

Council/Committee:	Planning Committee
Date of Meeting	10 th June 2026.
Application Reference	DC/26/71478
Application Description	Change of use from a single dwelling-house (Use Class C3) to a children's residential care home for children aged 5 to 19 years (Use Class C2)
Application Received	20.02.2026
Application Address	11 Hydes Road Wednesbury WS10 9SX
Report Author	Anjan Dey anjan_dey@sandwell.gov.uk
Lead Officer	Tammy Stokes
Ward	Wednesbury North
Appendices (if any)	1. 000 Location Plan 2. 000A Site/Block Plan 3. 0002 Proposed Floor Plan

1. Application Summary

- 1.1 The application is being reported to Planning Committee because seven material planning objections have been received and the former local ward member Cllr Nicola Maycock had requested that the application is determined by the planning committee for the reasons of appropriateness of this type of use in this location and the impact on parking and highway safety.
- 1.2 To assist members with site context, a link to Google Maps is provided below:
[11 Hydes Road, Wednesbury.](#)

2. Recommendations

- 2.1 That planning permission is granted subject to the following conditions relating to:
- i) Management plan (to include security, lighting and CCTV)

- ii) The premises shall be used only as a residential home for two children and up to three staff and for no other purpose (including any other use falling within Class C2 of the Order) but may revert back to C3 (dwellinghouses) on cessation of the use;

3. Reasons for the recommendation and conditions

The proposed change of use would be acceptable in this location and would not harm the living conditions of neighbouring occupiers, with particular regard to traffic movements, noise/disturbance and highway safety. The proposal would therefore accord with Policy SAD H4 of The Site Allocations and Delivery Development Plan Document where it seeks to ensure that proposals for specific needs housing are compatible with adjacent uses.

4. Key Considerations

- 4.1 The site is not allocated in the development plan.
- 4.2 Material planning considerations (MPCs) are matters that can and should be taken into account when making planning decisions. By law, planning decisions should be made in accordance with the development plan unless MPCs indicate otherwise. This means that if enough MPCs weigh in favour of a development, it should be approved even if it conflicts with a local planning policy.
- 4.3 The material planning considerations which are relevant to this application are:
 - Government policy (NPPF);
 - Anti-social behaviour;
 - Highways considerations - traffic generation, access, highway safety, parking and servicing;
 - Out of character with surrounding area and not the right location for the proposal.

4. The Application Site

- 5.1 The application property is a 2-bedroom terraced property located on the northern side of Hydes Road, Great Barr within a residential area, site surrounding is predominantly residential in nature characterised by a variety of house types.

5.2 Planning History

There is no planning history for this application site.

5. Application Details

- 6.1 The applicant is proposing to convert the property, 11 Hydes Road, to (Use Class C3) to a care homes (Use Class C2) for up to two children aged between 5 to 19 years old.
- 6.2 The ground floor would provide a front living room, office and rear kitchen as well as utility room. The first floor would provide two bedrooms along with a bathroom and small storeroom as per the existing arrangement. No extensions or external alterations are proposed, and all accommodation is contained within the existing building footprint.
- 6.3 When the house is at full capacity there will be a maximum of 2 No. support staff members and 1 No manager in the day. Only one member of staff will be present at the property at any one time. The day shift would be from 0800 to 2000 hours, and the night shift would be from 2000 to 0800 hours. Shift patterns would be organized to overlap and reduce vehicle movements.

Professional visits such as social workers or healthcare workers would be infrequent and arranged in advance. The office is to be used by the manager and the care worker for administrative tasks and the agent has stated that the manager will not be permanently based at the property with attendance on a periodic basis.

As the property is terraced in nature there is no provision for off-road parking. However, on-street parking is available within the surrounding residential streets. In addition, a public car park is located within a short walking distance of the property which can be used by staff or visitors if required.

6. Publicity

The application has been publicised by 11 neighbour notification letters. Seven objections have been received and are summarised below:

- i) Potential for anti-social behaviour & noise,
- ii) Parking issues,
- iii) Out of character with surrounding area and not the right location for the proposal that they consider to be a business use.

7. Consultee Responses

8.1 Highways

The Head of Highways has no objections following the receipt of additional information. Staff will be encouraged to use sustainable modes of transport

wherever possible as the property is located within an established residential area with access to local amenities and public transport. Furthermore, staff will be encouraged to walk, cycle or use public transport, and secure cycle storage can be provided at the property. Shift patterns are also arranged to minimise staff overlap and reduce vehicle movements.

Furthermore, the applicant has detailed all external visitors attendance and Highways consider that this would be no more intense than a family dwelling.

