



Date: Tuesday, 29 November 2016

Time: 2.00 pm

Venue: Shrewsbury/Oswestry Room, Shirehall, Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND

Contact: Emily Marshall, Committee Officer
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NORTH PLANNING COMMITTEE

SCHEDULE OF ADDITIONAL LETTERS

NOTE: This schedule reports only additional letters received before 5pm on the day before committee. Any items received on the day of Committee will be reported verbally to the meeting

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NORTH PLANNING COMMITTEE		
SCHEDULE OF ADDITIONAL LETTERS		
Date: 29 th November 2016		
<p>NOTE: This schedule reports only additional letters received before 5pm on the day before committee. Any items received on the day of Committee will be reported verbally to the meeting</p>		
Item No.	Application No.	Originator:
	15/02805/REM	Highways Authority
<p><u>Recommendation</u></p> <p>No Objection – subject to the development being carried out in accordance with the approved plans and the following conditions and informatives.</p> <p><u>Observations/Comments</u></p> <p>The application provides details of the individual development plots and accesses onto the B5026 London Road. Access for vehicles for Plots 1-5 are directly onto London Road while Plot 7 takes access from a short residential cul-de-sac which also serves Plots 6 and 8-10 under planning application 15/02806/REM.</p> <p>The configuration of the plots and access arrangements are identical to a previous reserved matters approval referenced 15/04397/REM with the exception of Plots 2-3 which are now provided with separate parking and turning arrangements. The above reserved matters application followed the outline planning permission referenced 13/02698/OUT under which a Section 106 planning obligation restricts the commencement of development until an extension of the 40mph speed limit to encompass the development site has been put in place.</p> <p>A new 2 metre wide footway is shown along the full site frontage with the B5026 which will require the removal of the existing boundary hedge, but which will provide visibility for the new accesses and road junction. The submitted site layout drawing shows a new post and rail fence and hedge planting to the rear of the new footway to ensure that visibility to the B5026 is maintained.</p> <p>There appears to be a minor discrepancy between the Proposed Site Plan - Phase B (Drawing No. 5266-064), the Proposed Landscape Scheme (Drawing No. 5266-062 A) and the Planting Proposals (Drawing No. M15/1198/01K) in that the latter drawing shows the new frontage footway extending into the site estate road from the north-east as far as the Plot 10 driveway and this is considered to be required for pedestrian safety.</p> <p>It is considered that the following conditions are appropriate: -</p> <p><i>Pre-commencement:</i></p> <p>1. Before any other site operations are commenced, the proposed plot vehicular accesses, footways and road junction shall be substantially completed in accordance with full construction details which shall first be submitted to, and approved in writing by the Local planning Authority. The vehicular access, footway and road works shall thereafter be fully completed before the respective dwellings are first occupied. Reason: To ensure that the development should not prejudice the free flow of traffic and conditions of safety on the highway nor cause inconvenience to other highway users.</p> <p>2. No development shall take place until Page 1 of the design and construction of any</p>		

new roads, footways, accesses together with details of the disposal of highway surface water have been submitted to, and approved by the Local Planning Authority. The approved details shall be fully implemented before the use hereby approved is commenced or the building(s) occupied.

Reason: To ensure a satisfactory access to the site.

3. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period and shall provide for:

- The parking of vehicles of site operatives and visitors
- Loading and unloading of plant and materials
- Storage of plant and materials used in constructing the development
- The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- Wheel washing facilities
- Measures to control the emission of dust and dirt during construction
- A scheme for recycling/disposing of waste resulting from demolition and construction works
- A traffic management and HGV routing plan

Reason: To avoid congestion in the surrounding area and to protect the amenities of the area.

Pre-occupation

4. None of the dwellings shall be occupied until the areas shown on the approved plans for the parking and turning of vehicles have been provided properly laid out, hard surfaced and drained. The areas shall be maintained thereafter free of any impediment to their designated use.

Reason: To ensure the provision of adequate vehicular facilities, to avoid congestion on adjoining roads and to protect the amenities of the area.

For the lifetime of the development

5. The vehicle accesses shall remain ungated, unless otherwise agreed in writing by the local Planning Authority.

Reason: To ensure that the development should not prejudice the free flow of traffic and conditions of safety on the highway nor cause inconvenience to other highway users.

Item No.	Application No.	Originator:
	15/02806/REM	Highways Authority

Recommendation

No Objection – subject to the development being carried out in accordance with the approved plans and the following conditions and informatives.

Observations/Comments

The application provides details of the individual development plots and accesses onto the B5026 London Road. Access for vehicles to Plots 6 and 8-10 are from a short residential cul-de-sac which also serves Plot 7 under planning application 15/02805/REM.

The configuration of Plots 6 and 8-10 and the access arrangements are identical to a previous reserved matters approval referenced 15/04397/REM which followed the outline planning permission referenced 13/02698/OUT under which a Section 106 planning obligation restricts the commencement of development until an extension of the 40mph speed limit to encompass the development site has been put in place.

A new 2 metre wide footway is shown along the full site frontage with the B5026 which will require the removal of the existing boundary hedge, but which will provide visibility for the new road junction. The submitted site layout drawing shows a new post and rail fence and hedge planting to the rear of the new footway to ensure that visibility to the B5026 is maintained.

There appears to be a minor discrepancy between the Proposed Site Plan - Phase A (Drawing No. 5266-063), the Proposed Landscape Scheme (Drawing No. 5266-062 A) and the Planting Proposals (Drawing No. M15/1198/01K) in that the latter drawing shows the new frontage footway extending into the site estate road from the north-east as far as the Plot 10 driveway and this is considered to be required for pedestrian safety.

