

PLANNING COMMITTEE – 17th March 2026

Reference Number: 25/01014/FL

Application expiry: 3/2/2026

Application Type: FULL

Proposal Description: Conversion of house (Use Class C3) into children's home (Use Class C2)

At: 2 Durham Avenue, Grassmoor, Chesterfield, S42 5DL

For: Ms Angela Bir

Third Party Reps: 12 comments received (11 objection 1 support)

Parish: Grassmoor, Hasland and Winsick

Ward: Grassmoor

Report Author: Alice Lockett

Date of Report: 11 February 2026

MAIN RECOMMENDATION: Grant permission, subject to conditions



Figure 1: Location plan, with site edged in red

1. Reason for Report

1.1 Cllr Durrant called in the application for consideration by Planning Committee for the following reasons:

- Residential amenity (Policies SDC12 & SDC13)
The change from C3 to C2 raises legitimate questions around noise, disturbance, and compatibility with the immediate residential setting, which I feel would benefit from Member scrutiny.
- Character and function of the area (Policies SS1 & SS7):
Given the sensitivity of the location and the operational nature of a staffed C2 use, I believe it is appropriate for Committee to consider whether the development aligns with local character and sustainable development principles. While the Highways response is noted, I want to raise the concern of on street parking which I am not convinced has been effectively explored. The street in question does have a lot of residents and so there can be a lot of cars already parked on the road so the pressures of on street parking I believe are a legitimate material concern that would benefit from member scrutiny.

2. Proposal and Background

Site Description

- 2.1. The application site is a late 20th century two storey detached dwelling located to the west of Durham Avenue, a residential street in Grassmoor. The site is bounded by 4 Durham Avenue to the south and the rear gardens of 45 and 47 Norfolk Avenue to the north. To the west, the garden backs on to Barnes Park.
- 2.2. The dwelling is currently occupied by a family comprising parents and an adult son. A second son also lived in the property until recently.

Proposal

- 2.3. This application seeks permission for the conversion of the dwelling to a children's home to provide accommodation for up to 3 children aged between 8 and 17. The children's home would be staffed by two staff, who would change shifts at 10- 10.30pm and 7.30 – 8am, and a Registered Manager would be onsite between 9am and 5pm Monday to Friday. It is anticipated that two visits from social workers will take place every six weeks, by appointment only, and last for approximately one hour. A therapist would also attend the home once a week for a couple of hours, again by appointment only.

Amendments

- 2.4. A noise management plan has been submitted. An amended block plan was submitted showing parking for 4 vehicles on the front of the property.

3. Relevant Planning History (not the full site history)

Reference	Decision	Decision Date	Description
02/00522/FL	CA	30.05.2002	Erection of UPVC conservatory to the rear
85/00492/FL	CA	25.12.1998	Residential Development (outline).
87/00437/FL	CP	25.12.1998	Construction of 17 houses, 34 bungalows and some garages.
25/01036/LDC	PCO		Application for a Lawful Development Certificate for proposed use of a (3a) dwelling house as a children home (C2) for up to three children, with a manager and two carers.

4. Consultation Responses

- 4.1. Ward member- see call in comments above
- 4.2. Parish Council – No comment received
- 4.3. Highways- No objection
- 4.4. Environmental Health Officer- No objection, following receipt of revised noise management plan 13/2/2026

5. Representations

- 5.1. The application was publicised by way of neighbour letters and the display of a site notice. The site notice was placed on a lamp post directly across the street from the application site on 22nd December 2025.
- 5.2. 11 no. local residents have made representations raising the following comments objecting to the proposed development:

a) Material Planning Considerations

Residential Amenity (noise, disturbance, privacy, character)

- Increased noise and disturbance affecting elderly and vulnerable residents. (Supported by representations.)
- Loss of privacy due to increased activity near private garden areas and entrances.
- Potential impact on neighbourhood character due to increased comings and goings.

Parking, Highway Safety, and Access

- Existing parking congestion around Norfolk Avenue junction would be exacerbated.
- On-street parking pressures likely to increase due to staff, visitors and professionals.

Suitability of the Location for the Proposed Use

- Area consists largely of elderly residents and young families; concerns about compatibility with proposed use.

Impact on Vulnerable Populations

- Concerns relating to stress, disturbance and perceived safety impacts on elderly and housebound residents.

