

**PLANNING
COMMITTEE**

16th July 2026

Planning Application 26/00507/FUL

Change of use of existing dwelling (Use Class C3) to a Children's Care Home (maximum of 3 children) (Use Class C2); conversion of existing garage; alterations.

219 Walkwood Road, Redditch, Worcestershire, B97 5NX,

**Applicant: Alexandra Marlow
Ward: Webheath And Callow Hill**

The case officer of this application is Charlotte Wood, Planning Officer (DM), who can be contacted on Tel: 01527 64252 Ext 3412 Email: Charlotte.Wood@bromsgroveandredditch.gov.uk for more information.

Site Description

The application site is a 4-bedroomed detached dwelling which lies on the southern side of Walkwood Road. It is located within the urban area of Redditch, indicated as white land on the proposals map and is predominantly residential in character, although Windmill Community Centre lies a short distance to the south-east of the site. There are a mixture of house types in the area. Neighbouring property 221 Walkwood Road to the west is similar in design to the host property and lies adjacent to it, whereas number 217 to the east is set much further forward and is adjacent to the parking area of the application site.

Vehicular access to the site is off Walkwood Road and there is a large parking area to the front of the site, with the garden of the property positioned at the rear. There is additional on-street parking available in the vicinity. The site is in close proximity to a bus stop and the nearest shops and services lie in Crabbs Cross, approximately 850 metres (a 13 minute walk) from the site.

Proposal Description

The application seeks the change of use of the property from a C3 dwelling to a C2 residential institution to allow full-time care for up to 3 children. The children would be between 5-17 years old and would have emotional and behavioural difficulties, assessed as low to medium risk.

The home would provide 24-hour staffing and whilst not a planning matter, the supporting information confirms that the care service would employ suitably qualified staff and the service would be regulated by Ofsted and subject to ongoing monitoring and review. Furthermore, the placements would be subject to assessment by both the care provider and the local placement authority.

The supporting information/risk assessment sets out that the location of the site, within a stable residential setting, is suitable for those with low-medium risk behaviours.

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There would be some changes to the property to facilitate the change of use. Most notably the existing flat roof garage projecting to the front of the property would be converted to a staff office and the garage door would be replaced by two windows. The internal wall dividing the existing dining room and utility would also be removed in order to create a larger dining room area.

Relevant Policies:

Borough of Redditch Local Plan No. 4

Policy 1: Presumption in Favour of Sustainable Development

Policy 2: Settlement Hierarchy

Policy 20: Transport Requirements for New Development

Policy 39: Built Environment

Policy 40: High Quality Design and Safer Communities

Others

National Planning Policy Framework

National Planning Practice Guidance

Redditch High Quality Design SPD

Relevant Planning History

No relevant planning history

Consultations

Worcestershire County Council Highways

Worcestershire County Council Highways have confirmed that they have no objections to the proposal subject to conditions. They note that there would be 3 staff providing one-to-one care to the children in addition to a registered manager during weekday working hours, however a total of 4 parking spaces would be available to serve the development. A condition for the provision of cycle storage has been recommended in the event that planning permission is granted.

Worcestershire Regulatory Services - Noise

No objection to the application.

Public Consultation Response

4 neighbour letters were sent in relation to this application and letters of objection from 24 individuals were received in response. A petition including 34 names and signatures was also received in objection to the application (some of the people named on the petition also submitted separate letters of objection).

The representations collectively raised the following concerns:

- Harm to residential character

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- Highway safety, traffic and parking
- Residential amenity impacts (noise and disturbance)
- Safety, security and potential for anti-social behaviour
- Unsuitability of property
- Insufficient information
- Waste and servicing capacity
- Impact to local infrastructure
- Loss of dwelling to local housing supply
- Inaccuracy of proposal description (proposed use is C2A secure residential institution rather than C2 residential institution)

A number of other issues were raised, however these have not been reported in this section as they are not material planning considerations:

Assessment of Proposal

Whether a Material Change of Use has Occurred

Development is defined in Section 55 of the Town and Country Planning Act 1990 as the carrying out of building, engineering, mining or other operation's in, on, over or under land; or the making of any **material** change in the use of any buildings or land.

