

Report of the Interim Chief Executive

<b>APPLICATION NUMBER:</b>	<b>25/00914/FUL</b>
<b>LOCATION:</b>	<b>22 Balow Drive North, Awworth NG16 2RQ</b>
<b>PROPOSAL:</b>	<b>Change of Use from Residential (Class C3) to Children Home (Class C2)</b>

The application is brought back to the Committee following deferral from 11<sup>th</sup> February committee.

1. Purpose of the Report

1.1 The application seeks planning permission to change the use of the property from residential (C3) to a residential children’s home (C2).

2. Recommendation

**The Committee is asked to RESOLVE that planning permission be granted for the reasons outlined in the appendix.**

3. Detail

3.1 The application seeks planning permission to change the use of the property from residential (C3) to a residential children’s home (2).

3.2 The main issues relate to whether the principle of the change of use is acceptable in terms of location, parking issues and impact on neighbour amenity.

3.3 The benefits of the proposal are the retention of the dwelling as a residential use, the provision of targeted accommodation to the benefit of future occupants in need of a care home and compliance with policies contained within the development plan. There would be the potential for an impact on neighbour amenity but this is outweighed by the benefits of the scheme.

4. Financial Implications

4.1 The comments from the Head of Finance Services were as follows:

There are no additional financial implications for the Council with the costs/income being within the normal course of business and contained within existing budgets. Any separate financial issues associated with S106s (or similar legal documents) are covered elsewhere in the report.

5. Legal Implications

5.1 The comments from the Head of Legal Services were as follows:

The Legal implications are set out in the report where relevant, a Legal advisor will also be present at the meeting should legal considerations arise.

6 Data Protection Compliance Implications

6.1 Due consideration has been given to keeping the planning process as transparent as possible, whilst ensuring that data protection legislation is complied with.

7. Background Papers:

7.1 No background papers.

## Appendix

**1. Details of the application**

- 1.1 The application seeks planning permission to change the use of the property from residential (Class 3) to a residential children's home (C2). The revised information provided states that the type of care will be the provision of care for four young persons aged between 5 to 18 years old as opposed to 5 to 12 years old, who have behaviour, social and emotional needs. The dwelling will be the children's main residence and according to information submitted within the supporting Design and Access Statement accompanying the application, the children would be taken to school, outings and activities by the staff on site.
- 1.2 The staffing structure has also been modified and would include a home manager and Care workers. The children will be looked after by staff working at the property providing 24-hours cover, on a rota basis, with two in the daytime and two overnight (one member of staff awake during the night). The shift patterns for the care staff will be from 7:30/8:00 am to 7:30/8:00pm and 7:30/8pm to 7:30/8am, so potential for more than two vehicles to be parked on the road only during the change overs. There are minimal external changes as the garage would be converted to create a staff office and a sensory/therapy space. Three rooms will be occupied by children and one by staff at first floor level. There would be two ground floor rooms which will be occupied by the staff and by one of the children. An additional off-street parking space will be provided.
- 1.3 The Design and Access Statement also advises that the home will provide family-oriented, community-integrated home where children can flourish emotionally, socially and educationally. There will be a process of community engagement to address any concerns regarding noise and disturbances, as well as noise mitigation measures.
- 1.4 It has been stated within the submitted statement that any visits additional to the staff on shift, will take place off-site at an approved contact centre to ensure the home remains domestic in nature. The care approach is guided by a personalised care plan that promotes independence, self-esteem, and holistic development through a balance of educational, recreational, and therapeutic activities.

**2. Site and surroundings**

- 2.1 The dwelling is a detached two storey house. The property has a front porch, a conservatory and a two storey rear and single storey side extensions. The site is considerably at lower level than the highway and has off street parking space for one vehicle.
- 2.2 To the north of the application site is located 20 Barlow Drive North, a detached two storey dwelling. This property has a single storey front extension and single storey side extensions that extends beside the whole

shared boundary. Opposite to the site are located nos. 1 and 2 Hawthorn Rise, detached two storey properties.

- 2.3 To the south is located 24 Barlow Drive North, a detached two storey dwelling. This property has a single storey rear extension and a garage to the rear.

### **3. Relevant Planning History**

- 3.1 Planning permission was granted in 1975 to construct a brick garage and in 1981 for extensions to the property.

### **4. Relevant Policies and Guidance**

#### **4.1 Broxtowe Aligned Core Strategy 2014:**

The Council adopted the Core Strategy (CS) on 17 September 2014.

