



Planning Committee – 24 April 2025

Report of Head of Planning and Building Control

Plans list item number

Item number: 1

Reason for reporting to the planning committee.

- 1) Called in by Councillor Smith on the grounds of inadequate parking/access arrangements that could lead to cars being parked on street detrimental to amenity/highway safety; increased traffic in the area over and above that which the existing road network could cope with detrimental to highway safety; detriment to the character and visual amenities of the area due to poor design and that it would cause demonstrable harm to the amenities currently enjoyed by occupiers of neighbouring properties. Stating, “As a local Councillor, I cannot ignore the strength of feeling and opposition to this proposal by an overwhelming number of local residents in and around the vicinity of the proposed location... this site 43/43A Dartmouth Avenue, (new builds) was originally given planning permission to be two domestic homes, with no objections from residents.... But now the application is of a completely different nature and character, deemed by residents to be out of keeping with this residential area of predominantly older residents and being effectively an application for a commercial use. Further details and elaboration of the objections will be made at the appropriate Planning Committee Meeting.”
- 2) A petition of 67 signatures has been submitted contrary to officers’ recommendation on the grounds of inadequate parking facilities; fear of increased anti-social behaviour and crime in the area; the presence of a private commercial business not being in keeping with the residential area and the potential prospect of the site and

use growing, given that planning permission has also been given for 3 properties at the rear of this building.

Application details

Application reference: 24/1485

Site location: 43 and 43A, DARTMOUTH AVENUE, WALSALL, WS3 1ST

Application proposal: Full planning application for the change of use of 2 no. 3 bed dwellings (Class C3) into 1 no. 4 bed childrens residential care home (Class C2).

Application type: Full Application: Minor Use Class C2 (Residential institutions)

Link to application documents: <https://go.walsall.gov.uk/planningapps?id=24/1485>

Applicant: Aaran Singh, Assist Developments Limited, 417 A, Birmingham Road, Sutton Coldfield, West Midlands, B72 1AU

Planning agent: Mr Adrian Rose, Adrian Rose Consulting

Ward: Blakenall

Red line location



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Recommendation

Planning Committee resolve to Delegate to the Head of Planning & Building Control to Grant Planning Permission Subject to Conditions, and subject to:

1. The amendment and finalising of conditions.
2. No further comments from a statutory consultee raising material planning considerations not previously addressed.

Site and surroundings

A site visit was carried out on 13/02/2025.

The site comprises a pair of two storey 3 bed semi-detached dwellings of simple design that were approved by planning application 21/0727. Each dwelling has two parking spaces on the front driveway and a rear garden. The site is located amongst a row of residential dwellings, with surrounding residential uses. The land at the rear of the site has been granted permission by application 22/0163 for the erection of a terraced row of 3 no. 2-bed residential dwellings. This development has not yet commenced.

The site is within walking distance, approximately 380m from Coal Pool Local Centre, and is on a bus route serving Bloxwich and Walsall Town Centre, with a bus stop immediately in front of the site.

The site is not within a Conservation Area, nor in the vicinity of any other heritage assets. It is in a Coal Development Low Risk Area and Flood Zone 1. There are no protected trees in the vicinity of the site.

Relevant planning history

22/0163	Land to the Rear 41 DARTMOUTH AVENUE	Erection of three, two bedroom dwellings to the rear of 41 Dartmouth Avenue.	Grant Permission Subject to Conditions	2023-07-19
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21/0727	LAND ADJ. 41 DARTMOUTH AVENUE	Erection of a pair of 3- bedroom semi-detached dwellings between the existing at 41 and 45 Dartmouth Avenue with associated access and hardstanding.	Grant Permission Subject to Conditions	2021-09-24
21/0182	41 DARTMOUTH AVENUE	Prior approval for a larger home extension for a single storey rear extension	Prior Approval: NOT REQUIRED	2021-03-23

Relevant policies

National Planning Policy Framework (NPPF)

The [NPPF](#) sets out the Government’s position on the role of the planning system in both plan-making and decision-taking. It states that the purpose of the planning system is to contribute to the achievement of sustainable development, in economic, social, and environmental terms, and it emphasises a “presumption in favour of sustainable development”. The NPPF is a material consideration in the determination of a planning application.

