

Report of the Chief Executive

APPLICATION NUMBER:	26/00487/FUL
LOCATION:	12 Carisbrooke Avenue, Beeston NG9 2HW
PROPOSAL:	Change of Use from Residential (C3) to Residential Children's Home (C2)

The application is brought to the Committee at request of Councillor Steve Carr.

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 subject to conditions outlined in the appendix.

3. Detail

- 3.1 The application seeks full planning permission to change the use of this property, currently C3, to a residential children's care home (C2).
- 3.2 The application site consists of a two storey semi-detached dwelling with a garden area to the rear. The dwelling has a single storey rear extension, a hip to gable extension with rear dormer. The property is located in a residential area.
- 3.3 In regards to neighbouring properties, the site is located in a built up residential area of Beeston with adjoining neighbours to the north east (14 Carisbrooke Avenue) and to the south west (10 Carisbrooke Avenue). To the south west are located 24 and 26 Kenilworth Road. To the north west, on the opposite side of Carisbrooke Avenue are located 9 and 11 Carisbrooke Avenue.
- 3.4 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.
- 3.5 The Committee is asked to resolve that planning permission be granted subject to conditions outlined in the appendix.

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 Nil**

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 type of care will be the provision of care for two young persons aged between 5 to 17 years old who have behaviour, social and emotional needs, learning difficulties and/or sensory impairment. The dwelling will be the child's main residence and according to information submitted within the supporting statement accompanying the application, the children would be taken to school, outings and activities by the staff on site. The children will be looked after by staff working at the property providing 24-hours cover, on a rota basis, with two members of staff working on a co-ordinated shift pattern to ensure that a minimum of one trained member of staff is present with the children at all times, including weekends (one member of staff awake during the night or sleep-in-duty overnight). The Planning Statement submitted with this application advises that the staff changeovers will be in a co-ordinated manner to minimise the number of vehicles at the property simultaneously. There are no external/internal changes, two rooms will be occupied by the children and the third room will be occupied by the carer.
- 1.1 The applicant has advised that management and supervision practices will be implemented to address any anti-social behaviour promptly. There will be a process of community engagement to address any concerns regarding noise and disturbances, as well as noise mitigation measures and security measures (installation of CCTV cameras).
- 1.2 The support statement advises that any visits additional to the staff on shift, will be pre-arranged to avoid unnecessary additional activity.

2. Site and surroundings

- 2.1 The dwelling is a semi-detached two storey house located in a cul-de sac location. To the front there is a small paved area. The property has a single storey rear extension, loft conversion with rear dormer and a large outbuilding to the rear.
- 2.2 To the north east of the application site is located 14 Carisbrooke Avenue, the adjoining two storey dwelling. The common boundary treatment is comprised of a 1.3m high fence.
- 2.3 To the south west is located 10 Carisbrooke Avenue, a semi-attached two storey dwelling. This property has a single storey rear extension and the common rear boundary is formed by a 1.8m high fence.
- 2.4 To the south east (rear) are located 24 and 26 Kenilworth Road, semi-detached two storey dwellings. Due to the existing boundary treatment, these

properties are not visible from the application site's rear garden due to the rear outbuilding.

3. Relevant Planning History

- 3.1 Planning permission was granted on 1 June 2020 under reference 20/00077/FUL to construct a single storey rear extension and to install a dormer to the rear. Prior Approval was not required to construct a single storey rear extension, extending beyond the rear wall by 6m under reference 20/00480/PNH.

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 2: The Spatial Strategy
- 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 National Planning Policy Framework (NPPF) 2026

- Section 3: Decision-making
- Section 4: Achieving sustainable Development
- Section 6: Delivering a sufficient supply of homes
- Section 14: Achieving well-design places
- Section 12: Promoting healthy and safe communities

5. Consultations

- 5.1 **Cllr S J Carr** – requested the application to be determined by the Planning Committee due to issues relating to parking on this road and neighbouring roads and clustering as permission was granted at 79 Peveril Road for a similar change of use.