- Policy A: Presumption in Favour of Sustainable Development
- Policy 8: Housing Size, Mix and Choice
- Policy 10: Design and Enhancing Local Identity

#### **4.2 Part 2 Local Plan 2019**

The Council adopted the Part 2 Local Plan on 16 October 2019.

- Policy 15: Housing Size, Mix and Choice
- Policy 17: Place-Making, Design and Amenity

#### **4.3 Awsworth Neighbourhood Plan 2021**

The Council adopted Awsworth Neighbourhood Plan on 21 July 2021

- Policy H2: Housing Mix

#### **4.4 National Planning Policy Framework (NPPF) 2024**

- Section 2 : Achieving sustainable Development
- Section 4: Decision-making
- Section 8: Promoting healthy and safe communities
- Section 12: Achieving well-design places

### **5. Re-Consultations**

- 5.1 As the plans were amended and new information was submitted to address the Planning Committee concerns, the neighbours and consultees were given a period of 14 days to comment on the new information. Two responses were received. One stating that the new information addresses concerns previously raised, the second letter confirms the objection raised stating that does not address satisfactorily the concerns raised in terms of:

- ✓ Suitability of site for proposed parking provision
- ✓ Highway safety

- ✓ Number of staff
- ✓ Change of use issues

5.2 **Nottinghamshire County Council** raise no concerns and advised that in order to consider new external providers, the team evaluates the following information, which is not exhaustive:

- The location of the property and its access to local amenities such as education, health and leisure facilities
- Access to green spaces to support healthy living
- The size of the home and how many children they are looking to support
- The layout and grounds of the home, with reference to privacy, safeguarding and parking
- Risk assessments, staff training and staff rotas to ensure their operational approach does not adversely impact the local area
- Other children's homes operating in the immediate or wider community
- How this home fits within our sufficiency strategy
- Evidence of an engagement strategy with the local community

Based on the information submitted, NCC states that the applicant has met NCC's previous concerns with suitable changes. NCC.

## 6. **Assessment**

6.1 The main issues relate to whether the principle of the change of use would be acceptable and whether the proposal would have an unacceptable impact on neighbour amenity.

### 6.2 **Principle**

6.2.1 The proposal is for a change of use from a dwelling (Class C3) to a residential children's home (Class C2) and would provide specialist care and accommodation for up to four children aged between 5 to 12 with Emotional and Behavioural Difficulties (EBD).

6.2.2 The proposed use of the property is considered to retain the residential nature of the dwelling and as such, subject to the matters below, is considered to be acceptable in principle.

### 6.3 **Design**

6.3.1 Minimal external changes have been proposed to convert the garage into living accommodation. The new external alteration proposed includes the provision of an additional off-street parking space within the front garden. Internally it has been proposed that there would be one staff bedroom to each level.

## **6.4 Amenity**

- 6.4.1 Policy 17 of the Part 2 Local Plan states that permission will be granted for development which integrates into its surroundings, provides convenient access and ensures a satisfactory degree of amenity for occupiers of new development and neighbouring properties.
- 6.4.2 The application does not propose any major external changes to the dwelling and only relates to the change of use from C3 to C2, therefore there would not be any issue with loss of light. No.20 has a single storey side extension beside the whole boundary with the application site with an approx. length of 20.3m. Regarding the conversion of the garage into a staff office and sensory room, it would be situated beside the boundary with no.24, however sound insulation has been proposed to minimise disruption and reduce noise transfer. Therefore having regard to the nature of the proposed change of use, on balance, it is considered the proposed use would not have a significantly detrimental impact on the occupants of these neighbouring properties.
- 6.4.3 In respect of amenity for the intended occupiers of the property, it is considered that the use as C2 residential would be similar in terms of how the property is used to that of a dwelling house, that is, it would have a layout expected in a house, for example, living/dining room and kitchen to the ground floor, sleeping accommodation to the first floor. As for the objection in respect of accessibility for an occupier with a disability, there is no indication of access needs in the submitted information and in any case, this would be a matter for the operator to consider the suitability of the property for each child's needs, as would be the case for a C3 dwelling.
- 6.4.4 It remains the consideration that the proposed change of use is not considered to result in an unacceptable loss of amenity for neighbouring residents. The proposed shift pattern proposes that the staff changeover would be between 7:30 and 8:00 am and pm to avoid more than three staff present in the property at one time.
- 6.4.5 Therefore, it is considered the proposed change of use from dwelling (C3) to a residential children's care home (C2) is unlikely to result in significant impact on the amenity of neighbouring dwellings over and above the use compared to the lawful use as a C3 dwelling, which could operate as a family home with four children.