Human rights and reducing inequalities

The provisions of the Human Rights Act and principles contained in the Convention on Human Rights have been taken into account in reaching the recommendation contained in this report. The articles/protocols identified below were considered of particular relevance:

- Article 8 – Right to Respect for Private and Family Life
- THE FIRST PROTOCOL – Article 1: Protection of Property

Section 149(1) of the Equality Act 2010 places a statutory duty on public authorities in the exercise of their functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act (b) advance equality of opportunity between persons who share a relevant protected

characteristic and persons who do not share it (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it (the Public Sector Equality Duty or 'PSED'). There are no equality implications anticipated as a result of this decision.

Walsall Council Development Plan

Planning law requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

Our Development Plan includes:

- Black Country Core Strategy (BCCS)
- Walsall Site Allocation Document (SAD)
- Saved policies of Walsall Unitary Development Plan (UDP)
- Walsall Town Centre Area Action Plan (AAP)

Planning guidance is published within a number of Supplementary Planning Documents. Those of relevance will be referenced in this assessment.

Public consultation has been carried out in accordance with the Development Management Procedure Order and the council's Statement of Community Involvement.

Consultee comments (planning officer's summary)

Community Protection

No response received.

Environmental Protection

No objection.

Local Highway Authority

No objections subject to conditions to secure:

- A maximum of 4 resident children
- Provision of parking for the application site with the parking area drained to prevent surface water run off onto the highway

- Implementation of 2 new dropped kerbs to serve the new access

Social Services

No response received.

West Midlands Fire Service

No objection. The proposed work does not appear to adversely affect B5 Access & Facilities. Advisory note with regard to Part B of the Building Regulations 2010 provided.

West Midlands Police

Advisory notes for security provided.

Neighbour and interested parties' comments (planning officer's summary)

Objections

32 separate comments received from 26 separate addresses objecting for the following reasons:

- Insufficient parking
- No dropped kerb in front of the parking area
- Blocking residents' drives
- Impact on the bus service/bus stop outside the property
- Volume of traffic
- Impact on pedestrian safety
- Commercial use in a residential area
- Impact on character of the area
- Impact on community cohesion
- Insufficient outside provision for children to play
- Noise and disturbance
- Should there not be a fire escape?
- Fear of antisocial behaviour
- Fear of crime
- Impact on safety
- Security of the boundaries

- The permission was for a house, there was no mention of it becoming a children's home
- Concerns about potential for conversion of the approved houses at the rear of the site for extension of the children's home use
- The houses were granted permission on false grounds
- They didn't apply for this to begin with because they knew it would be rejected
- Devalue local property
- Exacerbate existing issues of anti-social behaviour and parking problems
- What type of children will reside there?

Support

No comments received in support of the proposal.

Determining issues

1. Principle of development
2. Design, layout, and character
3. Amenity of neighbours and future occupiers
4. Highways
5. Ecology and Biodiversity Net Gain
6. Flood risk / Drainage
7. Ground conditions and environment
8. Other key determining issues

Assessment of the proposal

Principle of development

The application site is located on a residential street within a wider residential area. Internal alterations are proposed to connect the dwellings for use as a children's care home for 4 children aged between 7 and 17 years of age. There would be a maximum of 5 staff carers on site during the daytime hours and 2 staff during the night with handover periods at 7am and 7pm. Staff would be supervised by an OFSTED registered manager.

It is considered the proposal has elements of a residential and commercial nature. The Planning statement sets out that the properties will provide the children with a family home

and the presence of adults and the children in care being reflective of the numbers of people that could reasonably be expected to reside and come and go throughout the day in a 6-bed family dwelling. The nature of the staff carers being in attendance on a shift basis and the use of the word 'staff' being reflective of a commercial operation. Concerns have been raised regarding the fact that it is a commercial use in a residential area. Although the site would be operated by a private company, the intention of such children's homes is to create as close to a family environment as possible and whilst it would not fall under the description of a dwellinghouse like the surrounding properties, planning use class C2 is still a residential use.

Paragraph 63 of the NPPF 2024 requires that the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies, 'including looked after children' and paragraph 135 states that:

Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

The proposal accords with paragraph 135 in that it would not significantly alter the external appearance of the existing dwellinghouse and therefore in appearance would remain sympathetic to the local residential character and it would provide for inclusive and

accessible housing for looked after children, addressing an overwhelming demand for the type of accommodation being proposed.