Where activity results in a material change of use of a building to a different use class, then planning permission will be required. Depending on the circumstances of each case, a children's care home will either fall into a C2 or C3 use classification.

- Class C2 of the Town and Country Planning (Use Classes) Order as amended refers to "use for the provision of residential accommodation and care to people in need of care".
- Class C3(b) of the Town and Country Planning (Use Classes) Order as amended refers to "use as a dwelling house by not more than six residents living together as a single household, (including a household where care is provided for residents)."

If a children's home was being run on the basis of children being looked after by a permanent occupant of the dwelling, there would usually be no change of use and therefore no requirement for planning permission. This is regardless of whether the individuals living together are related as family members. However, if care is provided on a shift pattern basis, it is likely that a change of use from C3 to C2 will occur.

Notwithstanding the above, it should further be noted that a change of use from C3 to C2 may not amount to a **material** change of use that requires planning permission. If there is no material difference in activity to that of a dwellinghouse, and no greater level of disturbance or amenity impact, then no **material** change of use has occurred. The issue will ultimately be a matter of fact and degree in each individual case. The key issues are the numbers of residents involved, whether or not staff work shift patterns or have a permanent residence at the site and the materiality in planning terms of any change of use.

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With regards to the current proposal, there would usually be 3 children and 3 members of staff present at the property at any one time. In addition to this there would often be a registered manager there during weekdays between 9am-5pm. Other visitors are expected to be infrequent, with monitoring visits/Ofsted inspections taking place approximately 14 times within a calendar year and family/friend visits being pre-planned. Each child would meet with a social worker every 6 weeks and this would include meetings at home and also within the community. All domestic operations (cooking, cleaning, gardening, maintenance) would be managed by duty staff and only periodic property maintenance (plumbing, electrics, repairs) would be contracted. The duties of the staff would therefore be similar to those of parents living with a child.

Whilst there would be staff on duty 24 hours a day and 7 days a week, there would be no staff living at the property. Staff would therefore operate on a shift pattern basis, with day shifts taking place between 7am-10pm and night shifts operating between 10pm-7am. The comings and goings arising from the proposed shift pattern and changeover of staff would have a material impact to character. Whilst shift patterns would be consistent and there would only be two shifts per day, changeover of staff would be a regular, daily occurrence and during periods of staff handovers, there could be a total of 7 staff present at any one time. Therefore, as a matter of fact and degree and having regard to relevant appeal decisions which have considered this matter, officers consider that a **material** change of use from C3 to C2 would arise in this instance and therefore it is correct that planning permission is sought.

Principle of Development

The application site is located within the Webheath and Callow Hill ward, within an urban area of Redditch, which is defined in Policy 2 of the Borough of Redditch Local Plan no. 4 (BoRLP4) as a sustainable location for development, offering the highest level of services.

The proposal would result in the loss of 1 C3 dwelling but would provide care and a place of residence for up to 3 children. Officers consider that care residences, in the same way as C3 dwellinghouses, should be in sustainable locations offering occupiers good access to local services such as schools. In this regard the principle of development is considered acceptable.

Character and Appearance

Policy 39 of the BoRLP4 states that development should contribute positively to the surrounding environment. Similarly, Policy 40 of the BoRLP4 expects development to be of a high quality design that reflects or complements local surroundings and materials.

The external appearance of the dwelling would be largely unchanged apart from the alteration of the existing flat roof garage to an office. This would involve the insertion of two windows in replacement of the large garage door and bricking up around the windows. Cedar cladding was originally proposed on this elevation, however the

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materials were amended to be matching brick as this would be more in keeping with the local area.

Concerns have been raised by local residents that the proposed commercial use would not be in keeping with the local character. However, the external appearance of the building would not be significantly altered and would still reflect a residential property. The existing parking area is already large enough to support the proposed development and therefore the appearance of the wider site would also remain the same.