8.2 **Public Health (Noise)**

No objections subject to the submission of a management plan to deal with neighbour complaints. This matter can be dealt with by a related condition.

8.3 **West Midlands Police**

They state their support for the proposal that the following crime statistics are recorded for this post code:

0 ASB offences
13 vehicle crime offences
3 Burglary offences
9 violent crime offences

They recommend that a plan is provided to include CCTV, lighting and security if permission is granted.

8. **Relevant Planning Policy Considerations**

9.1 **National Planning Policy Framework (NPPF)**

The NPPF sets out government's planning policies for England and how these are expected to be applied.

Highway safety

The framework promotes sustainable transport options for development proposal and states that developments should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Given that highways have raised no objections it is not consider that the development would have significant impact on highway safety.

Anti-social behaviour

The National Planning Policy Framework seeks to ensure that development is inclusive, and the fear of crime does not undermine the quality of life, community cohesion and resilience. Although the fear of crime and anti-social

behaviour are material considerations, there must be some reasonable evidential basis for that fear. In this case, whilst I am mindful of the concerns raised by residents, there is no substantive evidence before me to demonstrate that the proposed use (care of children) would give rise to anti-social behaviour or criminal activity. It is also noted that three carers would be present at the property at all times and the premises would be subject to more stringent regulation than a typical family home.

9.2 Development Plan Policy

The following policies of the council's development plan are relevant:

Site Allocations and Delivery Development Plan Document – (SADD)

SAD H4 - Housing for People with Specific Needs encourages the provision of housing to cater for the special needs of people. The proposal complies with this policy by being compatible with surrounding residential uses, the building is currently a residential use, would provide a suitable living environment for residents and is within proximity to public transport and local amenities.

9. Material Considerations

10.1 Anti-Social Behaviour & noise

Whilst objectors raise concerns in respect of anti-social behaviour and noise, this matter very hinges on the responsible management of the premises. West Midlands Police have raised no concerns subject to conditions. Therefore, it is considered that through the imposition conditions pertaining to a management plan and restriction of the number of occupants, it would ensure that the proposal harmonises with its surroundings.

10.2 Highway considerations

The Head of Highways has reviewed the application and raised no objections to the application. The property is located within an established residential area with access to local amenities and public transport. Furthermore, staff will be encouraged to walk, cycle or use public transport, and secure cycle storage can be provided at the property. Shift patterns are also arranged to minimise staff overlap and reduce vehicle movements.

10.3 Out of character with surrounding area and not the right location for the proposal or a business use

I have noted concerns that the proposed development would be an inappropriate use and out of character with the residential area. However, the proposed use falls into a residential use in the Use Classes Order 1987 (as amended). It does not fall into a commercial, business or service use. As

such, the proposed use would be compatible with a residential area and this location. I do not consider that the proposal would generate activities that would be significantly different to a family home, nor would the visual appearance of the property be altered and therefore it would harm the character of the area.

10. Conclusion

- 11.1 All decisions on planning applications should be based on an objective balancing exercise. This is known as applying the 'planning balance'. To summarise: the proposal should be approved unless any adverse impacts of granting the permission would significantly and demonstrably outweigh the benefits when assessed against development plan policies or, where those policies are out of date, the NPPF as a whole. Where national policy takes precedence over the development plan, this has been highlighted in paragraph 9 (National Planning Policy Framework).
- 11.2 On balance the proposal accords with the provisions of relevant development plan policies and there are no significant material considerations which warrant refusal that could not be controlled by conditions.

12. Legal and Governance Implications

The Planning Committee has delegated powers to determine planning applications within current Council policy. Section 78 of the Town and Country Planning Act 1990 gives applicants a right to appeal when they disagree with the local authority's decision on their application, or where the local authority has failed to determine the application within the statutory timeframe.

13. Other Relevant Implications

- **Health and Wellbeing** – Implications of the proposals on health and wellbeing of our communities.
- **Crime and Disorder Act 1998** - The Council has a duty under Section 17 of the Crime and Disorder Act 1998 to consider the impact, direct or indirect, that their work may have on crime and disorder, community safety, whether it is a reduction in crime or a potential increase in crime and disorder. Detail any activities undertaken within the service which have the potential to impact crime and disorder and/or community safety activity, including anti-social behaviour, substance misuse and re-offending and the 2015 Prevent duty in relation to terrorist related activity.

14. Background Documents

None

How does this deliver the objectives of the Strategic Themes?

All of our residents, including our children and young people, are active participants in influencing change – through being listened to, their opinions are heard and valued.