Loss of Family Housing Stock

- Conversion would remove a family dwelling within a residential area.

b) Non-Material Considerations

Impact on Property Values

- Fears regarding reduced house prices or saleability.

Concerns About Behaviour of Children in Care

- Worries about trauma-related behaviours; not a material planning matter.

Private Restrictive Covenants

- References to covenants preventing business use are legal matters outside planning.

Personal Safety Fears

- Concerns about strangers entering homes or anxiety unrelated to planning impacts.

Adequacy of Notification Procedures

- Issues raised about lamp post notices vs letters. (*Officer comment: the application was advertised in accordance with the Council's Statement of*

Community Involvement)

Perceived Fairness or Motives

- Claims regarding business motives or lack of representation.

- 5.3. 1 no. local resident has submitted a comment in support of the proposed development in precis as follows:

I live at the opposite end of Durham Avenue to the proposed Children's Home of No.2, I can't really see a problem! Plenty of families have 2 and 3 children and I remember a few children in my year at Comprehensive school (1973 - 78) living in the children's home in Edwinstowe, Notts. Most noise would be from cars calling at the home which happens at most homes. There is unlikely to be much noise anyway! Barnes Park with Football and Cricket clubs and kids play area, the Grassmoor School opposite probably make 10-fold the noise.

6.Relevant Policy and Strategic Context

6.1. North East Derbyshire Local Plan 2014-2034 (LP)

The following policies of the LP are material to the determination of this application:

- SS7 Development on Unallocated Land within Settlement with defined Settlement Development Limit
- LC4 Type and Mix of Housing
- SDC12 High Quality Design and Place Making

6.2. National Planning Policy Framework (NPPF)

- 6.3. Part 5 of the NPPF deals with the delivery of a sufficient supply of homes. Paragraph 63 reads: Within this context of establishing need, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies. These groups should include (but are not limited to) those who require affordable housing; families with children; older people (including those who require retirement housing, housing-with-care and care homes); students; people with disabilities; service families; travellers; people who rent their homes and people wishing to commission or build their own homes. (Officer emphasis)

6.4. Other Material Planning Considerations

- 6.5. Planning for accommodation for looked after children Statement made on 23 May 2023 by Minister of State for Housing and Planning

- 6.6. The following statement is also considered relevant to the determination of this application:

“The planning system should not be a barrier to providing homes for the most vulnerable children in society. When care is the best choice for a child, it is important that the care system provides stable, loving homes close to children’s communities. These need to be the right homes, in the right places with access to good schools and community support. It is not acceptable that some children are living far from where they would call home (without a clear child protection reason for this), separated from the people they know and love.

Today we use this joint statement to remind Local Planning Authorities that, as set out in paragraph 63 of the National Planning Policy Framework, local planning authorities should assess the size, type and tenure of housing needed for different groups in the community and assessed and reflected in planning policies. Local planning authorities should consider whether it is appropriate to include accommodation for children in need of social services care as part of that assessment.

Local planning authorities should give due weight to and be supportive of applications, where appropriate, for all types of accommodation for looked after children in their area that reflect local needs and all parties in the development process should work together closely to facilitate the timely delivery of such vital accommodation for children across the country. It is important that prospective applicants talk to local planning authorities about whether their service is needed in that locality, using the location assessment (a regulatory requirement and part of the Ofsted registration process set out in paragraph 15.1 of the Guide to the Children’s Homes Regulations) to demonstrate this.

7. Planning Issues

Principle of Development

- 7.1. Policy LC4 of the North East Derbyshire Local Plan relates to the type and mix of housing within the District. In relation to specialist housing, the Policy states that the Council will support specialist housing provision, across all tenures, including extra care schemes, nursing homes and residential facilities, in appropriate locations, close to services and facilities.
- 7.2. Officers consider that Policy LC4 sets out clear support for the type of supported living accommodation that is proposed in the application, the subject of this report. Moreover, in this case, the application site is situated within the defined Settlement Development Limits for Grassmoor. Grassmoor is identified in the Local Plan as Level 2 settlement and is described as having a good level of sustainability.
- 7.3. Policy SS7 supports development provided it is appropriate in scale, design and location to the character and function of the settlement, does not result in the loss of a valued facility or service, is compatible with, and does not prejudice any intended use of adjacent sites and land uses; and accords with other policies of the Plan.

