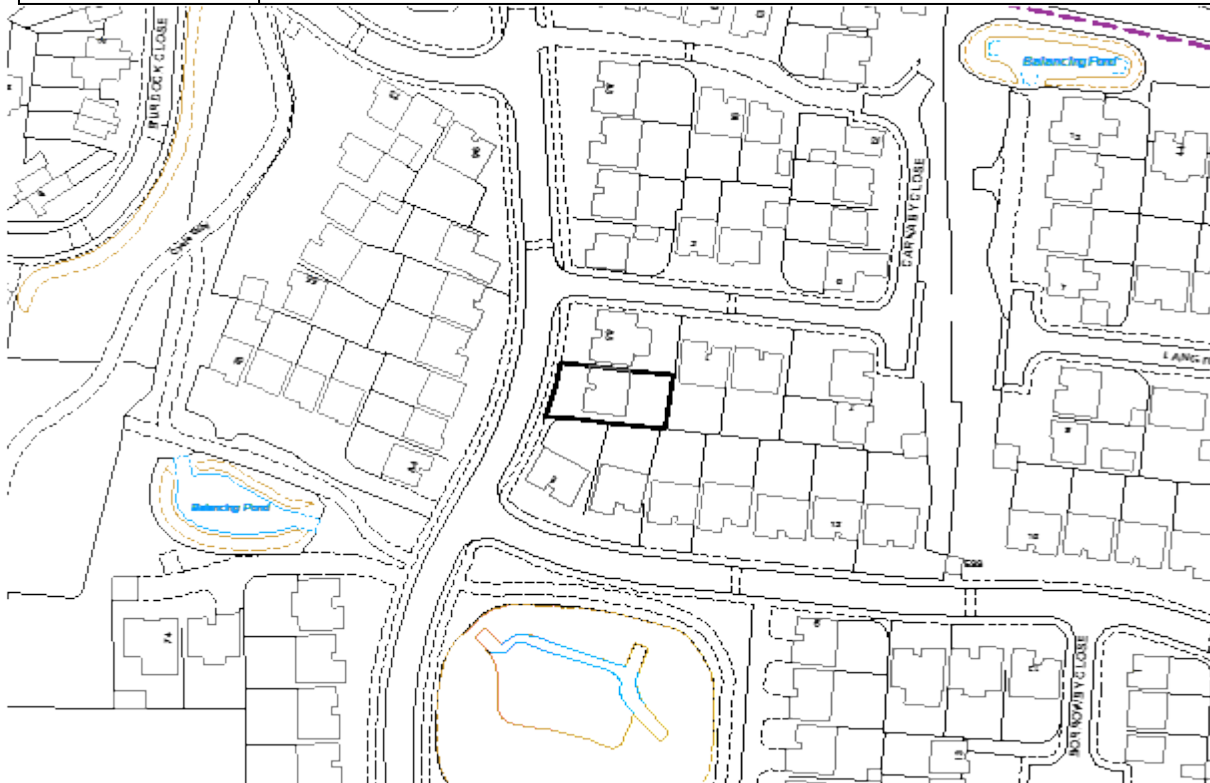


<b>Recommendation: Conditional approval</b>	
<b>20252035</b>	<b>83 Laverton Road</b>
Proposal:	Change of use from dwellinghouse (Class C3) to children's residential care home (max 3 children) (Class C2)
Applicant:	Mr Neil Smith
View application and responses:	<a href="https://planning.leicester.gov.uk/Planning/Display/20252035">https://planning.leicester.gov.uk/Planning/Display/20252035</a>
Expiry Date:	16 March 2026
CY1	WARD: Humberstone & Hamilton



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## Summary

- The application has been brought to committee due to there being objections received from 10 separate addresses in the Local Authority Area.
- The application is for the change of use from a family home to a care home
- The main issues are principle of development, impact on neighbouring amenity, and impact on highways functioning.
- The application is recommended for conditional approval.

## The Site

The application relates to a 4-bed detached property situated within a residential area consisting of similar large family dwellings.

## Background

Permission was granted for the housing estate under applications 20120779 (outline) and 20130582 (reserved matters), then varied under application 20131750 (reserved

matters). A number of conditions were discharged under several applications, however under an application (20202026) in 2020 to determine whether all conditions had been discharged it was determined details under conditions 4, 5, 6, 9, 10, 11, and 13 of applications 20130582 and 20131750 remain outstanding.

