

Hamish Evans

From: [REDACTED]
Sent: 19 November 2025 14:42
To: Hamish Evans
Subject: Reference DM/25/2830. Proposed Children's Home at 65 Balcombe Road. RH16 1PE

[REDACTED]

I have tried to register on the Mid Sussex Planning Application page but have repeatedly failed and received an error please try later message:

Customer Details

[REDACTED]

61 Balcombe Road
Haywards Heath
West Sussex.
RH16 1PE

Comments Details

Commenter Type: Neighbour or general public

Stance: Customer objects to the Planning Application

Reasons for comment:

Comments:

Whilst we certainly appreciate the need for Children's Homes in West Sussex I do not believe the proposed development of a children's home at 65 Balcombe Road to be suitable for a number of reasons.

1. Is planning permission required for moving from C3 to C2 use? **IT WOULD APPEAR IN THIS INSTANCE YES.**

Under planning law, planning permission is needed to authorise the use of a property as a children's home whenever there is a "material change of use" from what was previously authorised. In other words, in instances where there has definitely been a perceptible change of use, and that change is 'material'.

To determine whether there has been a change of use, we must refer to the 'use classes' set out in the Town and Country (Use Classes) Order 1987. Within this legislation 'residential' institutions fall into class C2, which it defines as: "Provision of residential accommodation and care to people in need of care (other than within class C3 (dwellinghouses))".

Class C3 covers "Use as a dwellinghouse (whether or not as a sole or main residence) by:

- a) a single person or by people to be regarded as forming a single household

- b) not more than six residents living together as a single household (where care is provided for residents)
- c) not more than six residents living together as a single household where no care is provided to residents (other than a use within Class C4)."

A conventional family home will usually fall within category (a) on the above list. If such a property is acquired or rented for the purposes of providing supported accommodation, then unless the proposed use will fall within category (b) on this list, there will be a change of use to class C2.

Can children in a home be classed as a single household?

Based on the use classes legislation, a property cannot fall within use class C3 if more than six residents are to occupy it. If the proposed number of occupants is six or fewer, the question then becomes are they are living together 'as a single household'?

Planning case law has previously established that children are not able to form a 'single household' because they are not capable of living without adult care and supervision. However, children living together with an adult carer can potentially constitute a single household if that carer is permanently resident. Non-resident carers are generally not deemed to be part of the household, even in circumstances where care is provided to the children 24 hours a day, seven days a week.

Is the change of use material?

This brings us to the second part of the conundrum. As previously stated, planning permission is not needed in instances where there is a change of use that is not 'material'. So, what constitutes material?

A change of use from class C3 to C2 will not generally be considered material if it doesn't change the actual daily use and character of the property. **Factors that may influence this include changes to parking arrangements e.g. to facilitate support visits from carers, and whether additional security measures are proposed for the property.**

Equally, physical alterations are a key component, namely when the home needs adapting to provide certain levels of care, or the operator is required to include fire safety evacuation points and display formal procedures throughout the property.

On that basis the Application for a Lawful Development Certificate for a Proposed Use or Development. Planning Portal Reference: PP-14406655 is INCORRECT in stating:

"It is considered that the change of use here from the C3(a) lawful use to a C2 use does not amount to a material change of use."

The Planning Statement proposal, Introduction and P9, also states that up to 9 people could live in the house as a private dwelling. Well that is feasible in any home if you have bunk beds, double beds and a couple with 7 children. This was NEVER the case for 65 Balcombe Road as it was last occupied by [REDACTED] an elderly couple, whose two or three children had moved out. Indeed it has only been occupied by [REDACTED] for the last four or so years as unfortunately [REDACTED] passed away in about 2021.

On the basis of the points above, and the fact that the car park needs to be vastly expanded (see point 3 below) to make space for more vehicles, it is definitely a change of use. This clearly suggests the request for exemption from planning permission should be reconsidered.