## **7 Access**

- 7.1 It is clear that there are significant concerns regarding the residential children's care home generating more traffic and issues with on street parking.

- 7.2 The dwelling offers off road parking for one vehicle. The proposed parking layout submitted on 2 March 2026 shows that an additional off-street parking space will be created within the front garden, there is also space in front of the property for a car to park and the road is capable of accommodating on street parking without detriment to highway safety. Furthermore, the Addendum to the Design & Access Statement submitted on 2 March 2026 advises that a Staff Travel Plan will be put in place to enable staff to use taxis when appropriate. The proposal has demonstrated that the change of use would not result in high level of vehicular activities or visits. As such, it is considered that the proposed use would not result in a significant detriment to highway safety or result in inconvenience to local residents in terms of parking at such a significant level to be considered as a reason for refusal on this basis alone. Bicycle storage for up to four bicycles has been also proposed to support sustainable travel.

## **8 Other Matters**

- 8.1 In regard to the concern raised about the originally proposed age range causing disruption or continuity to the level of care, the applicant has advised that the proposed home will operate for children aged 5 to 18 years old. As such, the home will offer placement stability, will align with Ofsted's regulatory framework and will enable children to remain in a familiar environment. The location of staff bedrooms has also been revised to allow members of staff to be closer to the children's bedrooms. NCC has advised that this will revision reflect regulatory standards and will ensure the provider will meet the needs of the children they intend to support.

## **9 Planning Balance**

- 9.1 The benefits of the proposal are that the care home would enable more targeted service provision to the benefit of the users of the facility and to the benefit of the wider community, and would enable the retention of a residential use, which could be converted back to a dwelling should there be a demand in the future, without recourse to major alterations.
- 9.2 The negative impact is the potential noise issues arising from the use, however, subject to the implementation of noise mitigation measures within the Management Plan (which will be conditioned); it is not considered sufficient to outweigh the positives. Furthermore, a dwelling occupied under Use Class C3 could generate similar levels of noise.
- 9.3 On balance. It is considered that, for the reasons above, the benefits of the proposed development would outweigh any potential negative impact and that planning permission should be granted.

## **10 Conclusion**

- 10.1 It is concluded that, having regard to the relevant policies of the Local Plan, national planning guidance and to all other material considerations including

the Public Sector Equality and comments raised in representations received, the development is acceptable and that there are no circumstances which otherwise would justify the refusal of permission.

<b><u>Recommendation</u></b>	
<p><b>The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions:</b></p>	
<p><b>1.</b></p>	<p><b>The use hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</b></p> <p><b>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</b></p>
<p><b>2.</b></p>	<p><b>The development hereby permitted shall be carried out in accordance with the Site Location Plan and Proposed Rear and North (Side) Elevations (drawing numbered CEN-CHA-ZZ-DR-A-0010) received by the Local Planning Authority on 19 December 2025, the Proposed Front and South (Side) Elevations (drawing numbered BAR-CHA-ZZ-DR-A-0009) received by the Local Planning Authority on 21 January 2026, and the Proposed Floor Plans revision C (drawing numbered BAR-CHA-XX-DR-A-0007), the Proposed Car Parking Layout (drawing numbered BAR-CHA-XX-DR-A-010), and the Addendum to the Design &amp; Access Statement received by the Local Planning Authority on 2 March 2026</b></p> <p><b>Reason: For the avoidance of doubt.</b></p>
<p><b>3.</b></p>	<p><b>Prior to the use of the property as a residential children’s home, a Resident Management Plan (RMP) shall be submitted to and approved in writing by the Local Planning Authority. The use hereby approved shall thereafter be carried out in accordance with</b></p>

