

Date of this letter: 4 June 2026

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| <p>To: The Planning Department at Sandwell Council Sandwell Council House Freeth Street Oldbury West Midlands B69 3DE United Kingdom</p> <p>Your Ref: DC/26/71390 Contact: Mr Anjan Dey E-mail: Democratic_services@sandwell.gov.uk</p> | <p>From: The local and surrounding residents of B43 6PU, including those residing on Longleat, Himley Close (B43 6BU), Harewood Avenue (B43 6QE) and adjacent streets within the immediate vicinity of the property in question.</p> |
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Hearing Date: 10 June 2026 at 6:00 PM (Sandwell Council House, Oldbury)

Dear Chair and Members of the Planning Committee,

Re: Objection Letter: Formal Representation against Planning Application DC/26/71390 Proposed Development: Proposed conversion of house (Class C3) into a residential home for up to three children (Class C2)

1. Introduction and Terms of Reference

This formal representation is submitted on behalf of the established residential community of Longleat, Great Barr, who stand unified in their opposition to planning application DC/26/71390. This submission outlines the evidence-based and legally anchored material planning objections upon which the Committee is urged to refuse the application. At the outset, the community explicitly acknowledges and supports the statutory necessity of providing high-quality, supportive residential care facilities for vulnerable children.

The validity of children's care is not in dispute. However, the core of this objection rests on the strict spatial, operational, and physical incompatibility of this specific property at 40 Longleat for a commercial Class C2 institutional use. The introduction of a managed, shift-pattern facility at this exact location directly conflicts with the explicit provisions of the Sandwell Local Plan, the Sandwell Allocations and Delivery Development Plan Document (specifically Policy SAD H4), and the National Planning Policy Framework (NPPF). This proposal will result in an unacceptable loss of residential amenity and a severe degradation of highway safety.

2. Core Material Planning Considerations

Under Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004, the Committee must determine this application in accordance with the Development Plan unless material considerations indicate otherwise. This representation focuses exclusively on valid material considerations:

- The subversion and material alteration of local residential character.
- The intensification of traffic, operational vehicle movements, and sub-standard off-street parking.
- The introduction of an institutional pattern of noise, disturbance, and general activity that causes a material loss of residential amenity.

Non-material considerations—such as the commercial identity of the applicant, the financial or moral motivations of the developer, or speculative assumptions regarding the character of the service users—are entirely excluded from this brief. The arguments presented below are based strictly on the physical and operational realities of the site and established planning law.

3. Material Change of Use and Impact on Local Character

The applicant contends that the conversion of 40 Longleat from a standard dwelling house (Class C3) to a residential children's home (Class C2) represents an innocuous transition that maintains a domestic profile. This assertion is flawed as a matter of fact and law.

The physical reality of a standard family home (Class C3) involves a single, cohesive household where residents live, eat, and interact together as a long-term domestic unit. The operational framework of a managed Class C2 facility, even for up to three children, requires continuous professional oversight. This involves rotating shifts of non-resident care staff, regular visits from independent inspectors, social workers, multi-agency legal teams, educational professionals, and emergency support services. This continuous rotation of personnel introduces an uncharacteristic institutional element to the site.

This distinction is firmly established in English planning law by the landmark High Court precedent **North Devon District Council v First Secretary of State [2003] EWHC 157 (Admin)**. This judgment established that a children's care home where staff do not reside permanently at the property but rather attend on a shift-pattern basis to provide care, does not constitute occupation as a single sub-class C3(b) household.

Instead, it represents a material change of use to Class C2. Mr Justice Collins confirmed that the regular comings and goings of non-resident professional carers, shift turnovers, and auxiliary professional visitors fundamentally alter the character of the property from a standard domestic dwelling to a managed institutional workspace.

Longleat is defined by its quiet, stable, low-density suburban character, consisting primarily of single-family C3 residences. Introducing a managed institutional facility with high staff turnover directly conflicts with **Policy SAD H4 of the Sandwell Allocations and Delivery Development Plan Document**, which dictates that any specific needs housing must be entirely compatible with adjacent uses and the surrounding residential area. The introduction of a commercial operation, characterised by professional shift handovers and institutional management, will undermine the character of this quiet residential area.

4. Highway Safety, Parking, and Traffic Generation

The physical constraints of Longleat make it entirely unsuitable for the additional traffic and parking demands generated by a Class C2 use. Longleat is a residential street that already experiences considerable on-street parking pressures. The introduction of a commercial care facility will significantly worsen these issues.