Cllr B C Carr – no comments received

- 5.2 **Environmental Health Officer** – no objections raised and makes the following observations:
Although there is legislation to potentially control potential noise issues this is not always easy to do retrospectively or an effective resolution found to the

satisfaction of affected local residents. The applicant has not provided sufficient information regarding how noise will be controlled and consequently they have not satisfied me that there are sufficiently robust controls in place. To meet my concerns, I therefore recommend the following condition:

Prior to the use of the property being used as a residential children's home, a noise management plan shall be submitted and approved in writing by the Local Planning Authority. The noise management plan must be implemented in full for the lifetime of the use thereafter. For the avoidance of doubt the noise management plan shall include;

- (a) Details of measures to ensure that noise disturbance to neighbouring residential properties is minimised.

Reason: To protect nearby residents from excessive operational noise.

The Environmental Health Officer advised that the Noise Management Plan received on 24 August 2026 addresses the concerns raised and no further observations were made.

5.3 **Environment – Bins –**

- The business would need to ensure that they have Trade Waste agreement in place either with the Council or a third party. The business would also need a valid Duty of Care.
- The business would need to ensure that they have the correct provision of bins for the waste that they would generate.
- The bins(s) need to be presented at the edge of adopted highway for emptying

5.4 **NCC Children and Families**– The applicant doesn't appear to have engaged with Nottinghamshire County Council Children's Commissioning Team to understand our current and future children's home sufficiency needs. We encourage all providers, new or old, to engage with our team to better understand how their work directly impacts our children and young people.

The applicant is proposing a 2-bed children's home; Nottinghamshire County Council believes that smaller more familial homes encourage the best outcomes for children whereby they can experience both, the social engagement of other children and young people as well as receiving more meaningful and direct support from adults. Without understanding the proposed category of need or the children and young people who are intended to live at this home, Nottinghamshire County Council's Commissioning Team are unable to comment on whether the home is of an appropriate size.

Whilst the home in isolation appears appropriate, with good access to local amenities and being located within a strong, positive community, there is an increasing saturation of homes within the local area, and we would encourage the provider to evaluate this potential risk. As the applicant has evidenced,

there has been recent planning approval for homes in the local area, one noted at the end of the street. Nottinghamshire County Council would encourage caution to avoid over-saturation of children's homes and the potential for exacerbating risk. We would therefore encourage the provider to develop and maintain key relationships with local providers and stakeholders, to manage risk with the aim of maintaining placement stability across sites.

We are encouraged that Nottinghamshire County Council's children's home sufficiency has been considered and is quoted within the application. Whilst we have not had direct communication, we are hopeful that a Nottinghamshire placement will be consistently available to us, where appropriate.

The applicant mentions several sources relating to the children's home sufficiency across the UK. Recently, the children's care market has changed considerably, and these sources are unfortunately quite different to today's challenges within Nottinghamshire.

Nottinghamshire unlike other parts of the UK is moving towards a point of saturation of children's homes whilst simultaneously not being able to meet the needs of all our children and young people. This is because there has long been a focus on the occupancy of children's home placements rather than the specific needs of our children and young people. Nottinghamshire require specialist homes who are able to support children and young people with complex needs. Whilst we would not like to be a barrier to children's homes developing, we would encourage the applicant to meet with the team to understand how we can help shape the provider to meet our Nottinghamshire needs.

Lastly, the sources quoted within the application also highlight the imbalance in the children's home market; we are a fair cost of care local authority, and we are encouraged that the applicant is aware of profiteering in the sector - we would like to work with businesses who share our values and ethics.

Given the above statement, clarification was required in regard to whether the Department of Children and Families objected this application. NCC has advised that the comment made is neutral as there is limited information on the application, however considered this type of operational comments are useful and continues saying that whilst sometimes it is quite clearly a support or object situation cases like these are neither from their commissioning perspective.