	<p>the approved RMP, for the lifetime of the use. For the avoidance of doubt, the RMP shall include the following:</p> <ul style="list-style-type: none"> <li>i) Details of on-site staffing, including a dedicated property manager during normal office hours supported by designated wardens who will stay at the premises and will deal with any emergencies or incidents outside office hours including night time supervision;</li> <li>ii) Details of how the property manager and wardens will liaise with local residents throughout the year and how residents can make contact in the event of any disturbance, emergencies or any other management issues;</li> <li>iii) The proposed management of servicing and deliveries;</li> <li>iv) Details of noise management including measures to ensure that noise disturbance to neighbouring residential properties is minimised.</li> </ul> <p>Reason: To protect the amenities of neighbouring residents and in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014) and Policies 17 and 19 of the Part 2 Local Plan (2019).</p>
4.	<p>The premises shall only be attended by a maximum of two staff members at any one time, except during staff handover periods or scheduled staff meetings</p> <p><i>Reason: to ensure a satisfactory standard of neighbour amenity and highway safety and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
	<p><b>NOTES TO APPLICANT</b></p>
1.	<p>The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.</p>
2.	<p>The applicant should ensure that sound insulation to limit the transmission of noise between properties is installed and achieves the minimum requirements as contained in the current version of British Standard Approved Document E.</p>

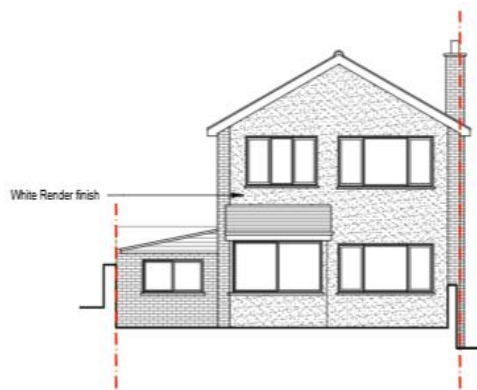
Map



**Plans**



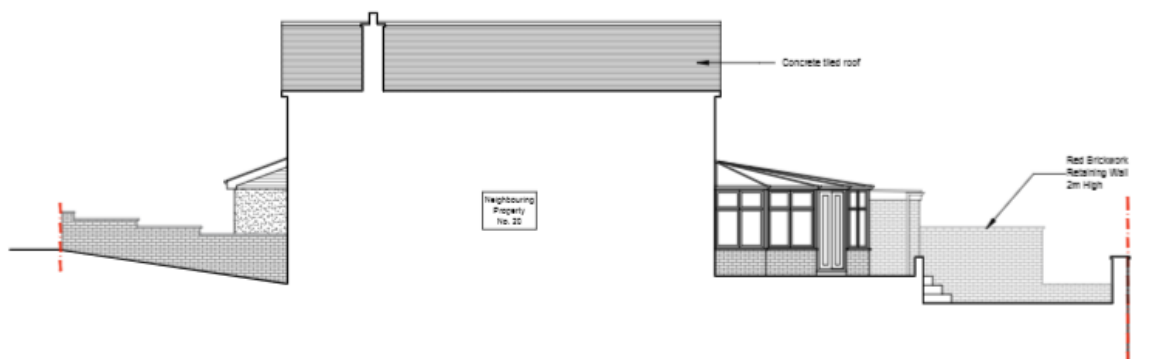
Site Location Plan and Proposed Block Plan



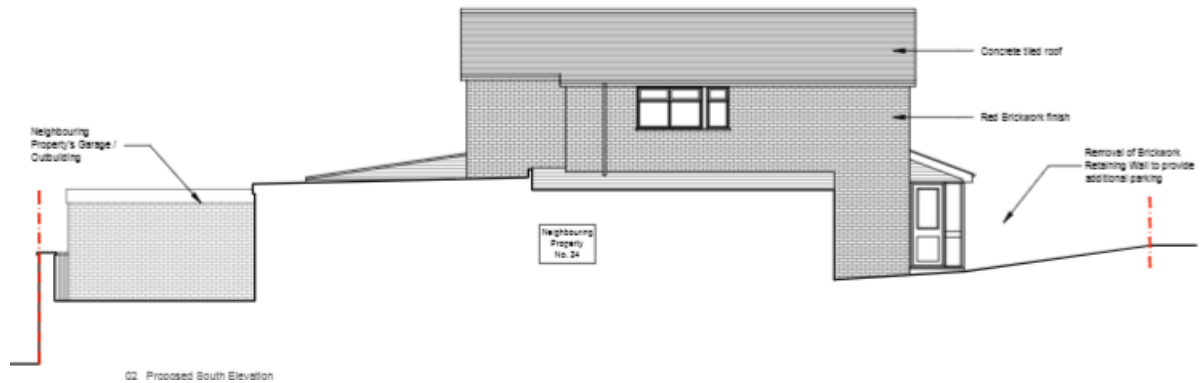
Proposed front elevation



Proposed rear elevation



Proposed side (north) elevation



Proposed side (south) elevation



Proposed floor plans