

<b>Council/Committee:</b>	Planning Committee
<b>Date of Meeting</b>	1 April 2026
<b>Application Reference</b>	DC/26/71390
<b>Application Description</b>	Proposed conversion of house (Class C3) into a residential home for up to three children (Class C2).
<b>Application Received</b>	23 January 2026
<b>Application Address</b>	40 Longleat, Great Barr, Birmingham, B43 6PU.
<b>Report Author</b>	Anjan Dey <a href="mailto:anjan_dey@sandwell.gov.uk">anjan_dey@sandwell.gov.uk</a>
<b>Lead Officer</b>	Tammy Stokes
<b>Ward</b>	Charlemont with Grove Vale.
<b>Appendices (if any)</b>	<ol style="list-style-type: none"> <li>1. PL01 location plan</li> <li>2. PL02 REV A Block plan</li> <li>3. PL04 Floor plan(s)</li> </ol>

## 1. Application Summary

- 1.1 The application is being reported to Planning Committee because 49 material planning objections have been received. Furthermore, Councillor Trumpeter also objects to the proposal as he does not consider that the proposal is an appropriate use in this location and refers to restrictive covenants on the property.
- 1.2 To assist members with site context, a link to Google Maps is provided below:  
[40 Longleat, Great Barr.](#)

## 2. Recommendations

- 2.1 That planning permission is granted subject to the following conditions relating to:
- i) Management plan (to include security, lighting and CCTV)
  - ii) Removal of the front dwarf wall before the use is implemented
  - iii) The existing dropped kerb shall be extended before the use is implemented.

- iv) The premises shall be used only as a residential home for three children and up to four staff and for no other purpose (including any other use falling within Class C2 of the Order) but may revert back to C3 (dwellinghouses) on cessation of the use;

### **3. Reasons for the recommendation and conditions**

The proposed change of use would be acceptable in this location and would not harm the living conditions of neighbouring occupiers, with particular regard to traffic movements, noise/disturbance and highway safety. The proposal would therefore accord with Policy SAD H4 of The Site Allocations and Delivery Development Plan Document where it seeks to ensure that proposals for specific needs housing are compatible with adjacent uses.

### **4. Key Considerations**

4.1 The site is allocated in the development plan.

4.2 Material planning considerations (MPCs) are matters that can and should be taken into account when making planning decisions. By law, planning decisions should be made in accordance with the development plan unless MPCs indicate otherwise. This means that if enough MPCs weigh in favour of a development, it should be approved even if it conflicts with a local planning policy.

4.3 The material planning considerations which are relevant to this application are:

- Government policy (NPPF);
- Anti-social behaviour;
- Highways considerations - traffic generation, access, highway safety, parking and servicing;
- Out of character with surrounding area and not the right location for the proposal.

### **5. The Application Site**

5.1 The application property is a 5-bedroom detached property located on the eastern side of Longleat, Great Barr within a suburban residential area, site surrounding is predominantly residential in nature characterised by detached properties.

#### **5.2 Planning History**

Planning permission has been granted for extensions to the domestic dwelling. A full list of the planning history is provided below:

DC/06/46293	First floor extension at front of dwelling.	Grant permission subject to conditions. 27.06.2006
DC/07/48433	Proposed pitched roof to frontage.	Grant permission subject to external materials

## 6. Application Details

- 6.1 The application relates to a single detached five-bedroom property on the eastern side of Longleat, Great Barr.
- 6.2 The applicant is proposing to convert the property, 40 Longleat, to (Use Class C3) to care homes (Use Class C2) for up to three children aged between 7 to 17 years old.
- 6.3 The ground floor would provide a front room and utility room and rear kitchen as well as dining room and w.c. The first floor would provide three children's bedrooms along with a staff bedroom/office, separate staff room and bathroom. No extensions or external alterations are proposed, and all accommodation is contained within the existing building footprint.
- 6.4 When the house is at full capacity there will be a maximum of 2 No. support staff members and 1 No manager in the day, with 2 support staff working at night. There is an existing driveway to provide off-street parking.
- 6.5 The children would be looked after on a long-term basis. In some cases, this is a temporary home until the Local Authority finds a foster home; in other cases, it would be until they are no longer 'a child' and cared for, or if the care plan for the young person changes.
- 6.6 During a standard shift, 2 staff members will be present on-site along with a home registered manager. The registered manager would be on site from 9am to 5pm, Monday to Friday. During the night only 2 staff members would be present. Support staff shift patterns are 7.30am to 10.30pm & 10pm to 8.00am for the night shift.
- 6.7 It is anticipated that that 2 visits from social workers will take place every 6 weeks, by appointment only for approximately one hour. Therapists will attend once a week for a couple of hours, again by appointment only.

## **7. Publicity**

The application has been publicised by 76 neighbour notification letters. Fourty nine objections have been received and there have been 36 representations in support of the proposal. Objections are summarised below:

- i) Potential for anti-social behaviour & noise,
- ii) Parking issues,
- iii) Out of character with surrounding area and not the right location for the proposal including restrictive covenants,
- iv) There are a number of these uses in the local area already and another is not necessary,
- v) The property could eventually be used as a House in Multiple Occupation (HMO)

Non material objections have been submitted in relation to devaluation of property and restrictive covenants.