It is considered that the following conditions are appropriate: -

Pre-commencement:

1. Before any other site operations are commenced, the proposed plot vehicular accesses, footways and road junction shall be substantially completed in accordance with full construction details which shall first be submitted to, and approved in writing by the Local planning Authority. The vehicular access, footway and road works shall thereafter be fully completed before the respective dwellings are first occupied.

Reason: To ensure that the development should not prejudice the free flow of traffic and conditions of safety on the highway nor cause inconvenience to other highway users.

2. No development shall take place until details of the design and construction of any new roads, footways, accesses together with details of the disposal of highway surface water have been submitted to, and approved by the Local Planning Authority. The approved details shall be fully implemented before the use hereby approved is commenced or the building(s) occupied.

Reason: To ensure a satisfactory access to the site.

3. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period and shall provide for:

- The parking of vehicles of site operatives and visitors
- Loading and unloading of plant and materials
- Storage of plant and materials used in constructing the development
- The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- Wheel washing facilities
- Measures to control the emission of dust and dirt during construction
- A scheme for recycling/disposing of waste resulting from demolition and construction works
- A traffic management and HGV routing plan

Reason: To avoid congestion in the surrounding area and to protect the amenities of the area.

Pre-occupation

4. None of the dwellings shall be occupied until the areas shown on the approved plans for the parking and turning of vehicles have been provided properly laid out, hard surfaced and drained. The areas shall be maintained thereafter free of any impediment to their designated use.

Reason: To ensure the provision of adequate vehicular facilities, to avoid congestion on adjoining roads and to protect the amenities of the area.

For the lifetime of the development

5. The vehicle accesses shall remain ungated, unless otherwise agreed in writing by the local Planning Authority.

Reason: To ensure that the development should not prejudice the free flow of traffic and conditions of safety on the highway nor cause inconvenience to other highway users.

Item No.	Application No.	Originator:
Item No.	Application No.	Originator:

NORTH PLANNING COMMITTEE 29 NOVEMBER 2016

Re: APPLICATION NUMBER **16/14106/FUL**

PARISH: CHILDS ERCALL

ADDRESS: THE RETREAT, BOLAS ROAD, ERCALL HEATH,
TF6 6PN

PROPOSAL: ERECTION OF TWO-STOREY EXTENSION TO
EXISTING RESIDENTIAL CARE FACILITY

APPLICANT: INSPIRE CAPITAL PROPCO LTD

PARISH COUNCIL SKELETON ARGUMENT

1. Childs Ercall Parish Council ('**PC**') would wish to put forward written and verbal representations to the Committee determining the application at committee on Tuesday 29th November 2016.
2. Ordinarily, there would be only very rare and exceptional circumstances that would justify the PC's interest in applications of this kind. Unfortunately, this is just such an instance.
3. The PC was alarmed and disappointed to see that it's detailed objections against the application (dated 24th October 2016) have been entirely ignored within the Development Management Report ('**DMR**') of Philip Mullineux prepared for consideration at committee. Under the Section "Community Representations" at Para 4.1 of the DMR the only reference to the PC response was in relation to the visibility, or otherwise, of the signage giving notice of the application and a request for re-advertisement. This request was within the PC's letter of 20th October and not the substantive objections of 24th October. A copy of the PC's objections is attached and marked "1".
4. The PC meeting on 19th October 2016 was attended by 26 members of the public, which for a small rural parish such as

Childs Ercall is largely unprecedented. The degree of public interest in the application was the reason for a request by the local member Cllr Andrew Davies for the application to be determined by committee. The depth of local feeling was manifest and it disappoints the PC that the Planning Officer did not even refer to our views as a Consultee to the application, let alone deal with those objections within the DMR.

5. In addition to the PC's strong objection, there have been **35** separate objections lodged on the Shropshire Council planning portal, together with an objection from an organisation known as the Ercall Heath Action Group. A local Councillor from neighbouring Edgmond/Ercall Magna (Telford & Wrekin), Cllr Stephen Bentley has also responded to the application wishing to have the opportunity of attending committee to speak on behalf of affected local residents.
6. The degree of local interest and opposition to the plans is material and significant.
7. The PC's substantive objections as set out in the letter of 24th October 2016 can be summarised as follows:
 - a. The number of local objections;
 - b. Lack of detail in the Design & Access Statement as to the operation of the Care Home on a day to day basis including vehicle movements, staffing, visitors to the property;
 - c. Lack of any pre-application engagement with the local community (either residents in the immediate vicinity or via the PC);
 - d. Lack of a risk assessment undertaken with both the Police and Local Authority in accordance with Department of Education guidelines;
 - e. Intensification of use by residents, carers and visitors leading to loss of privacy and amenity of local residents;
 - f. Lack of "good neighbour" protocols in accordance with Policy MD3 of SAMDev;
 - g. Conflict with Policy CS5 of the Adopted Core Strategy in failing to maintain and enhance the vitality of the countryside and improving sustainability for rural communities;