Following the receipt of NCC Children and Families Department's comments, the agent has stated the following:

We have noted these comments carefully but would like to highlight that ****NCC Children & Families has not objected to the application****, and its comments do not raise a matter capable of being weighed against grant of permission. We'd ask that this be recorded clearly in the officer report, and would make the following points for the file:

1. ***Engagement with the Commissioning Team*:** This is a matter of Ofsted registration and local authority commissioning practice, not a land-use planning consideration. It does not bear on whether the change of use is acceptable in planning terms. The applicant is nonetheless content to engage with NCC's Commissioning Team ahead of the home opening, and this commitment is confirmed in the attached addendum for insertion into the Planning Statement as new Section 11A.

2. ***Home size (2 children)*:** NCC's comments are explicitly non-committal on this point ("unable to comment on whether the home is of an appropriate size"). Home size and category of need are Ofsted registration matters, not planning ones — the planning test is the impact of the proposed occupancy level on residential amenity and character, which the Planning Statement addresses at length (Sections 7 and 9).

3. ***Saturation/overconcentration*:** This is the only point with potential planning relevance, and it is already addressed at Section 11 of the submitted Planning Statement, which reviews existing C2 and supported living uses in the vicinity and finds no unacceptable concentration. NCC's comment is an encouragement to caution, not an assertion that saturation exists or that this application would create it — Broxtowe's own recent approvals of 79 Peveril Road and Barlow Drive North confirm the Council's own view that homes of this scale in this area do not raise such concerns. We'd resist any suggestion that a "recent approval at the end of the street" itself constitutes overconcentration; the correct test is impact, not proximity of use, and the Council has already applied that test twice recently in this locality.

We'd also note, for context, the Written Ministerial Statement of May 2023 and s.22G of the Children Act 1989, both of which require the planning system to support rather than obstruct delivery of this type of accommodation — and that non-statutory commissioning observations of this kind should not be treated as a basis for delay or refusal.

5.5 NCC Highways: At present there is no parking on the frontage, and no dropped kerbs present to allow any cars to park on the frontage. To facilitate the parking dropped kerbs, hard standing will be required. However; the length looks substandard and will need to be a minimum length of 5.0m.

On receipt of the amended Block Plan, the NCC's Officer advised that the amended plan shows a proposed 'small' car on the frontage, which has substandard length and cannot be counted as a space, therefore staff and visitors will be dispersed onto the highway. On street parking is already in demand and we would not want the turning head comprised further, as 2 off street car parking would be required 24/7 by the staff only with staff change over causing further demand and extra visitors.

NCC Highways has been advised that most of the properties on Carisbrook Avenue have off street parking. The application is for two children with two carers; and the planning statement has pointed out that staff shift changeovers will be managed in a co-ordinated manner to minimise the number of vehicles at the property simultaneously. Additional visitors are planned and kept to a minimum; family visits will also be limited to ensure that they will not increase traffic issues within the area.

5.6 Designing Out Crime Officer – Nottinghamshire Police:

After liaison with the Neighbourhood Policing Team, the primary concern is vulnerable children leaving the home without agreement and then being deemed as missing, resulting in the police commencing an investigation to locate them. A management plan is required to mitigate these concerns and ensure there is a process in place with the local policing team to respond appropriately.

This should include details of how the premises will be operated, managed, and conflict resolution procedures for issues that may affect the local neighbourhood.

Any child who has a history of, 'going missing' on a frequent basis should be raised with the Nottinghamshire Police, 'Children in Care' Officer in order that an appropriate plan is in place ahead of any reported incident.

In addition, we would make the following recommendations in the interests of preventing crime and disorder and keeping everyone safe:

- External CCTV (SbD – Secured by Design - approved specifications) with doorbell camera at main entrance
- Secure cycle storage (SbD approved specifications)
- Dusk until dawn external lighting to compliment the CCTV system (SbD approved specifications)
- Good neighbour policy shared with neighbours

Ideally, this should be a building with access control. This planning application should also adhere to the Secured by Design standards to ensure it meets the required security standards for a property of this type and intended use.

