

Additional Response to Police Objection – Application HPK/2026/0071

While the concerns raised by Derbyshire Constabulary are noted and respected, it is important to consider the proposal within the correct planning and operational context.

1. Existing Use vs Proposed Use

The current lawful use of the property is as a 6-bedroom HMO (Class C4), a use which the police themselves associate with:

- Vulnerable adult occupants
- Anti-social behaviour
- Exploitation risks
- Links to wider criminal activity

The proposed development would replace this use with a significantly more controlled and lower intensity use:

- Maximum of 4 children (reduction in occupancy)
- 24-hour staffed and supervised environment
- Professionally managed by a regulated care provider

This represents a clear and material improvement (and betterment) in terms of site management, supervision, and overall impact on the local area.

2. Level of Supervision and Safeguarding Controls

Unlike HMOs, which operate with minimal oversight, a children's home is a highly controlled environment.

The proposed use would include:

- 24/7 on-site staffing, including waking night staff
- Strict visitor controls and safeguarding procedures
- Individual care plans and risk assessments for each resident
- Ongoing staff training in safeguarding and behavioural management

These measures directly mitigate the types of risks identified in the police response.

3. Role of Regulation and Oversight

The operation of the home would be subject to strict regulation by Ofsted.

This includes:

- Mandatory registration prior to occupation
- Regular inspections and compliance monitoring

- Enforcement powers where standards are not met

If the required standards are not achieved or maintained, the operator cannot legally continue operating.

This level of regulatory oversight provides a significant safeguard which is not present in the existing HMO use.

4. Suitability of Location

The objection suggests that the wider area presents risks due to existing social challenges.

However, it is important to note:

- The site is located within an established residential area where both C3 and C4 uses are already accepted
- The proposal does not introduce a materially different land use in planning terms, but rather a more controlled and supervised form of residential occupation
- Preventing children's homes from being located in areas undergoing regeneration risks creating exclusion zones, which would be contrary to broader planning and social policy objectives

Furthermore, the presence of trained staff and controlled management arrangements ensures that residents are not exposed to unmanaged risks in the way suggested.

5. Alignment with Regeneration Objectives

The reference to the government's regeneration initiatives in the area should be viewed positively in the context of this application.

Replacing an HMO with a professionally managed children's home contributes to:

- Increased stability within the local area
- Reduction in unmanaged and transient occupancy
- Improved oversight of the property and its occupants

This aligns with the aims of creating safer and more sustainable communities.

6. Planning Considerations

It is noted that the police objection focuses primarily on safeguarding concerns relating to potential occupants.

However, planning decisions must be based on material planning considerations relating to the use of land.

The proposed use:

- Falls within an established residential context
- Represents a reduction in occupancy and intensity

- Introduces a significantly higher level of management and oversight

On this basis, there are no clear land-use planning grounds to conclude that the development would result in unacceptable harm.

7. Conclusion

When assessed against the existing lawful use of the site, the proposed development represents a clear improvement in terms of control, supervision, and impact.

The concerns raised, while acknowledged, are effectively addressed through:

- Reduced occupancy
- Professional management
- 24/7 staffing
- Regulation by Ofsted

Accordingly, it is considered that the proposal constitutes an appropriate and sustainable form of development within this location.