- h. Lack of proposals relating to screening and fencing of the development;
 - i. Suitability of a narrow private track leading to the property and ability to cope with staff movements and visitors. Of particular concern was the ability for emergency services including fire apparatus and ambulances to access the site;
 - j. Maximising the occupancy to permitted levels with the existing Use Class would present planners with real difficulty in refusing a change to a different Use Class in the future;
 - k. Suitability of Residential Care Homes ('RCH') in remote rural locations. Ercall Heath has become a 'hotbed' of RCH's in the past decade with 4 RCH's operating in close proximity to each other.
 - l. The cumulative impact of the RCH's on local amenity and the potentially detrimental effect on the children themselves, housed in a remote rural location away from all services and infrastructure;
 - m. Lack of 'community led' planning as provided for in the local Place Plan for the area and the absence of local need for this development;
 - n. Finally, the concerns of the PC that the existing tenants of the premises have been operating outside the permitted Use Class since 2013 and that any additional enlargement would simply exacerbate the ongoing breach.
8. All of these substantive objections were ignored and not dealt with at all by the Planning Officer within the DMR which greatly concerns the PC.
9. Members of the public have raised a variety of objections which are available for members via the planning portal.
10. Whilst the Planning Officer refers to this application and the scope of the increase to the premises as being within the existing Use Class, it is submitted that he has misdirected himself as to the impact of intensification. The factors set out by the PC and local residents are all material even when considering an increase in size within a Use Class. Simply using the fact that the Use Class can provide for up to 6 residents at the property cannot be used as a 'catch all'

rationale for permitting development up to that limit without appropriate regard to other material considerations. The Officer has regrettably failed to consider and weigh the appropriate Shropshire Council Policies and National Planning Policy Framework guidelines. Instead the Officer has centred his recommendation for approval on a narrow fixation of the maximum capacity within the existing Use Class.

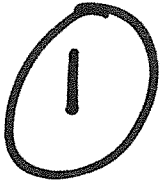
11. There is an ongoing investigation by the Planning Enforcement department of Shropshire Council under case reference **CAS-1227830-Q8S1X5** regarding the use of this property.
12. Permission was granted by way of delegated powers under a Lawful Development Certificate to amend the Use Class for the property from Class C3(a) to C3(b). This was made by Decision Notice on 13th December 2013. This decision was taken without any public consultation.
13. The amendment of the Use Class moved the property from being a dwellinghouse used by a single household (usually a family) to that of a dwellinghouse of not more than 6 residents ***living together as a single household*** (our emphasis) where care is provided for residents.
14. The Lawful Development Certificate established the site's use as a RCH and it has been used as such to date. Indeed it is to be noted that the current tenant began operating as a RCH before the permission was granted in December 2013.
15. The concern of some local residents and also the PC (as evidenced in our objection letter of 24th October) is that in practice since 2013 the day to day use of the property has exceeded the permitted Use Class and that the RCH has operated far beyond a single household as defined within Class C3(b).
16. In addition to the carers employed by the tenant operating on regular shifts (thus bringing the use within the ambit of the decision of Collins J in *North Devon DC v First Secretary of State [2003] EWHC 157*, there are two other practices which have given rise to the request for Planning Enforcement. These are:

- a. **The therapies provided to the children on site;**
 - b. **The operation as part of the site as a state registered School.**
17. The Applicant's agent has helpfully provided a copy of the OFSTED report for the Retreat as a RCH in order to demonstrate the good quality care that the children provide. A copy of the OFSTED report dated 19/10/15 has been placed on the Planning portal. The report reveals in the summary of findings and in the Inspection Judgements that "research informed therapies" are performed by both staff and visiting therapists at the property. A copy of the OFSTED report dated 19/10/15 is attached and marked "2"
18. Of even greater concern is that part of the site is used as a School. This is evidenced by the following;
- a. Reference within page 4 of the OFSTED report 19/10/15 **"Education may be provided at a school on the same site. The children home and school are owned by a private company"**;
 - b. The tenant, Physis Group operate an Independent School known as the Physis Heathgates Academy. The main site for this school is at Heathgates Farm, Prees, Whitchurch, SY13 2AJ. The OFSTED report dated 2 November 2015 states on page 2: **"There are now six classrooms at Heathgates. The Retreat is used for specialised teaching in Science and D & T"** At Page 5 the report states **"Physis Heathgates Academy is situated in a rural location near Whitchurch, Shropshire. Additional teaching accommodation at The Retreat is about 10 miles away...It extended its provision in 2014 to include a separate off-site teaching facility, based at the Retreat. A full copy of the Heathgates OFSTED report is now attached and marked "3"**
 - c. A large porta cabin is within the curtilage of the property at The Retreat. This is used exclusively by the tenants to provide education and therapies to the children based at the Retreat (and indeed other children housed elsewhere by Physis). In a conversation between Councillor Barge of

Childs Ercall PC and the Planning Officer, Mr Mullineux stated that he has not seen, let alone inspected, the porta cabin. Had he done so he may have seen the classrooms and the signs for "Student Toilets". Photographs of the porta cabin are now attached and marked "4"

19. Under any sensible consideration the use of the site by Physis has clearly exceeded its existing permitted Use Class. Therapeutic and educational services are not caught within the meaning of "dwellinghouse" under Class C3 (b). The correct Use Class would be C2 which of course would require a full planning application and would not be capable of being determined by delegated officer powers.
20. Whilst potential enforcement application is contemplated by Shropshire Council it would be wholly wrong to grant consent to expand and extend the property as set out within this application. It would be exacerbating and enlarging an existing planning breach.
21. The content of the Planning Enforcement case (including the case number and supporting evidence) was sent to the Planning Officer before the preparation of his DMR before the committee. Regrettably he does not address it, nor did he consider a site visit by the committee appropriate ahead of the committee meeting. This would have made the classrooms evident.
22. The primary position of the PC is that the application should be refused for the reasons set out in our objections of 24th October, coupled with the other material factors within this note. The secondary position (if the committee is not minded to refuse consent at this stage) is to adjourn the consideration of this contentious application until the Planning Enforcement case has been determined. Some greater clarity of the use of The Retreat may inform a later decision on the expansion of the property and the services that it provides.
23. Further representations may be made orally at Committee on 29th November 2016.