There are no specific policies relating to children's care homes in Walsall's Development Plan but Walsall's Site Allocation Document policy HC3 states that the Council will encourage the provision of housing for people with special needs, including single people, the elderly, people with disabilities and any other groups who require specialist accommodation, in locations that would be acceptable for general housing. Such housing will be particularly encouraged in and close to centres, provided the sites are not required for centre uses. In this instance, the development would contribute to provision of housing for the specialist accommodation required by looked after children, and the site is approximately 380m from the boundary of Coal Pool Local Centre.

Saved UDP policy H6 relates to nursing homes and rest homes for the elderly, rather than children's homes, but contains advice about parking and the types of property that will be suitable. Paragraph (b) VIII states that large, detached properties are the most obviously suitable for these uses. Paragraph (b)X states that the Council will take account of the accessibility of a property to local amenities and public transport. The 2no. existing 3 bed semi-detached properties would be separate at the first floor but connected at the ground floor so could be considered to be one 6 bed detached unit, which would accord with this requirement, and it is considered the size of the dwelling is sufficient for the maximum of 4 children that would be cared for. It is within walking distance of Coal Pool Local Centre with a range of convenience shops and services and within walking distance of bus routes into Bloxwich District Centre and Walsall Town Centre, the nearest bus stop being immediately outside the site.

As such, subject to conditions detailed in this report, the change of use from one residential use to another residential use type, in this residential area is considered compatible. It is considered reasonable to include a planning condition for this decision, to limit the planning use to class C2 as a children's care home only, to give the Local Planning Authority the opportunity to assess the impacts of any future proposed changes of use that could otherwise be carried out within Planning Use Class C2 using permitted development rights.

It is noted that a number of concerns have been raised regarding the application process leading to this current application. Application 21/0727 was submitted requesting permission for the construction of the pair of 3-bed semi-detached residential

dwellinghouses, and the assessment was made on that basis. There is no evidence to suggest that it was always the intention for the site to be used as a children's care home. The applicant could have chosen to request permission for the houses to be used for the purpose of a children's care home at that time had they known that was the intended use and if they wished to do so. As there has been no significant change in local planning policy since the time of application 21/0727, had the change of use been included in the original application, the proposed development would have been assessed in the same way as it has been in this case where the applicant has submitted a separate application for the change of use.

Further concerns have been raised about the potential for conversion of the approved houses at the rear of the site to children's home use for expansion of the operation. In an effort to alleviate local residents' concerns, the applicant has submitted letters from the developer, from the landowner of the two sites and from the operator of the proposed children's home confirming that the intention for the sites is to use this application site as a children's care home and the 3no. dwellings at the rear of the application site as traditional family homes in C3 planning use class. These letters hold no substantial weight in the planning assessment as they are not legally binding, but in any case, the 3no. houses at the rear of the site that have been approved by application 22/0163 have been approved as residential dwelling houses and if they are constructed they cannot be used for any purpose outside of planning use class C3 as a dwellinghouse, without the submission of a planning application. Any such future application would be assessed on its own merits in accordance with national and local planning policies.

Design, layout, and character

The change of use from a residential use to a different residential use reflects the existing residential character of the locality and is considered compatible.

Concerns have been raised regarding the impact of the development on the character of the area. There are no proposed changes to the external appearance of the building and the only internal change is the linking of the two neighbouring lounges and kitchens by a connecting door so there would be no impact on the appearance of the site building that could impact the character of the area. The intention of such children's homes is to create as close to a regular family setting as possible and the operator of the children's home

states that “For the effective operation of the proposed children’s home, it is crucial that the immediate surrounding area maintains its character as a traditional residential setting”.

Given that there are no significant proposed changes to the external appearance of the existing dwellinghouse, and the number of regular occupants is unlikely to intensify the use of the site above and beyond that of the existing residential character, it is considered that the proposed change of use would have limited impact on the appearance or character of the site in accordance with the requirements of the Black Country Core Strategy policy ENV2, saved UDP policies GP2 and ENV32 of Walsall’s Unitary Development Plan as well as the SPD Designing Walsall DW3.

A concern has been raised regarding the impact of the proposed development on community cohesion. In this instance, it is considered that the addition of one small scale children’s care home would not have any significant impact on community cohesion where the existing community is well established. The incremental impact of a high volume of children’s care homes in an area characterised by family dwellinghouses would be considered in the event of a high number of such uses being applied for in any one locality.

