

Chigwell Parish Council Planning Committee

Officer Report: EPF/1124/26

Site: 54 Fontayne Avenue, Chigwell, IG7 5HF

Proposal: Change of use from a family dwelling, Use Class C3, to a children's care home, Use Class C2, for two children

Purpose of report

This report gives officer advice to the Parish Council on the planning application for 54 Fontayne Avenue.

The Parish Council does not decide the application. EFDC will make the decision. The Parish Council's role is to give planning comments as a consultee.

Recommendation

Members are advised to **object** and ask EFDC to refuse planning permission.

This is not an objection to children's care homes in principle. The objection is to this particular proposal, in this particular house and street, because the submitted information does not show that the use would operate without harm to residential amenity, parking conditions and the character of Fontayne Avenue.

Summary of the proposal

The application is to change an existing house into a C2 children's care home for two young people.

Although only two children would live at the property, the application is not simply for a family to move into a house. The submitted information shows that the home would operate 24 hours a day with staff, shift changes, management visits, professional visits and regulatory visits. The application form also states that there would be four full-time equivalent employees and only two parking spaces.

The submitted plans show no major external changes, but planning harm can arise from the way a building is used, even if the outside of the building does not change.

Main planning concerns

Fontayne Avenue is a residential street. The proposed use would change the property from an ordinary family home into a staffed C2 care use. That is a different form of occupation and would bring a different pattern of activity to the site.

The main concern is not who would live there. It is the level of activity linked to the use. Staff working day and night, staff handovers, management attendance, professional visits, family or social care visits, refuse arrangements and parking demand would all form part of the day-to-day operation of the property. The applicant has not shown clearly enough how those matters would be controlled so that neighbours are protected.

Parking is a particularly strong planning concern. ECC Highways has raised no objection, but that does not settle the planning issue. ECC comments mainly on highway safety. EFDC must still decide

whether the parking is adequate for the proposed use and whether overspill parking would harm residents or the street.

The Essex Parking Guidance 2024 says that a C2 residential care home should provide one parking space per full-time equivalent staff member, plus one visitor space per six beds. On the applicant's own figure of four full-time equivalent staff, the proposal would need at least five spaces. Only two spaces are proposed.

The applicant has not provided a parking survey, parking assessment or enforceable travel plan to show that this shortfall can be managed. General statements about staff using public transport or car sharing are not enough to show that parking demand will be reduced in practice.

The proposal would also remove a conventional C3 family dwelling from ordinary residential use. The need for specialist care accommodation is not disputed, but the applicant has not shown that this particular house is suitable for the proposed use or that the benefit of two placements outweighs the planning harm identified.

EFDC must also deal properly with Epping Forest SAC and Habitats Regulations matters. This is especially important because EFDC recently refused a similar C3 to C2 children's home application at 211 Fencepiece Road, EPF/0550/26, which is now at appeal. That case is not binding, but EFDC should take a clear and consistent approach.

Matters councillors should not rely on

Members should avoid relying on matters that are not planning reasons. These include property values, general opposition to children's homes, assumptions about children in care, unsupported fear of crime, safeguarding concerns or Ofsted matters.

The planning objection should stay focused on the change of use, residential character, neighbouring amenity, parking, loss of a family dwelling and Epping Forest SAC matters.

Officer advice

Officer advice is that the Parish Council should strongly object.

The proposal would introduce a 24-hour staffed C2 use into a residential street. The applicant has not shown that the use would operate like an ordinary family home or that it would avoid harm to neighbours. The parking provision is materially below the Essex Parking Guidance requirement and the applicant has not provided enough evidence to justify that shortfall.

For these reasons, members are advised to ask EFDC to refuse planning permission.

Proposed comments to EFDC

Chigwell Parish Council **OBJECTS** to application EPF/1124/26 and asks EFDC to refuse planning permission.

The Council objects because the proposal would change the use of an existing C3 dwelling house to a C2 children's care home operating on a 24-hour staffed basis. Although the proposal is described as being for two children, the submitted information confirms that the use would involve daytime care staff, night staff, staff handovers, a registered manager, a responsible individual, Regulation 44 visits and other professional or family visits. The Council considers that this would be materially different from ordinary private residential occupation.

The Council's concern is not about the children who may live at the property. The concern is the planning effect of the proposed use. The application would introduce an organised C2 institutional use into a residential street, with a pattern of staffing, management, visiting and vehicle movements beyond that normally associated with a single family dwelling. The Council considers that this would harm the quiet residential character of Fontayne Avenue and the amenities of nearby residents.

The Council is not satisfied that the submitted information provides a sufficiently clear, binding or enforceable management framework. The application relies on broad assurances about how the use would be managed, but it does not demonstrate with sufficient certainty how staffing, shift handovers, professional visits, family visits, parking, refuse arrangements, use of the garden and neighbour impacts would be controlled in practice.

The Council also objects on parking grounds. ECC Highways' no-objection does not resolve the planning issue of parking adequacy. EFDC remains responsible for assessing whether the parking provision is acceptable having regard to planning policy, residential amenity and the risk of overspill parking.

The Essex Parking Guidance 2024 identifies the parking standard for C2 residential care homes, sheltered accommodation and assisted living as one space per full-time equivalent staff member plus one visitor space per six beds. The application form states that the proposal would involve four full-time equivalent employees. Applying the Essex Parking Guidance, the proposal would require at least five parking spaces. Only two spaces are proposed.

The applicant has not submitted a parking survey, parking accumulation assessment or enforceable travel plan to demonstrate that this shortfall can be accommodated without overspill parking onto Fontayne Avenue or nearby residential streets. Encouraging staff or visitors to use public transport or car share is not sufficient to demonstrate that parking demand will be reduced in practice.

The proposal would also result in the loss of a conventional C3 family dwelling. The Council accepts that specialist care accommodation can meet an important social need, but the applicant has not demonstrated that the benefit of two placements outweighs the planning harm arising from the change of use, the operational intensity and the inadequate parking provision.

The Council further asks EFDC to address Epping Forest SAC and Habitats Regulations matters in full and to apply a clear and consistent approach in light of the recent EPF/0550/26 decision at 211 Fencepiece Road. Planning permission should not be granted unless EFDC is satisfied, as competent authority, that the Habitats Regulations are complied with and that any required mitigation has been secured.

For these reasons, Chigwell Parish Council asks EFDC to refuse planning permission. If EFDC officers are minded to recommend approval, the Parish Council asks that the application is referred to the appropriate EFDC Planning Committee and that the Parish Council is given the opportunity to speak.