



Appeal Decision

Site visit made on 22 September 2025

by **N Bromley BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 13 October 2025.

Appeal Ref: APP/D4635/W/25/3369523

2 Ecclestone Road, Ashmore, Wolverhampton, West Midlands WV11 2QG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Roheel Rashid against the decision of City of Wolverhampton Council.
 - The application Ref is 25/00205/FUL.
 - The development proposed is to change the use of a C3a dwelling to a children's home for a maximum of one children, with up to three carers, two of whom will sleep overnight, working on a rota basis (C2).
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Decision

1. The appeal is allowed and planning permission is granted to change the use of a C3a dwelling to a children's home for a maximum of one children, with up to three carers, two of whom will sleep overnight, working on a rota basis (C2) at 2 Ecclestone Road, Ashmore, Wolverhampton, West Midlands WV11 2QG in accordance with the terms of the application, Ref 25/00205/FUL, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawings, titled: Location Plan: Proposed Floor Plans and Proposed Block Plan.
 - 3) Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (or any order revoking and re-enacting that order with or without modification) the premises shall only be used as a residential care home for one child, along with the appropriate care support staff, and for no other purpose (including any other use falling within Class C2 of the Order) but may revert back to C3 (dwellinghouse) on cessation of the use.
 - 4) Notwithstanding the submitted plans, prior to the first use of the development hereby permitted, full details and specifications showing the parking area for three cars within the site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved parking area shall be carried out in accordance with the approved details and shall remain in place for so long as the development hereby permitted remains in existence.

Preliminary Matter

2. In the banner heading above, I have used the description of development taken from the Council's decision notice, as opposed to the application form, as it more

accurately describes that for which permission is sought. However, in doing this I have also had full regard in my reasoning to the description on the application form.

Main Issues

3. The main issues raised by this appeal are:

- the effect of the proposed development on the provision of family housing in the area; and
- whether or not the site would be suitable for the proposed development, having regard to the effect on the character and appearance of the area, and its effect on highways safety.

Reasons

Provision of family housing

4. The appeal site comprises a two-storey semi-detached house located within a residential area. The property is the end house of a small, uniform group of semi-detached dwellings arranged in a U-shape off the road. A car parking court is located to the front of the properties.
5. The proposed care home would offer residential accommodation for one child from the age of 8-17 years old, typically with special minor emotional behaviour disorders and learning disabilities. Two, full time carers would provide care at the property, and a manager would also be present at the home.
6. Policies HOU1 and HOU2 of the Black Country Core Strategy, 2011 (BCCS) and Policy H1 of the Wolverhampton Unitary Development Plan (UDP), together and amongst other things, seek the delivery of sustainable housing growth to achieve a balanced and sustainable community with an overall mix of house types to best meet local and sub regional needs.
7. Paragraph 61 of the National Planning Policy Framework (the Framework) sets out that it is important that a sufficient amount and variety of housing land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that the overall aim of boosting the supply of homes is to meet an area's identified housing need, including with an appropriate mix of housing types for the local community.
8. Although the Council highlight that there is currently a significant demand and under supply of land for new housing in Wolverhampton, there is no substantiated evidence to demonstrate that the proposal would significantly affect the Council's ability to meet its housing targets. There is also limited evidence to suggest that there is a lack of family housing in the area, and my attention has not been drawn to any policies within the Development Plan which seek to prevent the loss of family houses.
9. A children's home would be retained as residential accommodation, albeit specifically for the care of children. Indeed, the Framework, at paragraph 63, requires the housing needs for different groups in the community to be assessed and reflected in planning policies. This includes the needs of looked after children and the evidence of need of this group should be assessed with reference to the relevant local authority's Children's Social Care Sufficiency Strategy.