The operational reality of a children's home for up to three residents involves substantial vehicle movements, including:

1. **Staff Rotas and Handovers:** Multiple staff members arriving and departing simultaneously during shift changes, often twice or three times per day.
2. **Professional Multi-Agency Visitors:** Frequent, mandatory visits from social workers, Ofsted inspectors, clinical psychologists, independent visitors, and educational transport providers.
3. **Routine Domestic Servicing:** Enhanced logistics, maintenance, and administrative visits beyond those of a standard family.

Sandwell Metropolitan Borough Council's planning and highways criteria, as reinforced by consistent Planning Inspectorate appeal determinations within the borough (e.g., *Ref: APP/G4620/W/23/3328400, 4 Huskison Close*), establish clear requirements for Class C2 conversions.

To prevent severe on-street parking congestion, a care home must provide specific off-street parking allocations: one space per manager, one space per three full-time equivalent staff members, and dedicated visitor parking provisions. This application fails to demonstrate that 40 Longleat can accommodate this level of parking within its curtilage without destroying its front amenity space or creating sub-standard, dangerous access arrangements.

Any shortfall in off-street parking will result in overspill parking on Longleat. This overspill will create clear risks to highway safety by narrowing the usable roadway, restricting visibility at driveways, obstructing pedestrian pavements, and hindering the movement of emergency vehicles and refuse collection trucks.

This non-compliance directly violates the **Sandwell Local Plan's Residential Parking Standards**, which explicitly state that developments resulting in on-street parking that creates or exacerbates highway safety issues will not be supported. The proposal also conflicts with **Paragraph 115 of the National Planning Policy Framework (NPPF)**, as the cumulative impact on the road network will be detrimental to local highway safety.

5. Noise, Disturbance, and Material Loss of Amenity

The immediate neighbours at 40 Longleat have a right to the quiet enjoyment of their properties. A standard family home experiences noise patterns that naturally align with standard domestic hours. Conversely, a managed Class C2 facility operates on a 24-hour commercial schedule.

The primary source of disturbance from this proposal stems from the shift-pattern rotation of professional staff. Shift handovers often occur during late-evening or early-morning hours (such as 10:00 PM or 7:00 AM). The noise associated with these handovers—including car doors closing, vehicle engines idling, conversational exchanges on the driveway, and general activity—will occur at times when local residents expect quiet. This repetitive, institutional disturbance at anti-social hours will directly disrupt the sleep patterns and well-being of the immediate neighbours.

Furthermore, the continuous presence of non-resident staff, management personnel, and multi-agency professionals means the rear garden and external spaces of 40 Longleat will experience a level of ambient noise and overlook that is institutional rather than domestic. This represents a clear loss of residential amenity, in direct conflict with **Policy SDM2 of the Sandwell Local Plan (Development Management)** and **Paragraph 135 of the NPPF**. These policies require all new developments to protect the amenity, living conditions, and quality of life of existing occupiers. Because this proposal introduces an intrusive operational pattern into a quiet residential setting, it fails to meet these essential criteria.

6. Conclusion and Formal Request for Refusal

In summary, the proposed conversion of 40 Longleat from a Class C3 dwelling to a Class C2 children's home represents an inappropriate intensification of use that is unsuited to its location.

The application fails on three distinct material planning grounds:

1. **Character:** It introduces a commercial, institutional operation that alters the suburban character of Longleat, directly contradicting the *North Devon [2003]* precedent and Policy SAD H4.
2. **Highway Safety:** It fails to provide adequate off-street parking, which will result in overspill parking, increased traffic congestion, and heightened risks to highway safety on a strained residential street.
3. **Amenity:** It creates an unacceptable pattern of noise and disturbance at anti-social hours due to 24-hour shift handovers and professional visits, severely undermining the living conditions of neighbouring residents.

For these reasons, we respectfully request that the Planning Committee members uphold local and national planning policies, protect the integrity of this residential community, and **refuse planning permission** for application DC/26/71390.

Yours faithfully,

With and on behalf of the local and surrounding residents of B43 6PU, including those residing on Longleat, Himley Close (B43 6BU), Harewood Avenue (B43 6QE) and adjacent streets within the immediate vicinity of the Proposed conversion of house (Class C3) into a residential home for up to three children (Class C2). At: 40 Longleat Great Barr Birmingham B43 6PU.