2. Accessibility and parking at 65 Balcombe Road.

- a. Whilst the planning application diagram illustrates space for six vehicles – this is absolutely farcical. I have measured the front of house drive (car park) at 65 Balcombe Road and the measurements are actually 10.5 metres by 7.2 metres, and the RAC quote the average car parking space is 4.2m x 2.4m, **so no matter how it is arranged it is IMPOSSIBLE TO FIT 6 VEHICLES.** Even allowing for blocking the drive entrance the maximum number of cars, allowing just 30cm to open doors is I would venture 4. **PLEASE DO MEASURE THE DRIVE TO DOUBLE CHECK.**
- b. If it was possible to accommodate 4 cars will be no room for turning or manoeuvring to enable safe exit from 65 Balcombe Road. Therefore vehicles will be forced to reverse out onto Balcombe Road with limited visibility due to the bend and road hump looking east towards the new roundabout and the large Leylandi type trees on the property boundary to Balcombe Road further blocking visibility.
- c. How will carers manoeuvre their cars at carer shift cross over time? The Planning Statement proposal states “the staff handover will only last 15 minutes” which means there will be 3 carers on duty and 3 new carers arriving, plus the manager on site. This could potentially equate to 7 cars needing to park at the house for which there is inadequate parking space, let alone space for manoeuvring cars around to facilitate arriving and leaving. **PLEASE ALSO NOTE: If the carers are outside moving their cars around to enable the new shift swap team to park who will be monitoring the three children - who are likely to be in different locations and regulations state they should be supervised and overseen at all times?**
- d. The Planning Statement proposal (p9) also states there will be visits from Regulation 44 inspector – at least 0.25 visits per week, Responsible Individual - 0.25 per week, Family visits 0.5 per week (minimum) these will also require parking, access and exit to/from Balcombe road. However, page 9, it does also acknowledge visits from:
 - i. Social workers which it arbitrarily states as once a month initially and then less – surely this depends on the nature of the children and indeed could be far more frequent
 - ii. Responsible individual – fortnightly to begin then once a month – again this depends on the children and carers and could be far more frequent.
 - iii. LAC Nurse is a specialist nurse who improves the health and wellbeing of children in the care of the local authority. Sussex Community NHS Foundation Trust state they do the following:
 - **Follow up health recommendations made by the paediatrician at the initial health assessment when a child first becomes looked after.**

- **Undertake and oversee nurse-led health assessments.** These are bi-annual for children under 5 years old and annually for children aged 5–18 years.
- *Provide all children and young people who are looked after with the contact details of their specialist nurse.*
- Deliver effective health promotion advice and interventions to vulnerable young people.
- Adopt a holistic, trauma-informed approach to each young person’s needs.
- **Support and advise carers, social workers, and other professionals to improve the health outcomes of looked after children and young people.**
- Provide young people with a summary of their health history as they transition to adulthood.
- Attend meetings pertinent to the wellbeing of children and young people (strategy discussions, Child We Care For reviews and safeguarding meetings).
- **Proactively engage with residential care home staff and young people in supported living accommodation.**
- Attend the Therapeutic Access Panel (TAP).
- Maintain oversight of all West Sussex children and young people placed outside of West Sussex to ensure continuity of healthcare.
- **Complete health assessments, upon request, for children and young people placed in West Sussex by other Local Authorities.**
- <https://www.sussexcommunity.nhs.uk/patients-and-visitors/services/looked-after-children-west-sussex>

For three children, who will change fairly frequently, this is going to require significantly more resources and oversight than **the** Planning Statement proposal “Once a year for annual health check or never as the child can be asked to visit GP for the check. The nurse may never visit the health check can be taken at an offsite location like a school or a GP practice.”

- iv. <https://www.sussexcommunity.nhs.uk/patients-and-visitors/services/looked-after-children-west-sussex>

e. In addition how will the parking and space cope when friends and/or family visit the children – and if that coincides with a shift cross over time? The proposal says this won’t happen but as we know parents and relatives feel entitled to visit at any time – and who will stop them?

f. Finally The Planning Statement proposal (p8) states the staff rota as follows:

- i. Staff X3, Day shift – 7.30am to 19.15pm
- ii. - Staff X3. Night shift – 19.30pm to 7.15am
- iii. - Manager – 9.30am to 5pm Mon to Fri

Unless I am mistaken what this actually shows is a Staff **GAP** for 15 minutes between 19.15 and 19.30 and 07.15 and 07.30. This needs clarifying as the Planning Statement says there will be 15 minute

overlap – perhaps this illustrates the slapdash and cursory approach this application has been presented and looks like it has been taken off a standard downloadable document without being written specifically for this application.

3. What age and profile children will, be housed at Balcombe Road? The Planning Statement Proposal suggests children age 8-16. Clearly teenage or adolescent children will be able to travel the local area unaccompanied.