A safeguarding condition preventing any external advertisements to the property will be attached to any permission that may be granted to retain the residential character of the site.

Amenity of neighbours and amenity of future occupiers

The properties surrounding the application site are in residential use. The application site would continue to be in use as a residential building occupied on a regular basis by 4 children and up to 5 adults and it is considered that this level of occupancy is reflective of what would be expected for the existing 2no. 3 bed semi-detached dwellings, the building itself providing the same level of visual amenity and similar relationship to neighbouring houses as existing.

The internal space demonstrates compliance with the requirements of the Nationally Described Space Standard for internal accommodation area and bedroom sizes which is considered to provide a suitable level of amenity for occupants of the care home.

A concern has also been raised regarding the potential for noise and disturbance created from the site by the proposed use for 4 children. The level of noise is anticipated to be no greater than for the existing use of the site, where 2 no. 3 bed dwellings could reasonably be expected accommodate 4 no. children, as is proposed for the converted dwellinghouse. It is considered reasonable to impose a condition limiting the number of residents on site to a maximum of 4, to limit the volume of comings and goings as well as the potential for noise that could be generated by larger numbers of occupants.

Concerns have been raised regarding the fear of antisocial behaviour and crime and the impact on the safety of local residents as a result of the potential future occupants of the children's home. Whilst fear of crime is a material planning consideration, no evidence has been provided to demonstrate that the future occupants would cause an increase in antisocial behaviour or crime in the locality, and it would prove challenging to provide such evidence. It is the responsibility of the care providers to monitor and manage the behaviour of the occupants of the children's home and the Local Planning Authority cannot make a decision based on potential future occupants of a children's home, any more than they could for potential future occupants of a family dwellinghouse.

West Midlands Police were consulted regarding the proposed development and raised several considerations, concerning the qualifications of the care home operator and staff, what the opinion of nearby residents is regarding the proposal, and ensuring the building has a suitable fire risk assessment. Such sites are registered with and regulated by OFSTED.

The Local Planning Authority has no responsibility for the management of the operation and as such, the qualifications of the staff are not a material planning consideration for the purpose of the assessment. Nearby residents have been consulted, and their points of view have been considered in this assessment. Fire safety is a matter to be addressed at the Building Regulations stage of development. Recommendations have been provided by West Midlands Police, offering guidance to ensure that the proposal meets safety and security requirements for the benefit of residents and surrounding occupiers, and these can be included as an advisory note for the applicant.

Concerns have been raised that the site would provide insufficient outside provision for children to play. There is a private garden in excess of 68m² in area at the rear of each of the pair of semi-detached dwellings. The gardens meet the requirement for the area of

private amenity space for new residential development that is set out in the Supplementary Planning Document Designing Walsall Appendix D. This area is therefore considered to provide sufficient outdoor space for the 4 child occupants of this proposed care home, in the same way as the pair of semi-detached dwellings would provide sufficient private amenity space for the child occupants of the original approved family dwellinghouse.

A question has been asked regarding the provision of a fire escape. This is a matter to be dealt with by Building Regulations.

It is considered that the proposed use would provide a suitable living environment for the child occupants of the house and not cause any significant additional harm to the amenity of neighbouring occupants above and beyond that which could normally be expected in a residential area for the existing 2 no. 3 bed dwellings or the proposed 5 bed residential care dwelling for up to 4 children. Subject to conditions to limit the number of occupants, the proposal would accord with the amenity requirements of saved UDP policy GP2 and the security considerations of saved UDP policy ENV32.

Highways

The application seeks to convert two 3 bedroomed semi-detached residential dwellings currently under construction, to a four-bedroom Care Home for children. Modifications to the existing dropped kerb vehicle access, required under 21/0727, are still outstanding. These works are required to be implemented to provide legitimate access to the frontage parking spaces to be utilised by the proposed Care Home, which addresses a concern raised by local residents regarding the lack of dropped kerb access to the proposed parking area. On review, the Local Highway Authority have advised that it would be preferable for two separate dropped crossings to be implemented across the front of the parking area, each with 3 flat kerbs and 2 taper kerbs, to provide better access to all parking spaces and to limit the requirement for an extended dropped kerb crossing. It would also provide independent driveway access for each dwelling if the building returned to use as two separate dwellings again in the future. This requirement could be secured by a planning condition.