## **8. Consultee Responses**

### **8.1 Highways**

The Head of Highways has no objections. The front driveway is considered acceptable to provide sufficient off-road parking provision for staff members. However, the highway officer has requested that the front dwarf wall be removed and that the existing dropped kerb be extended to provide adequate unrestricted access to the parking spaces. Furthermore, the applicant has detailed all external visitors and Highways consider that this would be no more intense than a family dwelling.

An amended site plan has been submitted and annotated to show the removal of the front wall and extension of the existing dropped kerb as requested by highways.

### **8.2 Public Health (Noise)**

No objections and no conditions recommended.

### **8.3 West Midlands Police**

They state their support for the proposal that the following crime statistics are recorded for this post code:

0 ASB offences  
1 vehicle crime offences  
0 Burglary offences  
4 violent crime offences

They recommend that a plan is provided to include CCTV, lighting and security if permission is granted.

## **9. Relevant Planning Policy Considerations**

### **9.1 National Planning Policy Framework (NPPF)**

The NPPF sets out government's planning policies for England and how these are expected to be applied.

#### **Highway safety**

The framework promotes sustainable transport options for development proposal and states that developments should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Given the proposed parking arrangements and that highways have raised no objections it is not consider that the development would have significant impact on highway safety.

#### **Anti-social behaviour**

The National Planning Policy Framework seeks to ensure that development is inclusive, and the fear of crime does not undermine the quality of life, community cohesion and resilience. Although the fear of crime and anti-social behaviour are material considerations, there must be some reasonable evidential basis for that fear. In this case, whilst I am mindful of the concerns raised by residents, there is no substantive evidence before me to demonstrate that the proposed use (care of children) would give rise to anti-social behaviour or criminal activity. It is also noted that three carers would be present at the property at all times and the premises would be subject to more stringent regulation than a typical family home.

### **9.2 Development Plan Policy**

The following polices of the council's development plan are relevant:

#### **Site Allocations and Delivery Development Plan Document – (SADD)**

SAD H4 - Housing for People with Specific Needs encourages the provision of housing to cater for the special needs of people. The proposal complies with this policy by being compatible with surrounding residential uses, the building is currently a residential use, would provide a suitable living environment for residents and is within proximity to public transport and local amenities.

## **10. Material Considerations**

### **10.1 Anti-Social Behaviour & noise**

Whilst objectors raise concerns in respect of anti-social behaviour and noise, this matter very hinges on the responsible management of the premises. West Midlands Police have raised no concerns subject to conditions. Therefore, it is considered that through the imposition conditions pertaining to a management plan and restrictive the occupants, it would ensure that the proposal harmonises with its surroundings.

### **10.2 Highway considerations**

The Head of Highways has reviewed the application and raised no objections to the application. It is considered that the existing front driveway is sufficient to provide off-road parking provision for staff members.

### **10.3 Out of character with surrounding area and not the right location for the proposal**

I have noted concerns that the proposed development would be an inappropriate use and out of character with the residential area. However, the proposed use falls into a residential use in the Use Classes Order 1987 (as amended). It does not fall into a commercial, business or service use. As such, the proposed use would be compatible with a residential area and this location. I do not consider that the proposal would generate activities that would be significantly different to a family home, nor would the visual appearance of the property be altered and therefore it would harm the character of the area.

With reference to restrictive covenants on the application premises, this is not a material planning consideration and so would have no basis to refuse the application on planning grounds. However, should permission be granted, separate legal action can be taken by residents under conveyancing law which may still prevent the development, even if permission were to be granted by your committee.

### **10.4 Over concentration of these uses in the locality**

The proposal has been determined on its individual merits and in accordance with relevant policies. All consultation responses are supportive of the proposal, and it is considered to comply with Policy SAD H4 - Housing for People with Specific Needs which encourages the provision of housing to cater for the special needs of people. There is no record of similar consents being granted on Longleat or nearby streets/roads.

## 10.5 **The property could be used as a House in Multiple Occupation in the future**

There is no evidence to suggest this, and the property could revert back to the original dwelling house on cessation of the children's care home use.

However, If planning is granted the applicant, it would be tied to the description of development that confirms a C2 use for residential care for up to three children and conditioned as such.

## 11. **Conclusion**

11.1 All decisions on planning applications should be based on an objective balancing exercise. This is known as applying the 'planning balance'. To summarise: the proposal should be approved unless any adverse impacts of granting the permission would significantly and demonstrably outweigh the benefits when assessed against development plan policies or, where those policies are out of date, the NPPF as a whole. Where national policy takes precedence over the development plan, this has been highlighted in paragraph 9 (National Planning Policy Framework).

11.3 On balance the proposal accords with the provisions of relevant development plan policies and there are no significant material considerations which warrant refusal that could not be controlled by conditions.

## 12. **Legal and Governance Implications**

The Planning Committee has delegated powers to determine planning applications within current Council policy. Section 78 of the Town and Country Planning Act 1990 gives applicants a right to appeal when they disagree with the local authority's decision on their application, or where the local authority has failed to determine the application within the statutory timeframe.

## 13. **Other Relevant Implications**

**Health and Wellbeing** – Implications of the proposals on health and wellbeing of our communities.

**Crime and Disorder Act 1998** - The proposal had undergone consultation with West Midlands Police, and their recommendations have been conditioned as part of the recommendation.

## 14. **Background Documents**

None.

## 15. **How does this deliver the objectives of the Strategic Themes?**

All of our residents, including our children and young people, are active participants in influencing change – through being listened to, their opinions are heard and valued.