- 7.4. The ministerial statement set out in the “Policy” section above states that: It is important that prospective applicants talk to local planning authorities about whether their service is needed in that locality, using the location assessment (a regulatory requirement and part of the Ofsted registration process set out in paragraph 15.1 of the Guide to the Children’s Homes Regulations) to demonstrate this.
- 7.5. In November 2024 the Council asked Derbyshire County Council Children’s Services if they required care homes such as this. They responded, “we have fewer children’s homes across our footprint than other authorities. We do have children placed at a distance and therefore any new provision from private organisations could be useful to increase supply in a more local area”. Officers have asked for an update on this situation but have not yet received one but contend that this advice remains material.
- 7.6. However, in a report to DCC Cabinet on 30th January 2025 it was noted that: “The most recent Placement Sufficiency Statement highlights the growing demand for placements and the Council’s capacity to meet these needs, benchmarked against regional and national comparators. - Age Profile: The largest age group of Children in Care (CIC) was 10–15 years old, a cohort that has seen the fastest growth in admissions over the past five years. - Population Growth: Derbyshire’s CIC population increased by 38% between 2018 and 2023, reaching 995 children. As of the 19th of December 2024, this figure has increased further to 1030 children in care.”
- 7.7. The same report goes on to say “Nationally, the number of CIC has risen steadily, with 83,630 children in care as of the 31st of March 2024 a 9% increase in five years. Contributing factors include family breakdowns, domestic violence, mental health issues, and substance abuse.”
- 7.8. It is therefore considered that the need for such facilities is proven and material to the determination of this application lending its support in principle.

Visual Consideration

- 7.9. In this case, the applicant seeks to change the use of the existing building only and no new buildings, structures extensions or changes to the external appearance of the building are proposed.
- 7.10. The applicant does propose to remove an area of planting to the front of the property to deliver additional parking capacity. This would provide 4 parking spaces. It is considered that this work would not harm the character of the area which already has a number of dwellings with the front gardens fully paved for parking.
- 7.11. Consequently, Officers are satisfied that the proposal would not result in any material visual change or harm to the overall character and appearance of the area

Movement to and from the site

7.12. In terms of the activity associated with the proposed change of use, Officers note that there would be comings and goings from the premises to facilitate the proposed changes in shift etc, including for residential support workers. In addition, whilst on the whole children are expected to attend school and services outside the home, there would potentially be other visitors, such as those providing specialist education and therapy, attending and leaving the site. Additional activity would include the residential use of the properties within the defined private amenity spaces for the site.