E & E.O
Childs Ercall Parish Council



CHILDS ERCALL PARISH COUNCIL

Clerk: Mrs Audrey Wellings

Tel: [REDACTED] Fax: 0 [REDACTED]

email: [REDACTED]

Chairman: Cllr Len Sambrook

Tel: [REDACTED]

Email: [REDACTED]

F.A.O. Mr P Mullineux
Shropshire Council
Castle View
OSWESTRY
Shropshire
SY11 1JR

24th October 2016

Dear Mr Mullineux

Re: Planning Reference: 16/04106/FUL(validated: 12/09/2016):Erection of two-storey extension to existing residential care facility

The Retreat, Bolas Road, Ercall Heath, Telford, Shropshire, TF6 6PN

Childs Ercall Parish Council has given consideration to the above application and wishes to register a strong objection to the application as being unsustainable and inappropriate within a rural environment.

The Parish Council is very concerned with the adequacy of the Design and Access Statement submitted on behalf of the Applicant and the lack of detail regarding how the Residential Care facility/home ('RCH') is to operate on a day to day basis. Whilst a Change of Use application from C3a to C3b was successfully made on 13 December 2013 which provided for the establishment of this property to be used as a RCH, an increase in the provision (which is inherent within this current application) should mean that the Applicant has to provide detail as to how the RCH will operate in an enlarged property. The Parish Council would have expected to see firm, clear details on the number of children/young adults to be accommodated, the number of carers tasked with their 24 hour care, the shift patterns of those carers and whether they would be 'living in' the property or visiting it as part of their employment. This in turn would provide guidance on the number of vehicle movements and the times at which staff would routinely be coming and going from the property. These are germane in planning terms. The fact that the Design & Access Statement is silent about these matters is, in our view, a material deficiency which makes comments from the local community impossible and, further, any decision by the Planning Officer tasked with the determination of the application perverse in not addressing these issues.

The missing information above may also shed light as to whether the RCH will operate strictly within the planning permission for C3b or whether in fact the substantial level of care being provided by non-resident carers on shift patterns (with a consequent substantial turnover of staff in any given 24 hour period) materially changes the character of the use of the dwelling and its surrounds into C2 usage.

It is disappointing that the Applicant's did not attempt any pre-application engagement with the Local authority, local residents or the neighbouring Parish Councils in Childs Ercall and Tibberton. Such an approach would have helped enormously in providing much needed information about how the increased care provision at The Retreat would have impacted on the community and how in practice the facility would operate. The Department of Education regulations and legislation

provide that a 'risk assessment' must be undertaken of the area with both the Police and Local Authority. It is currently unclear if this process has been adopted by the Applicant.

It would appear from the plans submitted by the Applicant that the intention is to increase the living accommodation at the property and thus the number of children and carers that will be living at or visiting the property. This is clearly an intensification of use by its very definition and the Applicant within the Design and Access statement has provided no details (and thus assumed that no consideration has been given to) the possible impact on adjoining residents of that intensification of use, the change of character to the property and the loss of amenity to those adjoining residents. This is a manifest deficiency in our opinion.

As this application relates to property in open countryside, policy CS5 of the Shropshire Adopted Core Strategy applies. The purpose of CS5 is to maintain and enhance the countryside's vitality and character and to improve sustainability of rural communities. There has been no attempt within the application to demonstrate how the expansion of this facility will embrace the principles of policy CS5. Policy MD3 of SAMDev states that in the delivery of new housing provision, "*new development should be a good neighbour that does not unacceptably impact on existing residential amenity*"

We have specific concerns over the enlargement of The Retreat to a 6 bedroomed property. If approved, this will ensure that the number of residents will be the maximum permitted under C3b use regulations. As a consequence, this will increase the likelihood of a C2 change of use application in the near future if the RCH is operated at full capacity. We have seen examples nationally of this approach and the history of this site seems to fit the same pattern observed elsewhere. It will make any subsequent decision by the Local Authority on the issue of change of use that much more challenging.

On any enlargement of this particular property, it is considered that the shared ownership private access track which services three other properties and a working farm, together with the narrow rural roads network, is unsuitable for the anticipated increase in vehicle movements for staff travelling to and leaving the property. There are no proper passing places on the track and it is considered unsuitable for access for emergency vehicles if required.

It is noted that any proposals regarding screening and fencing between the Retreat site and adjacent properties has not been addressed in the Design and Access statement.

The Parish Council also echoes the concerns of the owners of neighbouring properties and considers that the enlargement of this type of establishment is totally unsuitable for a rural area. The nearest town is Newport which is some seven miles away. There are already a number of similar establishments in the immediate area housing problem children and their carers operated by Bryn Melyn Care resulting in regular calls to the police following unacceptable behaviour from the children. There are several elderly residents residing in isolated properties, some of single occupancy, and there have been many incidents of intimidation and trespass. The Children's Homes National Minimum Standards state that each home should be situated in a location that supports its aims and objectives and proposed models of care for children and young people. This includes children being able to access external services, recreational activities and to maintain and develop relationships with family and friends. The home's location and design should promote children's health, safety and wellbeing and avoids factors such as excessive isolation. Best practice within the industry demonstrates that wherever possible RCH's should be located close to schools, leisure and community facilities and other local services such as shops, healthcare and public transport all of which are needed in order to meet the day to day needs of residents and staff. It is submitted that the isolated nature of the Ercall Heath area without public transport, leisure facilities and infrastructure is an unsuitable location for an increase in the number of children looked after within this particular RCH if the development is approved.