The site is located on Dartmouth Avenue, which is an adopted, unclassified, predominantly residential street with a traditional carriageway and footway layout. There is a bus stop immediately outside of the site offering a single bus service.

Concerns have been raised that the site has insufficient parking for the proposed use, which could lead to on street parking blocking residents' drives, impacting on the bus service/bus stop outside the property. Further concerns have been raised about the impact on highway and pedestrian safety due to an increased volume of traffic in an area that is already busy with a school, church and commercial uses in Coal Pool Local Centre. It falls outside of the jurisdiction of the Local Planning Authority to assess existing traffic volumes and parking concerns and there are other authorities in place to consider this matter.

Four existing frontage parking spaces are to be retained at the application site to serve the Care Homes, subject to implementation of the extended dropped kerb access. To accord with saved UDP Policy T13, the proposed four bed Care Home is required to have a minimum of two parking spaces. In this instance, the provision of 4 spaces offers a surplus of 2 spaces above the policy requirement.

The applicant has confirmed there would be 5 members of staff on site during the daytime (two staff members in each house with the fifth floating between the two houses), with shifts generally covering the period from 7am to 7pm. Nighttime staffing will typically be one staff member waking and one staff sleeping from 7pm to 7am.

Visiting professionals may include social workers, educational support staff, Ofsted inspectors, and the Registered Individual (RI), who will periodically visit to oversee operations and compliance. Family visits (where appropriate and arranged in advance) and other professional visits will be recorded in individual support plans.

Taking into account the modest scale of the proposed operation and that on-street parking is unrestricted, the Local Highway Authority considers that the level of parking of four spaces is acceptable.

On balance, the Highway Authority considers the development will not have an unacceptable impact on road safety or have severe cumulative impacts on the operation of the road network and is acceptable in accordance with the NPPF 2024 paragraph 116. Their support for the proposed change of use is subject to the inclusion of planning conditions to secure a maximum of 4 resident children, provision of a drained parking area for the application site, and extension of the existing dropped kerb to serve the new access.

Ecology and Biodiversity Net Gain

There are no ecological implications. The site is exempt from the requirement of Biodiversity Net Gain as the proposed development would impact on an area of less than 25m² of onsite habitat it is below the de minimis threshold.

Flood risk / Drainage

The works do not propose any increases in impermeable surfaces and the site is located within flood risk zone 1.

As such, no significant concerns are raised in respect of drainage / flood risk.

Ground conditions and environment

There are no significant industrial or commercial noise impacts, or any concerns regarding air quality or contaminated land that are material planning considerations for this application.

Other key determining issues

Notwithstanding the support for the principle of the proposed development at this site, a number of conditions of the permission granted by application 21/0727 have not yet been fulfilled, specifically:

- Condition no. 7 for the relocation of the bus stop in front of this application site;
- Condition no 8 for the drainage of the parking area for the new pair of semi-detached dwellings;
- Condition no. 9 for the drainage of the parking area for no. 41 Dartmouth Avenue;
- Condition no. 10 for the implementation of a dropped kerb access for both parking areas.

Part 7a of condition 7, required details for relocation of the bus stop to be submitted to and approved by the Local Planning Authority prior to commencement of the development of the pair of semi-detached dwellings now known as no. 43 and 43a Dartmouth Avenue. The site owner is in breach of the requirements of this part of the condition. On review, the Local Highway Authority have confirmed that relocation of the bus stop will not be necessary. It is

currently located in front of the boundary between two sites. Any relocation would need to be to a position between the boundary of two other sites and in an area where there are no dropped kerbs. Considering the position of the dropped kerbs required by the Local Highway Authority for this application, the safety of members of the public waiting at the bus stop would be protected. The existing bus stop would not impede access to this site or to the neighbouring site if they chose to implement a front driveway and therefore there is no clear benefit in relocating the bus stop. On that basis, it would not be expedient to pursue enforcement action against the fact that the requirements of the condition were not met pre-commencement, and this requirement would not need to be carried forward for inclusion in this decision.

