



Appeal Decision

Site visit made on 21 October 2025

by Chris Couper BA (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 November 2025

Appeal Ref: APP/P4605/W/25/3371002

75 Sarehole Road, Birmingham B28 8DY

- 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 Arfan Ali (Curo Homes Limited) against the decision of Birmingham City Council.
 - The application Ref is 2024/03326/PA.
 - The development proposed is change of use from C3 dwelling to C2 children's care home.
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Decision

1. The appeal is allowed and planning permission is granted for a change of use from a C3 dwelling to a C2 children's care home at 75 Sarehole Road, Birmingham B28 8DY, in accordance with the terms of the application, Ref 2024/03326/PA, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved drawings: 0525 01-00 PL1, 0525 03-00 PL1 and 0525 11-00 PL1.
 - 3) There shall be no more than three people living and receiving support at the property at any one time.
 - 4) Prior to the first occupation of the care home, a management plan and a scheme of security measures shall be submitted to, and approved in writing by, the local planning authority. The care home shall thereafter be operated fully in accordance with the approved management plan and security measures.

Application for costs

2. An application for costs was made by Mr Arfan Ali (Curo Homes Limited) against Birmingham City Council. This is the subject of a separate decision.

Main Issue

3. The main issue is the effect of the proposal on the living conditions of nearby residential occupiers, with particular regard to noise and disturbance.

Reasons

4. Policy DM12 of the Development Management in Birmingham DPD 2021 ('DMB') recognises that a strong and sustainable community responds to the needs of all its

residents, including those who are considered to be most vulnerable and requiring access to housing that meets their specific needs. It states that the conversion of properties into specialist accommodation, including care homes, will be supported provided that various criteria are satisfied. This includes at Part 1 a) that it will not lead to an unacceptable adverse impact on the amenity, character, appearance, parking, public and highway safety of the area, taking account of cumulative effects.

5. Paragraph 63 of the National Planning Policy Framework ('Framework') sets out that the housing needs of different groups in the community should be assessed, including looked after children. Section 3.0 of the appellant's statement points to a significant need for accommodation for looked after children, both nationally, and within Birmingham, where there has been a significant percentage of out of area placements in recent years, to the detriment of children's wellbeing and stability.
6. The host comprises a mid-terrace house, which is situated in a row of broadly similar properties. The adjacent properties, and most others in the area, are residential. The proposal would involve a change of use from Class C3 (dwellinghouses) of the Town and Country Planning (Use Classes) Order 1987 (as amended) to Class C2 (residential institutions).
7. As depicted on the existing and proposed floor plans, the scheme would involve only modest alterations to the internal layout and configuration of the host, which would include the retention of its three first floor bedrooms, and changing the ground floor living room to a staff bedroom.
8. On the basis of the appellant's submissions, there would be one resident in each bedroom, and one or two members of staff, who I understand would be on site at all times. This would therefore be a small scale care home, and the total number of people in the building would not be significantly different compared to its occupation as a typical family home.
9. The residents' needs are such that they require regular, well-managed routines, and there would be staff on site with caring responsibilities and to oversee the home. Consequently, whilst the property has party walls with those either side, I consider that this small care home would not generate significantly more noise or disturbance compared to its use as a family dwelling.
10. Moreover, movements to and from it, which may include school runs, staff shift changes and occasional visits by social workers, would not be markedly different compared to visits to a family dwelling, which could include unplanned visits by tradespeople, delivery drivers, and other visitors. Given the site's location within the urban area, and its proximity to bus services on Stratford Road, some of those movements could be on foot or by public transport.
11. Thus, whilst paragraph 4.31 of the DMB states that specialist accommodation is normally most appropriately located in large detached properties set in their own grounds, it does not preclude it in other properties, and for the above reasons, I am satisfied that the proposed use of this property as a small care home would not harmfully impact adjoining occupiers' amenities.
12. In reaching my conclusion, I have had regard to decisions involving care homes elsewhere, including a dismissed appeal where an Inspector held that a care home

for one child in a terraced property in Burnley would harm neighbouring amenity¹. However, I do not have the full details of that case, and I note that some of the allowed appeals referred to in the appellant's appendices involved semi-detached or terraced houses, and that some of the schemes granted planning permission in Birmingham were in terraced houses, where no such harm was found. In any event, having considered this proposal in this location on its planning merits, I find that no significant harm would be caused.

13. The scheme would not therefore conflict with DMB Policy DM 12, or with the requirement in DMB Policy DM2 that development shall not have an unacceptable adverse impact on amenity, having regard to matters such as noise and compatibility with adjacent uses. Nor would it conflict with the broadly similar advice on privacy and amenity in the Birmingham Design Guide 2022; or with the Framework's stance at paragraph 135 regarding the need to ensure a high standard of amenity for all users.

Other matters

14. At just 5.2sqm, one of the existing first floor bedrooms is small, but having regard to the size of the property as a whole, including its living and dining areas, and the size of its rear garden, I am satisfied that the scheme would provide suitable living conditions for its residents.
15. I have considered concerns raised by interested parties. However, as there would be no external alterations to the building, and having regard to my conclusions regarding the impact of the proposed use compared to a Class C3 dwelling, I am satisfied that the context, character and appearance of the area would not be harmed. I have no cogent evidence that the proposed use, with members of staff on site, would be likely to give rise to significant anti-social behaviour or unacceptable pressures on emergency services, and I note that West Midlands Police raised no objections to the proposal subject to appropriate security measures.
16. According to the Birmingham Parking Supplementary Planning Document 2021 the requirement of two off-road parking spaces for the proposed care home is the same as for the existing use as a dwelling. In this case, the two narrow off-road parking spaces on the forecourt would be retained.
17. Given my findings regarding the total number of people at the property compared to its use as a family dwelling, and having regard to the site's accessibility to public transport, I consider that the scheme would not harm highway safety or significantly exacerbate on-road parking pressures; nor would it put an unacceptable strain on local services such as waste management.
18. Finally, neither the motivation of the applicant, nor the impact of development on the value of neighbouring properties, are material planning considerations.

Conditions and Conclusion

19. Summing up, I have found that the proposal would not have a harmfully adverse impact on local occupiers' living conditions, and other matters raised by interested parties do not constitute grounds to withhold planning permission.

¹ APP/Z2315/W/25/3362691

20. Turning to the matter of conditions, I have considered those suggested against the tests in the Framework. As well as the standard time limit, in the interests of certainty, I have imposed a condition requiring that the development be carried out in accordance with the approved plans. My third condition limiting the number of occupiers is necessary to protect nearby residents' living conditions.
21. The appellant has indicated that a condition requiring compliance with a management plan and security measures would be acceptable. Having regard to the appellant's statements regarding the operation of the care home, and to the consultation response from West Midlands Police, I consider that such a condition is necessary in the interests of local amenities, with the details to be agreed between the principal parties.
22. Finally, the Council has suggested a pre-commencement condition requiring the submission of a scheme of noise insulation between the site and adjoining properties. However, the Framework sets out that planning conditions should be kept to a minimum and that those which are required to be discharged before development commences should be avoided unless there is clear justification. Given my conclusions regarding the occupancy and use of the property as a care home compared to its use as a Class C3 dwellinghouse, and having regard to my condition No 3, I conclude that no such scheme is necessary.
23. For these reasons, and having regard to all other matters raised, the appeal is allowed.

Chris Couper

INSPECTOR