Therefore, having regard to the above, the development is considered acceptable in terms of character and appearance and would meet the requirements of policies 39 and 40 of BoRLP4.

Residential Amenity

Paragraph 135(f) of the NPPF states that planning decisions should seek a high standard of amenity for existing and future occupants of land and buildings. Consideration should therefore be given to the impact of the proposed change of use on the residential amenity of surrounding properties, including the impacts arising from the operation of the care service and the associated comings and goings.

The changeover of staff would see the arrival of up to 3 cars around 7am and 10pm, and during these times there would also be up to 3 staff members for each property leaving the site. The supporting statement explains that handover times would be slightly staggered to avoid all staff arriving and leaving together. It is also expected that a registered manager would arrive and leave the site usually at 9am and 5pm on weekdays. Other visitors are expected to be very infrequent and therefore not cause a significant impact.

There are residential properties either side of the site and also to the rear. Much of the disturbance from the operation of the care home would arise from the front parking area of the property; this lies directly next to the parking area of number 221 Walkwood Road which also benefits from a large parking area. However, 217 Walkwood Road on the other side is positioned further forward and the side elevation of this property is adjacent to the parking area of the application site. Notwithstanding this there are no windows on this neighbouring side elevation and it is therefore not considered that the noise arising from the comings and goings would have a significant impact on residential amenity levels. Whilst car movements may be higher than the former C3 use of the property, they would still be relatively infrequent within a 24 hour period and would be expected at specific times rather than unrestrained. Officers note that comings and goings may happen at late hours in the case of a dwellinghouse where occupiers work shift patterns.

Worcestershire Regulatory Services (WRS) have been consulted in relation to noise and nuisance matters and have raised no objections. They have highlighted, however, that they can only comment on predictable noise. With regards to the level of noise made by the children placed at the care home this would be dependent on the behaviour of the

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individuals living at the property and the degree of control and supervision by staff rather than the proposed use being inherently noisy. The characteristics of the individuals and operational matters such as staff supervision are not planning matters, however the service would be regulated by other controls, such as Ofsted. The scale of the use in this instance is relatively small, and a planning condition could be attached to the permission to restrict the number of children in the care home to be no more than 3.

Concerns regarding safety have been raised within third party representations. Residents have specifically raised concerns with the flat roof garage providing the opportunity for a means to escape, as it is directly below one of the children's bedrooms. Whilst the NPPF sets out that fear of crime should not undermine quality of life, the proposed use in this case involves children 5-17 years old who would be supervised 24 hours a day by responsible adults. With regards to the flat roof garage this is already in existence below a bedroom window, and the control of children absconding is a management issue rather than a planning matter.

Based on the above considerations it is concluded that there are no reasons to refuse the application on residential amenity grounds.

Highways

Worcestershire County Council Highways have reviewed the proposal and have taken into account the number of staff and the shift patterns associated with the proposed use and consider that the 4 parking spaces available to serve the development are acceptable. As the proposal would involve the loss of a garage which could provide cycle storage, they have requested a condition for the provision of alternative cycle parking. This provision can be secured by a planning condition. Furthermore, a condition to retain a parking area on site for 4 vehicles is considered reasonable and necessary in order to prevent the displacement of vehicles on the highway for sustained periods of time.

Public Consultation Responses

Letters of objection have been received from 24 individuals and a petition with 34 signatures has also been received. A summary of the issues raised that have not already been covered in the report and an officer response to these issues are provided below, however regard has been had to the full contents of all submissions whilst drafting this report and forming the recommendation.