We submit that the number of RCH's operating within the Ercall Heath area and their cumulative effect are material consideration for the planning decision makers. An approval of this application

will undoubtedly increase the prevalence. The Stockport Scrutiny Report is required reading in this regard.

Twenty six residents from this area attended the Parish Council meeting when this application was considered, to voice their concerns and to request support in opposing this application. The Market Drayton Place Plan provides for "community led" planning within the Place Plan area. The Applicant, the care provider and the children to be accommodated within the RCH are all far removed from the local community. None are Shropshire resident, let alone from within the Market Drayton Place Plan area. It appears to us and the wider community that this application is not designed for the material benefit of the community in any way, shape or form, let alone being community led. Policy MD7 of SAMDev provides that residential development will be positively considered where it "meets evidenced local need". Again no attempt has been made by the Applicant to demonstrate that need.

Additionally, Childs Ercall Parish Council would request that this application is determined by the Shropshire North Planning Committee, and not under delegated officer powers such is the contentious nature of this application and the degree of public opposition.

Finally, we would ask the Local Authority to consider whether the Applicant intends to utilise the outbuildings at the Retreat as part of the rehabilitation programmes for its residents. Past use by the Physis Group suggests that this occurred routinely and that an outbuilding was refurbished for educational/therapeutic use. We believe this to be a breach of C3b use provisions and contrary to the original permission meaning that the facility as a whole is operating within business use rather than as a private dwelling as a single household and receiving care. Some clarity from the Applicant would be appreciated.

My council would request that these comments, requests and concerns are taken into account prior to the consideration of the application.

Yours sincerely



Clerk to Childs Ercall Parish Council

cc. Cllr Andrew Davies

2

Children's homes inspection - Full

Inspection date	19/10/2015
Unique reference number	SC475578
Type of inspection	Full
Provision subtype	Children's home
Registered person	Physis Quantum Limited
Registered person address	16 Church Meadows, Alport Road, WHITCHURCH, Shropshire, SY13 1PY

Responsible individual	Clifton Supple
Registered manager	Andrew Thompson
Inspector	Rachel Britten

Inspection date	19/10/2015
Previous inspection judgement	Good
Enforcement action since last inspection	None
This inspection	
The overall experiences and progress of children and young people living in the home are	Outstanding
The children's home provides highly effective services that consistently exceeds the standards of good. The actions of the home contribute to significantly improved outcomes for children and young people who need help, protection and care.	
how well children and young people are helped and protected	Outstanding
the impact and effectiveness of leaders and managers	Outstanding

SC475578

Summary of findings

The children's home provision is outstanding because:

- All relationships between staff and young people are exceptionally loving, supportive and helpful.
- Young people's progress and experiences are outstanding because of the dedication and influence of staff.
- Young people's views, wishes and feelings are at the centre of all the home does.
- Plans and preparations for young people's futures are aspirational, meticulous, proactive, insightful and in close partnership with placing authorities.
- Research informed therapies and care practice are confidently delivered and make an exceptional difference to the lives and experiences of young people.
- Safeguarding practice is excellent. Young people feel completely safe, settled and happy. They have turned away from risk-taking, harmful and exploitative behaviour.
- Young people have significant input to national development work about child sexual exploitation. This helps, and reflects, their progress and also makes a far-reaching contribution to the safety and welfare of other vulnerable young people.
- Managers are inspirational, confident, ambitious and influential in changing the lives of the young people in their care.
- Managers lead by example, inspire the staff team and sustain the highest standards of care for young people.

Full report

Information about this children's home

The children's home provides care and accommodation for up to three children with emotional and behavioural difficulties, including children who have experienced sexual exploitation. Education may be provided at a school on the same site. The children home and school are owned by a private company.

Recent inspection history

Inspection date	Inspection type	Inspection judgement
28/04/2014	CH - Registration	Not applicable
15/12/2014	CH - Full	Good

Inspection Judgements

	Judgement grade
<p>The overall experiences and progress of children and young people living in the home are</p>	<p>outstanding</p>
<p>All relationships between staff and young people are exceptionally loving, supportive and helpful. The small group of six staff know both young people extremely well and treat them with utmost respect and care. Young people know exactly what is happening and who works when. The rota is simple and is never altered. Each day, two young people, two staff and the manager together comprise a unit that feels like a real family. Staff are exceptionally attentive, supportive and helpful. Love and respect goes both ways.</p> <p>Young people’s progress and experiences are outstanding because of the dedication and influence of staff. Staff and young people offer drinks every time anyone wants one. Staff spend all their time with young people. They know and talk about young people’s particular interests and talk about what is happening in the world too. They eat, run, cycle and socialise together. Conversations about fashion, music, celebrities, food, keeping fit and relationships are meaningful and helpful. The house is full of singing, cuddles, lively discussion, explanation and nurture. Staff are insightful and take every opportunity to help, encourage and teach young people.</p> <p>Young people’s views, wishes and feelings are at the centre of all the staff do. Young people feel valued and listened to throughout the day and their levels of engagement are high. Their achievement grades in school are improving and they are taking increasing pride in their appearance and their bedrooms. Their individual dress styles; activity choices; choices of décor and food are increasingly appropriate and healthy. Formal consultation mechanisms, such as young people’s house meetings, have therefore been superseded. Instead, plans about activities, menus, education, therapy and social contacts are individually discussed and recorded how and when young people find helpful. Young people from this home and the organisation’s other homes meet regularly with the responsible individual for a meal or coffee. The organisation gathers their views about how all the homes should be run in this way, adding to their self-worth and sense of belonging.</p> <p>Staff preparations for young people’s futures are aspirational, insightful and made in close partnership with placing authorities. Young people receive good quality education and every opportunity to achieve good exam results through the organisation’s school. Some young people are taking an extra year in</p>	