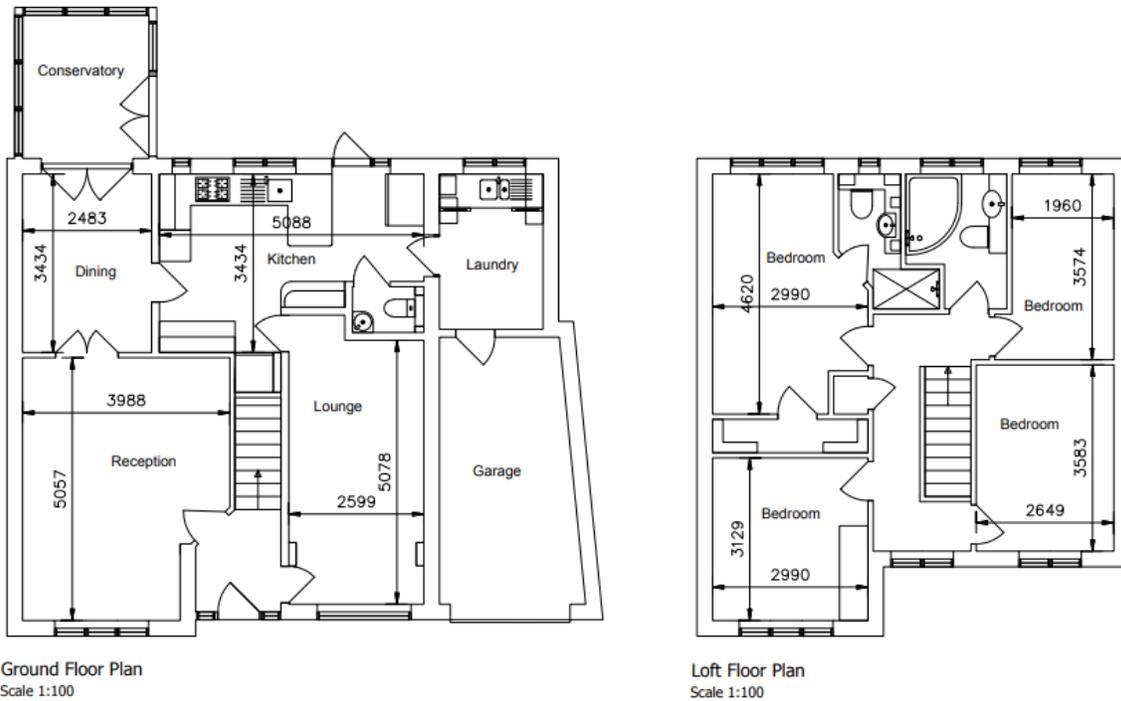


Figure 2: existing floor plan

- 7.13. The application building is currently a 4-bed dwelling with two reception rooms, lounge, dining room, conservatory, kitchen, laundry and garage (see Figure 2 above). There is space to park 3 cars on the drive to the front of the building and a further car in the garage, although currently the garage is used for storage.
- 7.14. The proposed layout shows one of the bedrooms converted to a therapy room and the lounge for staff sleep over and office.
- 7.15. The site has a 119m² garden which backs onto the recreation ground the west.
- 7.16. The building would be used to care for up to 3 children. This would require 2 members of staff on site during the day (shift pattern of 7.30am to 10.30pm) and two at night (10pm to 8am). A registered manager would also be on site during normal working hours. It is expected that the children will attend school but that they may receive visits

from social workers (two visits every six weeks of duration of 1 hour) and other therapists (once per week for 2 hours).

- 7.17. There is space to park 4 cars on the drive at the front of the property adjoining the street and there is a further garage parking space. This means there would be adequate on site parking to accommodate shift changes, the manager's vehicle and at least 1 other visitor. In addition, as the surrounding streets are of a quiet residential nature, on street parking is also available. It is therefore considered that there is sufficient space to park vehicles and as a consequence the vehicle activity of the proposal would not contribute to additional on street parking and the parking amenity of neighbours would be retained.
- 7.18. The planning statement confirms that visits would be booked to ensure that parking was available to minimise the impact on the surrounding streets.
- 7.19. Due to the low staffing levels and small number of visits required, combined with the residential nature of the surrounding area where comings and goings of residents and delivery vehicles would be considered normal, it is considered that the comings and goings of the staff would not be cause significant harm to the character and amenity of the area.
- 7.20. The site is within 5 minutes' walking distance of the park, the primary school, bus stops and shops on North Wingfield Road making it particularly suitable for the care of children in mainstream school and meaning that they would not require car transport to those facilities.
- 7.21. Overall, therefore, officers are of the view that the proposal would not have a harmful impact on the character of the area.
- 7.22. Notwithstanding this, the Council's Environmental Health Officer has requested a Noise Management Plan. This has been submitted by the applicant and the EHO has confirmed that it is acceptable. As such, in view of this, it is considered that the Council, through conditioning the implementation of the noise management plan would have greater control over noise emitted from the site than it would have in the case of a normal family home. This, therefore, weighs in favour of the proposal.

Other Material Considerations

- 7.23. In reaching this recommendation, Officers, on behalf of the Council, have had due regard to its obligations under section 149 of the Equality Act 2010. It is not considered that the proposal would result in any adverse impacts on persons with protected characteristics such as age and disability which have been raised as concerns in the representations received by the Council. The development would not give rise to differential impacts, and no Equality Impact Assessment is required in this instance.

7.24. The change of use to a children's care home would result in the loss of one open market dwelling. However, Officers consider that this is heavily outweighed by the provision of specialist housing in accordance with policy LC4 and, in any case, the loss (or gain) of 1 dwelling is not considered to have a significant impact on the Council's overall housing supply numbers.