10. The Council has identified the addresses of 4 other properties in use as private children's homes¹ registered in the 'WV11' area. On this basis the Council claim that they do not currently have a need for anymore private children's homes. However, no other supporting information has been provided. In particular, specific details of the occupation status and overall proportion of children's care homes nearby has not been provided, nor has a copy of the Council's Children's Social Care Sufficiency Strategy. As such, it has not been demonstrated that there is an over provision of similar C2 uses within the authority or that the proposal would incrementally and cumulatively result in a negative impact on services or housing provision in the area.
11. Reference has been made to a previous appeal decision² for another children's care home but a copy has not been provided. Indeed, even though the Council claim that the identified harm of that scheme and the appeal proposal would be the same, there are otherwise limited details. Given this, I have determined the case before me on the site-specific circumstances and on its own merits.
12. For the above reasons, and on the evidence before me, I am not persuaded that the proposal would result in the unacceptable loss of family housing. Instead, it would contribute to providing residential accommodation for a looked after child and add to the mix of housing types in the local community.
13. Consequently, I conclude that the proposed development would not have an unacceptable effect on the provision of family housing in the area. Accordingly, the proposal would not conflict with Policy H1 of the UDP and Policies HOU1 and HOU2 of the BCCS, and it would support the housing objectives of the Framework.

The suitability of the site for the proposed development

14. With three bedrooms, the appeal property is of a type and size that could accommodate a family. No external alterations are proposed, and the property would retain its appearance as a house within the street scene.
15. An additional car parking space is proposed on the site frontage, resulting in three spaces within the site. The proposed parking space would be sited next to an existing parking space to the front of the home, accessed off a small car parking court. As such, the existing dropped crossing would need to be widened.
16. The existing dropped crossing is located next to the access to the parking court, at its junction with Ecclestone Road. The Highways Authority raised concerns with extending the dropped kerb and lowering a brick wall on the site frontage. However, during my site visit I observed that the site frontage had been cleared, and the brick wall removed.
17. While I acknowledge that the juxtaposition of the space with the road junction could make it difficult for vehicles to enter and exit the space, vehicle movements in and out of the space would not be significant. Furthermore, vehicles using the space would enter and leave via the parking court rather than directly onto the road. In these circumstances, I am satisfied that unacceptable highway safety implications as a result of the proposed development would not arise. Nevertheless, to ensure that the resultant spaces are of a suitable dimension, a planning condition to secure the parking layout is reasonable and necessary.

¹ 60 Amos Lane, 239 Linthouse Lane, 2b Victoria Road and 141 Victoria Road.

² Appeal Reference: APP/D4635/W/24/3352490.

18. In a residential setting such as this, the comings and goings of family homes would be busy during certain times of the day, as occupiers travel to work and school. As such, a reasonable amount of activity at certain times of the day would not be unusual for a residential area such as this.
19. Although staff change over times would be busy periods, the increased comings and goings associated with the proposal, particularly from the use of motor vehicles at the property, would not be dissimilar to those of a family. Indeed, a condition to restrict the care home to one child would ensure that vehicle activity at the property, including any noise and disturbance associated with the proposal, would not be unusual or readily discernible in this residential area.
20. The Council has suggested planning conditions to restrict staffing levels at the property, as well as the number of visitors. However, for one child, staff levels and visitors would not be significant, and for the reasons given I am not satisfied that the suggested conditions are reasonable and necessary for the proposed use. Particularly in the context of the surroundings and the existing use of the property.
21. For the above reasons, I conclude that the site would be suitable for the proposed development, having regard to the effect on the character and appearance of the area, and its effect on highways safety. Therefore, the proposal, subject to suitably worded planning conditions, would not conflict with Policies H6, AM12, AM15 and B5 of the UDP and Policy ENV3 of the BCCS. These together and amongst other things, seek to ensure successful placemaking so that development is compatible with adjacent uses, protects amenity and contributes to improving road safety.

Conditions

22. In addition to the condition set out in the main issues, and the standard time limit condition, it is necessary to impose a condition that requires the development to be carried out in accordance with the approved plans for certainty.
23. Given that use Class C2 includes a range of other uses, and the appellant has confirmed that the appeal proposal seeks permission for a specific C2 use that will provide care for one child, a condition to restrict the use to that which is being applied for is necessary to adequately control the use of the site and to protect the amenity of the area, given other uses within use Class C2 could potentially give rise to other planning harms.

Conclusion

24. For the reasons given above the appeal should be allowed.

N Bromley

INSPECTOR