school to capitalise on this. Where young people live a long way from home, staff make exceptional efforts to help and support them in re-establishing positive links with their relatives and friends. This is important when these relationships were fractured at the point of placement. Staff provide both practical and emotional support for young people to learn independence skills. Young people therefore have a good understanding of the issues that will be hardest for them. They develop resilience and good coping skills which they practise in the safety of the home. Social workers say, 'staff are the best I have ever come across', and, 'they are passionate about improving life-chances and are delivering!'

Staff and therapists provide research-informed care practice and therapies, confidently and coherently. This is why young people sustain improvements in their lives, even though their needs are complex and challenging. Staff's understanding of attachment theory underpins the loving, enduring and positive relationships they create to improve young people's psychological health. Staff use a model for care and therapy that marks four phases of recovery: stabilisation and containment; engagement and exploration; security and social readiness; connection and partnership. Therapists and staff work effectively together with empathy and insight. As a result, young people are making excellent progress towards their individual recoveries.

Young people are making an excellent contribution to helping other young people who are experiencing child sexual exploitation (CSE). They are part of a national group; they have spoken to government representatives and helped design advertising and a website for a dedicated CSE helpline. They have been recognised as 'an inspiring voice' for young people and have progressed enormously in their socialising and coping skills through doing this. The staff, manager and registered individual alike are delighted to see how much young people have benefitted from this opportunity.

	Judgement grade
How well children and young people are helped and protected	outstanding
Staff and managers have a full understanding of the vulnerabilities of young people and the risks arising from their past experiences of abuse and exploitation. The home is inaccessible and rural in location, helping young people know that they cannot be tracked down. The small size of the house and the nearness of staff bedrooms mean that young people are rarely out of	

earshot or sight of staff. Care over security and domestic safety means that the home does not have any institutional feel, but is very safe. Young people say they feel safe and show by their actions that they have a strong sense of safety and well-being here.

Young people are well matched to one another in the group, and their differing experiences mean that they do not pose risks to one another. One-to-one staffing ratios enable traumatised young people quickly feel very safe. Most of all, the support and care of staff means that young people have the confidence to turn away from risk-taking, harmful and exploitative behaviour. The manager said: 'young people feel valued and safe enough to hang around, not go missing and enjoy their time with us.' No incidents of going missing, CSE, sexual activity, or further harm have happened in the period since the last inspection.

The high quality therapeutic response to young people's vulnerabilities, including going missing and CSE, is a key strength. It makes an exceptional difference to the lives and experiences of young people. Therapists, staff and managers constantly discuss risks and reflect on young people's readiness to safely manage phones, internet, 'cash in hand', free time and social networking. They are skilled and confident in doing this. They provide 'sympathetic education' to help young people understand and cope with their vulnerabilities. They teach young people how to identify risks in their own impulses and responses. They provide and promote healthy alternatives, such as exercise and self-soothing techniques. They gradually, openly and empathically help young people use increasing freedoms safely when the time is right. A parent said: 'my daughter's therapy is going really well – they have worked wonders.'

Young people are involved in significant, far-reaching voluntary work that provides a safe, viable outlet for their own needs, while also making a huge contribution to the safety and welfare of other vulnerable young people. Part of this has been working with other young people to make a film that explains to professionals how it feels to be interviewed by police or lawyers when they have been through a traumatic period. Through this, and very sensitive handling of situations by staff, young people have learnt that it is inappropriate and potentially unsafe to share details of their past experience with new friends and acquaintances in the community.

	Judgement grade
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The impact and effectiveness of leaders and managers	outstanding
<p>The manager and responsible individual prioritise the needs of young people above all else. The manager came to work for the responsible individual in response to his offer to 'come here and do it right.' The manager has a diploma to level 4 and 5 in management and a diploma to level 4 in the care of children and young people. Staff say he is, 'so hands on' and this is seen and appreciated by young people and staff alike. The manager is aspirational for the young people and is influential in their progress. This is because he is an excellent, everyday adult male role model for them. It is also because he is well-organised, diligent and capable in his leadership, support and training to staff. Staff are inspired by him and have complete confidence in him. There is no staff sickness and staff retention and morale is consistently high.</p> <p>The home is achieving its aims and objectives as set out in its statement of purpose. The culture of positivity and high expectations is producing outstanding progress for each young person. The staff rota, therapy sessions and all plans are reliably followed so that young people are never let down. At the same time, young people have a full say in designing and timetabling their activities and plans. Young people have also produced an audio version of the young people's guide about the home, to help future residents understand how the home works.</p> <p>The quality of professional relationships between the home, families, placing authorities and host authorities is outstanding. The manager maintains regular and effective communication; consults and makes use of findings; and makes sure that shared decisions about young people are promptly and clearly communicated. As a result, stakeholders have complete confidence in the home and young people's progress is never held back. For example, proactive work with placing authorities and families has led to appropriate and safe re-established family relationships and links to a young person's home area. These relationships and links make a return there for independent living a realistic possibility. Similarly, proactive relationships with young people's school, the specialist children's nurse and police within the host authority, open up young people's opportunities to safely take part in more local activities. The manager said: 'we will continue to monitor and develop quality and creative plans with staff, therapists, teachers, social workers and police, so as to ensure our service grows and meets the outstanding level of support and quality we would want for our own children.'</p> <p>The registered manager and registered individual know their strengths and weaknesses well and keep the home under regular review. They welcome the observations and advice of the home's monthly visitor and the regulator. They constantly strive to improve. By reflecting on their practice and closely listening to the views of young people, they ensure the best possible care, experiences</p>	