Highways

7.25. With regard to trip and subsequent traffic generation, it is understood that:

- The children will be in full time education with daily school trips
 - Visitors to the children will be undertaken at a frequency of one visit at any time
 - Social work visits will occur every 6 weeks
 - Therapist will visit once a week
 - 2 Staff members will operate from the site from 7.30am to 10.30pm and 2 Night Staff from 10pm to 8am, providing half an hour handover time, with 1 Manager on site from 9am to 5pm

7.26. The applicant has submitted a revised drawing showing space to park 4 cars in spaces 2.4m x 5.5m. It is considered that the parking provision will be utilised by the two staff members and manager during the day. Shift changes which occur at 7.30-8am and 10-10.30pm may result in maximum four parked vehicles all of which can be accommodated on site. Any additional parking demand will be undertaken in either the garage or along the public highway.

7.27. Provision of the additional parking spaces may require the applicant to widen the drop kerb which serves the site. Although this has not been included in the application, the highway authority has confirmed there would be no objection to this work taking place.

7.28. The NPPF states that "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios."

7.29. Due to the scale of the development and the manner of its organization, the Highway Authority concludes that there would not be an unacceptable impact on Highway Safety or a severe impact on congestion. Officers agree with that conclusion and, as such, there are considered no justifiable grounds on which a highway objection could be maintained.

Flood Risk and Drainage

- 7.30. The site falls in Flood Zone 1 with the lowest probability of flooding as the application is for a change of use, no sequential test was required. The site is therefore not considered to be at risk from, or a risk to flooding.

Biodiversity

- 7.31. As no extensions or other buildings are proposed the proposal will not impact any habitat and, as such, it is considered to be exempt from the mandatory biodiversity net gain requirements. There is also no need to mitigate against species loss.

8. Summary and Conclusion

- 8.1. Local and national planning policy aim to provide adequate specialist housing. In this case a dwelling is proposed to be used as a specialist care home for children with disabilities. It is expected that up to 3 children will be cared for in the property.
- 8.2. The dwelling, which will not be altered, is well suited to the use due to its proximity to local services including parks, schools and medical services. This weighs in favour of the scheme.
- 8.3. Adequate parking will be provided at the front of the property to allow staff and visitors to park off the road and Officers are of the view that the comings and goings associated with the proposal will not have a harmful impact on the residential character of the area. This weighs in favour of the scheme.
- 8.4. Overall officers are of the view that the proposal will not harm the character of the area or the amenity of adjoining residents. This too weighs in favour of the scheme.
- 8.5. Officers are therefore of the view that the proposal meets the requirements of policies of the Development Plan and there are no other material matters that outweighs this conclusion.

9.0 Recommendation

- 9.1 That planning permission is **CONDITIONALLY APPROVED subject to the following conditions**, with the final wording delegated to the Planning Manager (Development Management):-

Conditions

No	Condition	Reason	Pre-commencement agreement

1.	The development hereby permitted shall be started within three years from the date of this permission.	To comply with the provision of Section 91 (as amended) of the Town and Country Planning Act 1990.	N/A
2.	The development hereby approved shall be carried out in accordance with the details shown on drawing numbers BR01 THE LOCATION PLAN BR03 EXISTING FLOOR BR04 PROPOSED FLOOR PLANS; submitted 9/12/2025 BR02 rev A BLOCK PLAN uploaded 20/2/2026	For Clarity and avoidance of doubt	N/A
3.	The mitigation measures detailed in section 3 in the revised noise management plan by Gabriela Smith dated 12/2/2026 and uploaded 13 th February 2026 shall be implemented in full on first occupation of the building for the use hereby approved and the approved measures shall remain in force thereafter.	To protect the amenity of neighbours in accordance with policies SDC12 and SDC13 of the North East Derbyshire Local Plan	
4.	The residential care home, hereby approved, shall house no more than 3 children aged between 8 and 17 at any one time.	In the interests of the character and amenity of the neighbourhood and in accordance with policies SS7 and SDC12 of the North East Derbyshire Local Plan.	
5.	Before the first use of the care home, hereby approved, the parking layout shown on drawing BR02 rev A BLOCK PLAN uploaded on 20/2/2026 shall be delivered in full and then be retained as such thereafter	In the interests of Highway Safety and the amenity of neighbours and in accordance with policy SDC12 of the North East Derbyshire Local Plan	

Informatives:

- a) DISCON
- b) NMA
- c) BNG2