Concern raised	Officer response
Character impacts The proposal would introduce a commercial use and harm the character of the area.	There is no policy restriction against children's homes in residential areas and the use is not unacceptable in principle. More relevant is the scale of the use and the impacts that would arise in practice. In this case the use would have some similarities to a family home, albeit there would be

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	<p>additional comings and goings from staff changeovers etc which have been considered. With regards to the scale of the use, a condition has been recommended to limit the number of children to a maximum of 3 that would be looked after at the property.</p>
<p>Highway safety, traffic and parking impacts</p> <p>Walkwood Road is narrow, has existing parking pressures, no continuous footpaths. The proposal would result in increased traffic from staff shifts, visitors and deliveries/services, overspill parking would cause obstructions, impact on emergency vehicle access, increase risk to pedestrian safety. Loss of garage as a parking space.</p>	<p>Worcestershire County Council Highways have not objected to the proposal.</p> <p>Whilst there would be more comings and goings expected with the proposed use, changeover of staff would only typically be twice a day and other visitors would not be regular and therefore similar to a typical dwelling. The parking area can accommodate staff numbers, except potentially during staff changeover times. Additional cars at a property are again something that can happen at a typical dwelling.</p> <p>There is no footpath directly outside the application site, however there is on the other side of the road, and in general footpath provision is good in the local area and local amenities/services can be walked to. Furthermore, the lack of footpath outside of the property is a pre-existing issue that would affect occupiers of the existing dwelling.</p> <p>Parking spaces within garages are not counted towards provision as garages can usually be converted to living space without the need for planning permission.</p>
<p>Residential amenity impacts</p>	<p>It is not expected that there would be 24/7 activity at the property, given that this would</p>

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<p>(noise/disturbance)</p> <p>Proposal would result in 24/7 activity, shift changeovers at unsociable hours, increased comings and goings, increased noise from vehicles/conversations. Activity levels would exceed those of a typical dwelling. A noise or activity assessment has not been provided.</p>	<p>provide a home for 3 children and staff changeover would be infrequent throughout the day. A family home of this size could reasonably house 3 children. Whilst activity levels may exceed those of a typical dwelling, this isn't in itself reason to refuse planning permission. A noise survey has not been requested by WRS and is not considered necessary in this instance.</p>
<p>Lack of information</p> <p>Insufficient information regarding staffing levels and shift patterns, agency staff, vehicle movements and parking arrangements, visitor numbers, deliveries, emergency procedures, waste storage, handling of complaints and other day-to-day operations.</p>	<p>The supporting information sets out that there would be 3 members of staff (plus centre manager) and that the shift pattern would generally be 7am-10pm and 10pm-7am. Whilst understanding the proposed use is important, matters relating to the day to day management of the service do not relate to land use and are therefore not a material planning consideration.</p>
<p>Safety, security and layout</p> <p>Resident profile (needs, behaviour, absconding risk), concerns that residents may be free to leave facility unsupervised, lack of detail on security and safeguarding (e.g. window restrictions), particular concerns raised regarding flat roof below bedroom window as a means to escape. Concerns regarding anti-social behaviour, effects on elderly/vulnerable residents)</p>	<p>Consideration needs to be given to the land use rather than personal characteristics of occupants. Matters relating to safeguarding and care provision are regulated under separate legislative regimes (e.g. Ofsted).</p> <p>The applicant has indicated that as well as 24/7 staffing there would be security measures in place including discrete alarm systems (to doors and windows), window opening restrictors, and ring doorbell type cameras. There may also be domestic style CCTV. These measures may also be found on C3 dwellings and are unlikely to require planning permission.</p> <p>There is no evidence of likely impact of anti-</p>

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	<p>social behaviour arising from the use. Assumptions about the behaviour of future occupants cannot be made.</p>
<p>Operators/management Applicant is new/unproven operator and does not have sufficient experience managing children’s homes</p>	<p>The planning system cannot control who operates a development, only the land use. Therefore, lack of experience is not a material planning consideration. Again, there are other agencies that would assess whether the management of the children’s home is satisfactory.</p>
<p>Suitability of property The dwelling is a standard 3–4 bed house, not designed for institutional care, layout and site constraints limit suitability for the intended use.</p>	<p>The proposed use would provide care for up to 3 children, which could reasonably occupy a family home of this size. Space for staff and a carers bedroom has also been provided. Other regulations are in place to control operational matters.</p>
<p>Loss of family dwelling to local housing supply.</p>	<p>Whilst this is noted, the loss of housing would only be very small. The proposal would also provide a place of residence for looked after children. Paragraph 63 of the NPPF sets out that the housing needs of looked after children also need to be addressed.</p>
<p>Concerns that the proposed use class is C2A (secure residential institutions) rather than C2 (residential institutions).</p>	<p>The applicant has applied for a change of use of the property to a C2 use and if permission is granted then the applicant would need to stay within the parameters of this lawful use.</p> <p>The Use Class refers to Class C2 as the “<i>provision of residential accommodation and care to people in need of care</i>” whilst Class 2A refers to “<i>the provision of secure residential accommodation</i>”. The crucial distinction is the provision of care under class 2. Case law has held that the main issue is whether care is being provided rather than whom care is provided to. In this case, care is to be provided to a vulnerable group, and</p>