and futures for children and young people.

What the inspection judgements mean

The experiences and progress of children and young people are at the centre of the inspection. Inspectors will use their professional judgement to determine the weight and significance of their findings in this respect. The judgements included in the report are made against *Inspection of children's homes: framework for inspection*.

An **outstanding** children's home provides highly effective services that contribute to significantly improved outcomes for children and young people who need help and protection and care. Their progress exceeds expectations and is sustained over time.

A **good** children's home provides effective services that help, protect and care for children and young people and have their welfare safeguarded and promoted.

In a children's home that **requires improvement**, there are no widespread or serious failures that create or leave children being harmed or at risk of harm. The welfare of looked after children is safeguarded and promoted. Minimum requirements are in place, however, the children's home is not yet delivering good protection, help and care for children and young people.

A children's home that is **inadequate** is providing services where there are widespread or serious failures that create or leave children and young people being harmed or at risk of harm or result in children looked after not having their welfare safeguarded and promoted.

Information about this inspection

Inspectors have looked closely at the experiences and progress of children and young people living in the children's home. Inspectors considered the quality of work and the difference adults make to the lives of children and young people. They read case files, watched how professional staff work with children, young people and each other and discussed the effectiveness of help and care given to children and young people. Wherever possible, they talked to children, young people and their families. In addition the inspectors have tried to understand what the children's home knows about how well it is performing, how well it is doing and what difference it is making for the children and young people who it is trying to help, protect and look after.

This inspection was carried out under the Care Standards Act 2000 to assess the effectiveness of the service and to consider how well it complies with the Children's Homes (England) Regulations 2015 and the *Guide to the children's homes regulations including the quality standards*.

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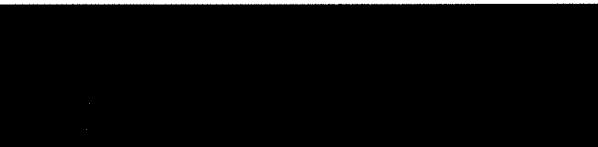
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Physis Heathgates Academy

Heathgates Farm, Prees, Whitchurch, SY13 2AJ

Inspection date 2 November 2015

Overall outcome **Independent school standards met**

Context of the inspection

- A material change visit took place in November 2014 when a very large number of the Education (Independent School Standards) Regulations 2014 were unmet.
- The academy submitted an action plan outlining its proposals to address these failings. This was evaluated in January 2015 and found to require improvement.
- A progress monitoring visit to assess the academy's progress in implementing its action plan was made in April 2015. At this time some, but not all, of the regulations were met. The academy submitted a revised action plan to address these, which was evaluated and judged to be satisfactory in July 2015.
- This unannounced second progress monitoring inspection visit was made at the request of the Department for Education to assess the progress made by the academy against its action plan and in complying with the Education (Independent School Standards) Regulations 2014 and associated requirements.

Main findings

- This second progress monitoring inspection visit focused on regulations relating to the curriculum and teaching (Part 1 of the independent school standards), the provision of information (Part 6) and the leadership and management (Part 8) that remained unmet at the time of the first progress monitoring visit in April 2015. The academy's website was also accessed to check that the safeguarding policy reflected the most recent statutory requirements.

Curriculum

- The progress monitoring inspection in April 2015 found that curriculum planning, while much improved since the inspection in November 2014, remained inconsistent across key stages and subjects. There were examples of effective planning in English and personal, social, health and economic education (PSHE) but planning was weaker in religious education, science, and design and technology (D&T). The academy prepared an action plan to address these weaknesses. When this was evaluated by Ofsted in July 2015, the proposals and timescale were judged to be satisfactory.
- This second progress monitoring inspection visit found that the academy has successfully implemented its proposals to revise its curriculum policy and develop schemes of work and teaching plans. A planning template has been devised with staff; this identifies cross-curricular links, such as those to literacy and numeracy. It guides teachers to consider what pupils need to learn, know and do, the resources needed and how pupils' progress will be regularly assessed.
- The improved medium-term planning document has been in operation since the beginning of June 2015. It was evaluated by senior leaders in August 2015 and amendments and improvements have been made. Discussion with the headteacher and scrutiny of planning files on this visit show this to be working well.

and progress through weekly book checks and observations. Conversations between teachers and pupils are regularly recorded in work books. Information about pupils' achievements and next steps is included in daily staff liaison reports.