'Secured by Design' (SbD) is a police initiative to guide and encourage those engaged within the specification, design and build of new homes, and those undertaking major or minor property refurbishment, to adopt crime prevention measures. 'Secured by Design' is proven to reduce the opportunity for crime and the fear of crime, creating safer, more secure, and sustainable environments.

Therefore, it is requested that the Secured by Design standard is adopted as part of this property development. Nottinghamshire Police Designing Out Crime Officers will be available to provide ongoing guidance to the

developer in the adoption of the SbD standards. The SbD standards are also available to view at:
<https://www.securedbydesign.com/images/RESIDENTIAL%20GUIDE%202025%2027325.pdf>

- 5.7 Five neighbours either adjoining or adjacent to the site were consulted and a site notice was posted on Carisbrooke Avenue to inform neighbouring properties about the change of use. Three responses were received raising objections for the following reasons:
- Late notification, location of site notice and lack of notice on the property
 - Cumulative impact on traffic, parking and residential character of the area
 - Potential increase on existing levels of occupancy and movement due to the operation of three HMOs and the presence of studio flats occupied by multiple residents
 - Parking and limited availability of on-street parking capacity
 - Change of use would add to on-street parking compromising access for vulnerable residents
 - Potential increase in traffic associated with staff vehicles, visitors, professional support workers and other care-related vehicles
 - Increase in comings and goings
 - Noise and disturbance issues
 - Loss of privacy
 - Suitability of property's location for a children's home
 - Potential for antisocial behaviour associated with the change of use
 - Impact on property value

6. Assessment

- 6.1 The main issues for consideration are the principle of the change of use and whether the proposal would have an impact on neighbour amenity.

6.2 Principle

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

- 6.2.2 The proposal is for a change of use to a residential children's home for two children aged between 5 to 17.

6.3 Design

- 6.3.1 No external changes have been proposed.

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 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. The neighbours most potentially affected by the proposed change of use are nos.10 and 14 Carisbrooke Avenue. There is currently a degree of mutual overlooking between the application site and no. 14 Carisbrooke Avenue due to the low boundary treatment. In regard to no.10, the existing boundary treatment prevents any overlooking between the properties. 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 It is clear from the representations received that there are concerns regarding traffic issues, safety and fears of crime. Concerns have also been raised about the potential for noise and disturbance due to the coming and goings of staff and children's behaviour.
- 6.4.4 In regard to the use, the nature of the use as a residential care home for two children would not significantly differ compared to the use of a dwellinghouse (Use Class C3), where it may be expected for a family including people of this age to reside. The proposal is small scale, being a maximum of two children and a maximum of two staff members 24 hours a day, 7 days a week. Furthermore, the property will retain the appearance of a traditional house with an enclosed rear garden to ensure a safe environment for the children, and as such it is considered, subject to the provision of a management plan condition, that there would not be any significant impact in terms of increase of noise and disturbance for the occupiers of neighbouring dwellings sufficient to warrant a refusal.
- 6.4.5 In respect of noise and disturbance associated with the change of use, a Noise Management plan has been submitted which addresses the concerns raised in relation to staff changeovers and vehicle movements, increase in comings and goings, noise generation within the property and rear garden, behavioural incidents and visitors. Environmental Health considers that the Noise Management plan addresses the concerns raised.
- 6.4.6 It is considered that concerns regarding fear of anti-social behaviour relates to assumptions about the behaviours of people which ultimately planning would be unable to control. It is considered that there are insufficient grounds to

suggest that the proposed change of use will result in a significant adverse impact upon neighbouring properties.

6.4.7 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/common room and kitchen to the ground floor, sleeping accommodation to the first and second floors.

6.4.8 Overall, given the scale of the proposed development, it is considered that the number of people within the building would be similar to the potential occupancy of the building as a C3 dwelling and would thereby be unlikely to lead to a loss in amenity to neighbouring properties in relation to noise or disturbance. It is also considered that the change of use would not have a detrimental impact on the residential character of Carisbrooke Avenue.