Conditions 8 and 9 are both conditions that should be met prior to occupation of the approved new dwellings. The parking areas have been constructed and hard surfaced for both sites, but it is not clear that the areas are sufficiently drained to prevent surface water run off onto the highway, which is a likely occurrence given the slope of the frontage of the sites from the dwellings down towards the highway. As the approved new dwellings are not yet occupied, in accordance with the condition wording, no breach of these conditions has occurred to date. No. 41 Dartmouth Avenue is outside of the red line boundary of this application and so it is considered that drainage of that parking area should be enforced under condition 9 of application 21/0727, prior to occupation of No.s 43 and 43a Dartmouth Avenue, be that for use as a children's care home or as a residential dwelling. The drainage of the parking area serving the proposed children's home can be secured by a planning condition for any permission that may be granted by this application.

The implementation of dropped kerb accesses for both the existing dwelling no. 41 Dartmouth Avenue and the newly built development was required prior to the use of these two neighbouring parking areas. As the new pair of semi-detached dwellings are not yet occupied, the parking area in front of these houses has not come into use, so no breach of condition has occurred in respect of this parking area. A dropped kerb footway crossing would be required for access to the parking area for the proposed children's care home and so it is considered reasonable and necessary to apply a condition for implementation of a dropped kerb footway crossing to any permission that may be granted for this application. In this way, the installation of a dropped kerb can be enforced whichever planning permission the owner may decide to implement for the site. On review, the Local Highway Authority have advised that it would be preferable for two separate 3 flat kerb dropped crossings be implemented across the front of the parking area to provide better access to

all parking spaces and to limit the requirement for an extended dropped kerb crossing. Furthermore, in the event that the site was returned to two separate dwellinghouses in the future, each site would have its own independent driveway access.

Evidence from Google Streetview shows a vehicle parked on the new hard surfaced frontage of no. 41 Dartmouth Avenue in May 2022 but to date no dropped kerb has been implemented in front of this site. The area affected by this breach of condition 10 of application 21/0727 is outside of the red line boundary of this current planning application and can be addressed through enforcement of condition 10 of the permission granted by 21/0727.

Conclusion and reasons for decision

On balance, this application is considered acceptable when assessed against the local and national planning policies and guidance as set out in this report. The site building and the proposed use is considered would have no greater impact on the amenity of neighbouring occupants above and beyond the existing building and use. There is no evidence to support the concerns that the proposed use would lead to an increase in crime or antisocial behaviour in the locality.

Consideration has been given to the impact of the proposed use on parking availability at the site and in this instance the proposal is compliant with local planning policy requirements for parking. The Local Highway Authority do not have concerns about the impacts of parking from the proposed use on highway safety. The discharge of pre-commencement conditions from application 21/0727 have been considered in detail and have been carried forward where relevant and necessary.

Taking into account the above factors it is considered that the application should be recommended for approval.

Recommendation

That Planning Committee resolve to Delegate to the Head of Planning & Building Control to Grant Planning Permission Subject to Conditions and subject to:

1. The amendment and finalising of conditions.
2. No further comments from a statutory consultee raising material planning considerations not previously addressed.

Conditions and reasons

1: This development must be begun not later than 3 years after the date of this decision.

Reason: Pursuant to the requirements of Section 91 of the Town and Country Planning Act, 1990 (as amended).

2: The development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans details and documents:

- Location and Site Plan, drawing no. 2024/09/41/07 Rev A, submitted 29/01/2025
- Existing Ground and First Floor Plan, drawing no. 2024/09/41/01, submitted 18/11/2024
- Proposed Ground and First Floor Plan, drawing no. 2024/09/41/04, submitted 18/11/2024
- Existing Elevations Plan, drawing no. 2024/09/41/03, submitted 18/11/2024
- Proposed Elevations Plan, drawing no. 2024/09/41/06, submitted 18/11/2024
- Existing Loft and Roof Plan, drawing no. 2024/09/41/02, submitted 18/11/2024
- Proposed Loft and Roof Plan, drawing no. 2024/09/41/05, submitted 18/11/2024
- Planning Statement, prepared by New Leaf Haven Community Interest Company, submitted 29/01/2025

Reason: To ensure that the development undertaken under this permission shall not be otherwise than in accordance with the terms of the application on the basis of which planning permission is granted, (except in so far as other conditions may so require).