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	any security arrangements are there to assist in the meeting of the care needs.
Impact to local childminding setting/childcare settings in terms of business viability and a reduction in enrolment.	Impact to other businesses is not a material planning consideration.
Other Impacts Impact to property values Waste and servicing capacity Local infrastructure Proximity to transport links and risk of absconding Environmental hazards not identified in submitted documents/ Wharrage Brook floods and is a nearby hazard	<p>Impact on property values is not a material planning consideration.</p> <p>The applicant has confirmed that waste and servicing may remain as existing as the proposed use is similar to a family home in this respect. However, private waste collection would be used if necessary.</p> <p>There would be 3 children living at the property with up to 4 staff members on duty at any one time. It is not considered that there would be a significant difference to waste/servicing capacity.</p> <p>It is not considered that the scale of the proposed use would have a significant impact on local infrastructure.</p> <p>Risks relating to absconding are a management issue and not a planning matter.</p> <p>Similarly, safeguarding concerns relating to environmental hazards are a management issue and these risk factors are pre-existing for children living in the property as a C3 dwellinghouse.</p>

Conclusion

Having regard to the sustainable, residential location of the site, the proposed change of use of the residential property to a children's care home is considered acceptable in principle.

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There are no outstanding objections from consultees, and it is concluded that there are no issues of highway safety or severe road network impacts that would warrant refusal. Whilst there would likely be an intensification of activity at site due to the change of use, not considered to be so significantly adverse as to cause unacceptable noise or amenity impacts to neighbouring residents.

Taking all matters into account, including all third party representations that have been received, it is considered that the change of use is acceptable subject to conditions.

RECOMMENDATION:

That having regard to the development plan and to all other material considerations, planning permission be GRANTED subject to the following conditions:

Conditions:

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the grant of this permission.

Reason: In accordance with the requirements of Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2) The development hereby approved shall be carried out in accordance with the following plans and drawings:

Location Plan - drawing no. A2785 P001A
Proposed Site Plan - drawing no. A2785 P005A
Proposed Plans - drawing no. A2785 P006A
Proposed Elevations - drawing no. A2785 P007B

Reason: To provide certainty to the extent of the development hereby approved in the interests of proper planning.

- 3) The property subject to this application shall only be used as a residential care home for up to 3 children at any one time and shall be used for no other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: to provide certainty of the proposed development and limit the scale of the use in order to protect the amenity of neighbours.

- 4) The parking facilities as shown on Proposed Site Plan drawing no. A2785 P005A should be retained as a parking area for the lifetime of the development.

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Reason: To ensure conformity with submitted details.

- 5) The Development hereby permitted shall not be first occupied until sheltered, safe, secure and accessible cycle parking for 2 cycles have been provided on site. The cycle parking shall thereafter be kept available for the parking of bicycles only.

Reason: To encourage sustainable modes of transport

- 6) All new brickwork used to convert the existing garage to an office, as shown on proposed elevations drawing A2785 P007B shall match the colour, form and texture of the brickwork on the existing dwelling.

Reason:- To ensure that the development is satisfactory in appearance, to safeguard the visual amenities of the area.

Procedural matters

This application is being reported to the Planning Committee because the number of objections received exceeds that which can be considered by officers.