such accommodation, albeit not quantified, and that the appeal proposal would provide a children's home in a large settlement where such uses are acceptable as a matter of principle. It would also generate lasting employment and economic activity, albeit tempered by the loss of an existing family home and the economic activity inherent to its occupation. I attach significant weight to the benefits of the development.
33. The intended occupiers of the development would have a shared protected characteristic for the purposes of the Public Sector Equality Duty (PSED) contained in section 149 of the Equality Act 2010. Whilst it does not follow from the PSED that the appeal should be allowed, with the concept of proportionality being key, the need for accommodation for looked after children is an indicator of a potential inequality of housing opportunities for them.
34. Living conditions were not a matter of dispute in the appeal at Tarnside Close². The dismissed appeal for a children's home at Bromley Gardens Houghton Regis³,

² APP/P0240/W/25/3359871

³ APP/P0240/W/25/3348320

relates to a different property on a different road where the Inspector had evidence submitted by the Council showing records of collisions at a nearby junction. Consequently, on the evidence before me, which does not include full details of those appeals, there are significant differences between them and the appeal before me. As such, they are of limited relevance and weight to my considerations and do not alter my conclusion on the second main issue.

Planning balance and Conclusion

35. For the reasons given above, the proposed development would provide unsatisfactory living conditions for future occupiers of the proposed development, contrary to Framework paragraph 135.f) the requirements of which are set out above. Even if CBLP Policy H2 and NDSS were not applicable to the appeal proposal, it would not alter my conclusion on the first main issue. However, in that scenario I find there would be no conflict with the CBLP policies cited in the refusal reasons or the development plan as a whole, and my attention would turn to whether material considerations, including the benefits of the proposal, should indicate a decision other than in accordance with that plan.
36. Significant positive weight attaches to the cumulative benefits of the proposed development, particularly its contribution to meeting the accommodation needs of looked after children, who are the most vulnerable in society. However, the Framework requires all development to provide a high standard of amenity for future users as part of being well designed. This is particularly important for looked after children and the proposed development would not achieve those objectives for the reasons given above. Therefore, notwithstanding the Framework's support for such accommodation, the proposal would conflict with the Framework as a whole and is an important matter of substantial weight against the proposal. It is sufficient to outweigh its benefits and compliance with the development plan.
37. In terms of the PSED, the proposal would contribute to eliminating inequality of housing opportunities for looked after children in care, who share protected characteristics of age, and advancing equality of opportunity for them. The refusal of planning permission would be expected to exacerbate that inequality of housing opportunities for those children. However, when set against the legitimate policy aim of providing occupiers with satisfactory living conditions and a high standard of amenity, in this instance the equality benefits of the proposal are outweighed by the proposal's harmful effects on the living conditions of those same children. Accordingly, in giving due regard to the PSED, it is proportionate and necessary in this instance to dismiss the appeal.
38. For the reasons given above the conflict with the Framework justifies a decision other than in accordance with the development plan. The proposal is unacceptable and the appeal should be dismissed.

G Sylvester

INSPECTOR