3a: Notwithstanding the details as submitted, prior to commencement of the development hereby permitted, a plan demonstrating the reinstatement of the existing vehicular dropped

crossing in front of the application site and the implementation of 2 independent vehicular dropped crossings to serve the parking spaces shall be submitted in writing to and approved in writing by the Local Planning Authority. The 2 new crossings each shall not exceed three 900mm flat kerbs and two 900mm taper kerbs.

3b: The development hereby permitted shall not be carried out otherwise than in accordance with the approved details and the new vehicular dropped crossings shall thereafter be retained for the lifetime of the development.

Reason: To ensure the satisfactory completion and operation of the access, in accordance with UDP Policy GP2 and in the interests of highway safety.

4: Notwithstanding the details as submitted, prior to occupation of the development hereby permitted shall not be carried out otherwise than in accordance with providing a minimum of four off road parking spaces measuring 4.8m by 2.4m, as shown in Proposed Ground and First Floor Plan, drawing no. 2024/09/41/04, with the parking area being consolidated, hard surfaced and drained so that surface water run-off from the parking area does not discharge onto the highway or into any highway drain. This parking area shall thereafter be retained for the purposes of parking motor vehicles for the lifetime of the development hereby approved and shall thereafter be retained used for no other purpose.

Reason: To ensure the safe and satisfactory operation of the development with the loss of the garage spaces, in accordance with UDP policy GP2, T7 and T13.

5: The development hereby permitted shall not be carried out otherwise than in accordance with the approved details of a residential care home in planning use class C2 for a maximum of four children between the ages of 7 and 17 and for no other purpose (including any other purpose in Schedule 1, Class C of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason: To protect the amenity of neighbouring occupants and to control the level of parking demand and vehicle movements at the property in accordance with saved UDP policies GP2, T7 and T13 and in the interests of highway safety.

6: The development hereby permitted shall not be carried out otherwise than in accordance with the approved details and there shall no advertisement(s) displayed to the frontage of the property at any time.

Reason: In the interests of maintaining the character of the area in accordance with saved UDP policies GP2 and ENV32.

Case specific notes for applicant

Local Highway Authority

The attention of the applicant is drawn to the need to keep the highway free from any mud or other material emanating from the application site or any works pertaining thereto.

The applicant will be required to obtain the necessary Road Opening Permit from the Highway Authority for the construction of the dropped kerb footway crossing within the public highway. For further information and application forms please visit the Council's webpage under: *Roads, parking and travel-Road licences and permits-Get a dropped kerb for your home.*

Security

Consider CCTV to all entrances and non-private areas. Their use in this environment protects residents and potential complaints on carers. Any disagreements on incidents can be quickly reviewed, protecting all parties and reducing protracted complaints involving staff and police.

The applicant to refer to crime prevention and home security advice contained within SBD New Homes. Please see: https://www.securedbydesign.com/images/HOMES_2024.pdf

External LED lights with daylight sensors to external walls, particularly by entrances and parking areas. Lighting at main entrances, sides and to the rear of homes would be extremely helpful in increasing safety and reducing the fear of crime. Lighting is a proven deterrent of crime and reduces offender anonymity. Further information can be obtained from the following links. This is to provide security for residents entering and leaving. (SBD Homes 2024). [Lighting Against Crime](#)

Advice on alarms and CCTV <https://www.policesecuritysystems.com/>

Alarm and CCTV installers should be approved by NSI, SSAIB or both

See <https://www.nsi.org.uk/> and <https://ssaib.org/>

Dwelling entrance door-sets (SBD Homes 2024).

PAS 24: 2022 standard door sets fitted with TS 007 3 star rated cylinders to the external access doors of this building. PAS 24:2022 security rated glazing for all windows if any are to be replaced or new ones installed.

Please see: <https://www.securedbydesign.com/guidance/standards-explained>

See the following link to assist with any cycle security and crime prevention guidance can be obtained from the following link.

<https://www.securedbydesign.com/guidance/crime-prevention-advice/bike-security>

West Midlands Fire Service

The approval of Building Control will be required to Part B of the Building Regulations 2010. Early liaison should be held with this Authority in relation to fixed firefighting facilities, early fire suppression and access (Approved Document B)

The external access provisions for a building should be planned to complement the internal access requirements for a fire attack plan. (Guide E Fire safety engineering (2019)

This proposal will need to meet all the functional requirements stated within B5: Access and facilities for the fire service of Approved Document B, 2019 edition incorporating 2020 and 2022 amendments – for use in England.

End of report