Balcombe Road is not a safe road. The council is well aware of the traffic issues along Balcombe Road – the volume and speed of traffic going both east and west on Balcombe Road. Indeed in an effort to reduce the speed of vehicles the council put traffic calming measures in place a number of years ago but these have had moderate success. Furthermore the speed camera warning light display outside No 20 Balcombe Road is mostly inoperative.

- a. Pedestrian walkways. There is no safe continuous pavement walkway on Balcombe Road. Any children, parents or carers walking east up Balcombe Road will have to cross Balcombe road twice – once by Old Wickham Way and again opposite 59 and 61 Balcombe Road where the pavement on the north side ceases. There is no mid road island and very limited street lighting and this is just after a bend on the road, limiting visibility for pedestrians and drivers.
- b. Unaccompanied children, as well as carers and parents, will find this particularly treacherous when walking to and from Haywards Heath town centre, Dolphins leisure centre, the railway station and the local Sainsbury, Waitrose and the proposed new Aldi superstores.
- c. There have been numerous traffic accidents along Balcombe Road, particularly near the junction of Old Wickham Way and also the junction of Penland Road now the new roundabout and building developments on Hanlye Lane have significantly increased the volume of traffic. If the application for an addition 50+ houses to the north of the new roundabout is approved the volume of traffic will increase again. This will further exacerbate the dangers to unaccompanied children.
- d. Children and carers cycling up and down Balcombe Road to and from the residence will be even more hazardous than walking.
- e. Winter time and dark nights are more dangerous as street lighting is fairly minimal

4. House of Commons. Planning Guidance for Children's Homes. Volume 566. July 2013, states:

The national minimum care standards for children's homes, on which Ofsted bases its inspections, state that children's homes should be **located in safe areas**. The inspection should assess whether the "home's location and design promotes children's health, safety and wellbeing and avoids factors such as excessive isolation and areas that present **significant risks to children**".

Continues:

...The Department for Education's new proposals, which are currently subject to consultation, take that further by including a requirement for the providers of children's homes to carry out a risk assessment of the area in

partnership with the police and the local authority. Registration will be refused or suspended if the area is deemed unsafe.

Location risks: Assess community risks such as gangs, exploitation, and **nearby dangers like roads**, rivers, or railways, especially if a child were to go missing.

Source: [https://hansard.parliament.uk/commons/2013-07-11/debates/13071159000004/PlanningGuidance\(ChildrenSHomes\)](https://hansard.parliament.uk/commons/2013-07-11/debates/13071159000004/PlanningGuidance(ChildrenSHomes))

5. The house is situated on Balcombe Road, an area of Townscape character (ATC) as identified by policy HH1 of the Mid Sussex Local Plan. Policy B16 relates directly to ATC's and establishes the Council's desire to protect features of particular importance to the character of the area, especially areas of open space that contribute to the character and appearance of the area.

The application has failed to take account of policies B1 and H9 of the mid Sussex local plan, which seek proposals to **respect the existing dwellings and character of the area**.

6. Inadequate storage facilities at 65 Balcombe Road.

a. Refuse bins. Numerous documents state that Children's homes require additional refuse bins, of possibly the larger commercial type, to cope with general waste, sanitary waste, recycling waste and food waste from numerous children, carers and managers attending the property. These need to be readily available to staff whilst also being secure from child access etc. consequently which may probably require more than one bin for each type of waste. Where will these extra bins be stored as there will be no space allocated in the car park?

b. Children's bicycles. Where will these be stored when parked vehicles may prevent access to the garage which (for the sake of children's safety and the risk of theft) will be locked all the time as it may contain property or hazardous cleaning chemicals etc.?

7. Robbery. There have already been reported robberies at this location. There were two robberies at 65 Balcombe Road during the summer of 2025 and the police were involved. There was also an intruder reported to the police at 100 (possibly 102) Penland Road a couple of years back and this property backs on to 65 Balcombe Road. By its very nature a children's home provides accommodation for children facing problems and having issues. As an affluent wealthy residential area that has already been targeted by thieves, the area could experience additional robberies perpetrated by adolescent children or their friends and acquaintances.

8. Proximity of Harlands Primary school. Local primary school children walk to Harlands School from the top of Balcombe Road, the new housing development on Hanlye Lane and from the top of Penland Road. Although we do not know the nature of the children being cared for, what measures will be in place to ensure these

children will not be harassed or be safe from being bullied from adolescent children, friends and acquaintances from the children's home?

It is for these reasons that we object to the proposed Change of Residential use to a Children's Home as I believe there are far more suitable properties and locations within Mid Sussex could be found.