- Teachers' planning is adapted based on the marking of previous work and the level of engagement of pupils during lessons. Pupils' work, showing the development of learning and pupil progress, is monitored regularly. This is discussed with senior leaders, staff and therapists during meetings.
- Short-term plans show that a variety of teaching methods are being used. The headteacher encourages teachers to adapt teaching and learning strategies to engage pupils. Regular observations of teaching are taking place and these are used to support teachers in finding the right approach for each pupil. Written reports of observations by senior leaders and peer observations are produced and provided to teachers.
- A good improvement in marking technique is evident from the scrutiny of pupils' work. This confirms senior leaders' evaluation. In the August 2015 review, the headteacher rightly identified that more conversational marking, where teachers discuss pupils' work with them and focus on how it can be improved, was required. This has been developed during the current semester. One pupil said that this approach was really helping her to move on with her learning.
- Teachers are making positive efforts to ensure that pupils complete all their work. Senior leaders and staff are aware of the challenge this poses for some pupils. Nonetheless, they are persevering with finding different ways of increasing the quality and quantity of pupils' work. Scrutiny of work books shows that pupils are gaining ground. Even the most reluctant learner is producing more work. Senior leaders have identified that this has been helped by teachers using different methods and being more flexible in their approach to accommodating pupils' different and preferred learning styles.
- Target levels for individual pupils are reviewed regularly and adjusted to take account of levels of engagement. As a result, expectations of what pupils can achieve have been raised.
- Evidence from scrutiny, observations and discussions show that the academy has made good progress in implementing and evaluating the action plan proposals.

Provision of information

- The first progress monitoring inspection in April 2015 found that the academy's leaders continued not to provide local authorities, and where requested the Secretary of State, with an annual account of income received and expenditure incurred. The academy drew up an action plan to address this, which was evaluated and accepted by Ofsted in July 2015. The timescale was also evaluated and judged to be satisfactory.
- During this second progress monitoring inspection visit, the headteacher provided a copy of a financial statement sent in June 2015 to a local authority for pupils it places at the academy. This shows the required information. The headteacher and finance director are responsible for ensuring local authorities receive the statement. They report this to the yearly board meeting.
- The evidence seen indicates that the academy has made good progress in implementing and evaluating its action plan proposals.

Leadership and management

- The progress monitoring inspection in April 2015 found that, while they had made good progress in tackling the majority of weaknesses that led to the failures, leaders still did not fulfil their responsibilities effectively. This was because they did not keep a careful enough check on the work of teachers or make sure that pupils were given the right work at the correct level during lessons and for homework. Leaders did not check that teachers are following the academy policy on marking pupils' work.
- The academy's leaders drew up proposals to address these shortcomings. The action plan was evaluated and accepted by Ofsted in July 2015. The action plan evaluation found that the proposals were appropriate and clearly related to the failed regulation. The timescale was also judged to be satisfactory. For example, the action plan stated that an external leadership consultant would be engaged to provide ongoing advice and guidance for academy leaders, that

leaders would access appropriate courses, and that the headteacher would update his knowledge and understanding of the independent school regulations. The action plan identified resources that are aligned against the actions.

- This second progress monitoring visit found that the academy leaders have received training and are now aware of the independent school regulations. They have benefited from the guidance of an experienced educational consultant in drawing up and implementing their plans for improvement.
- The proposal for the headteacher to network with other headteachers has not progressed as rapidly as planned. The proprietor is seeking to improve the support and challenge for the headteacher with the appointment of an additional experienced practitioner to join the senior leadership team.
- The headteacher provides the proprietor with regular written updates about pupils' progress, the quality of teaching and the progress being made in implementing the academy's action plan.
- Senior leaders have recently updated the academy's safeguarding policy to reflect the latest requirements outlined in 'Keeping Children Safe in Education' (July 2015). The revised policy is available to parents, carers and others on the academy's website.
- The academy has made good progress in implementing its action plan proposals in order to meet all the requirements of the independent school regulations.

Compliance with regulatory requirements

The school meets the Education (Independent School Standards) Regulations 2014 and associated requirements

Inspection team

Michael Best, lead inspector

Ofsted Inspector

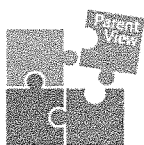
Information about this school

- Physis Heathgates Academy is situated in a rural location near Whitchurch, Shropshire. Additional teaching accommodation at The Retreat is about 10 miles away.
- The academy is registered for up to 11 pupils, aged 10 to 18 years who have emotional and social difficulties. There are currently seven pupils from Key Stages 3 and 4 on roll.
- The academy opened in August 2012 and had its first inspection on 23 July 2013, when it was judged to be adequate. It extended its provision in 2014 to include a separate off-site teaching facility, based at The Retreat.
- Twelve subject-specialist teachers teach the pupils each week.

School details

Unique reference number	138580
Inspection number	10007062
DfE registration number	893/6029
Type of school	Special school for pupils with emotional and social difficulties
School status	Independent school
Age range of pupils	10–18
Gender of pupils	Female
Number of pupils on the school roll	7
Number of part-time pupils	0
Proprietor	Physis Group
Chair	Clifton Supple
Headteacher	Andy Plant
Date of previous school inspection	22 April 2015
Annual fees (day pupils)	£59,800
Telephone number	01948 841260
Email address	aplant@physisgroup.co.uk

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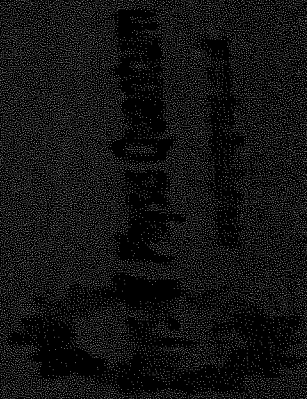
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