7. Access

7.1 There are some concerns in regard to parking and associated traffic issues on Carisbrooke Avenue which has been mentioned in the contributions received. The dwelling offers one off road parking space. However, only the staff would potentially require access to a vehicle. Notwithstanding this, as there would be room for one on-street parking space outside the property and one off-street, it is considered that the impact on parking within the vicinity of the site would not result in significant detriment to highway safety. 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.

8. Other Matters

8.1 With respect to the concern raised about potential clustering, there is only one application that has been granted planning permission for a similar change of use within a 100m radius of the application property (79 Peveril Road), therefore there is no evidence that the number of this type of application has been increased to the point that an Article 4 is needed to control the number of applications for change of use as per Beeston Article 4 Direction (HMO).

8.2 Impact on property values is not a material planning consideration in the determination of this application.

8.3 Regarding the procedures followed by the Council to consult the neighbours, it is considered that the Council has carried out its legal requirement for a neighbour consultation.

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.
- 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.

Recommendation

The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions:

1	The use hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.
	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.
2	The development hereby permitted shall be carried out in accordance with the Site Location Plan (drawing no.PL01) and Proposed Floor Plans (drawing no.PL04) received by the Local Planning Authority on 15 July 2026, and the Proposed Block Plan Revision B (drawing no. PL02) received by the Local Planning Authority on 21 August 2026.
	Reason: For the avoidance of doubt.
3	Prior to the use of the property as a residential children's home commences, 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 the approved RMP, for the lifetime of the use. For the avoidance of doubt, the RMP shall include the following: i) Details of on-site staffing, including shift patterns and 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; 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; iii) The proposed management of servicing and deliveries; <i>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).</i>
4.	The use hereby permitted shall be for the accommodation of no more than two residents and the equivalent of two full time carers at any one time. <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>
	NOTES TO APPLICANT
1.	The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.
2.	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.
3.	The applicant is advised to contact Nottinghamshire Police Designing Out Crime Team to get guidance in the adoption of Secured by Design principles. Further information is available on the Nottinghamshire Police website at: https://www.securedbydesign.com/images/RESIDENTIAL%20GUIDE%202025%2027325.pdf

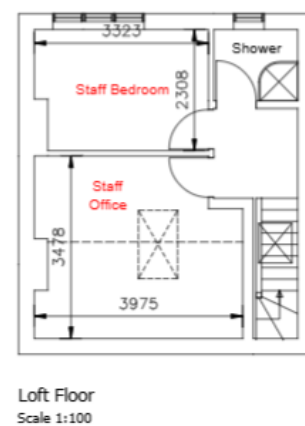
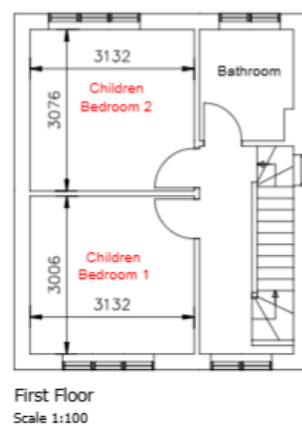
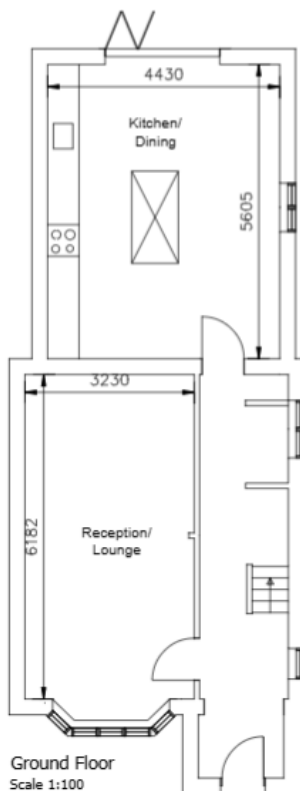
Map



Drawings



Site Location Plan



Proposed Floor Plans

Proposed Block Plan