There is no other planning history associated with this property specifically.

## The Proposal

The application seeks permission for the change of use from a family home with 4 bedrooms (Class C3) to a children's care home for three children (Class C2). The dwelling external and internal layout would remain the same with the ground floor study being proposed as a carers office, and the fourth bedroom upstairs being used as a staff bedroom, with the others for the three children in care.

A planning statement has been submitted which states: *"The house will provide a full-time residence for 3 children between the age of 5-17, with up to 2 adult carers who will occupy the property at all times, operating on a shift pattern. Allowance is also made for a home manager, who will be a regular visitor to the home for administrative and supervision purposes... The shift pattern for carers will be 24hr shifts with changeover arranged for 8am with a duration of 30 minutes. The changeovers will be managed to limit disturbance to neighbours during busy hours. The manager will be on site during daytime only within key times between 9am-5pm, unless required out of hours in emergency."*

A property management plan was received on the 18<sup>th</sup> February providing details of the proposed managers, visitors, regulation of the home, noting 2 other homes under the same management in the authority, and complaints procedure for neighbouring residents should any concerns arise from the proposed use. This states that changeovers would take place around 10:30.

## Policy Considerations

### National Planning Policy Framework 2024

- Paragraph 2 (Primacy of development plan)
- Paragraph 11 (Sustainable development)
- Paragraph 39 (Early engagement)
- Paragraph 44 (Right information crucial)
- Paragraph 57 (Six tests for planning conditions)
- Paragraph 61 (Housing supply)
- Paragraph 63 (Housing size, type and tenure)
- Paragraph 109 (Transport impacts and patterns)
- Paragraph 115 (Assessing transport issues)
- Paragraph 116 (Unacceptable highways impact)
- Paragraph 117 (Highways requirements for development)
- Paragraph 135 (Good design and amenity)
- Paragraph 198 (Noise and light pollution)
- Paragraph 201 (Planning decisions separate from other regimes)

### Core Strategy 2014 and Local Plan 2006

Development plan policies relevant to this application are listed at the end of this report.

### Emerging Local Plan

On 26.03.26 the City Council resolved to adopt the Leicester Local Plan 2026. As such, the formal adoption of the Leicester Local Plan 2026 is imminent.

In accordance with paragraph 49 of the NPPF, weight can be given to the emerging Local Plan and as it progresses, more weight can be afforded to the policies in the emerging Local Plan. The following policies from that plan are given significant weight in this decision:

- Policy Ho03. Housing Mix
- Policy Ho10. Retention of Family Housing
- Policy DQP06. Residential Amenity
- Policy T01. Sustainable Transport Network
- Policy T02. Climate Change and Air Quality
- Policy T03. Accessibility and Development
- Policy T07 Car Parking

### Further Relevant Documents

Residential Amenity SPD 2008

Local Housing Needs Assessment (LHNA) 2022

Leicester City Council – Leicester Street Design Guide 2020

Local Plan Appendix 001 – Vehicle Parking Standards

GOV.UK Planning Practice Guidance – Noise <https://www.gov.uk/guidance/noise--2>

## Consultations

**Social Care** – support the proposal. Full comments below:

The Social Care and Education department of Leicester City Council have been asked to provide comment on the planning application for 83 Laverton Road for a change of use to a residential children's home. Ultimately, any decision to change the registration and / or statement of purpose of such a provision rests with Ofsted.

Ofsted clarified their expectations around residential home registration in December 2025. They expect that before a home is opened, we expect providers to engage with the local authority to confirm that:

- there is a need for a home in the area;
- essential services are available (e.g. CAMHS, schools, dentists); and
- the location is safe and suitable

We have received communication from the applicant in respect of these matters and note that the applicant is an experienced provider and is proposing to provide care for young people with a range of complex needs with Social Emotional and Mental Health needs. The scope of the home's proposed statement of purpose has been discussed with local authority commissioners.

Is there a need for a children's home in this area?

There is no volume need for children's homes in Leicester City but there is a need for experienced providers for the most challenging children. Leicester City Council currently has had a need for 100 children bed spaces on a continuous basis over the past few years. Having regard to discussions with ourselves and Ofsted in January 2026, there are 122 registered beds within the Local Authority area. It is expected over the next five years the need for residential beds will reduce and the local authority will increase its directly run provision.

However, there is a need for experienced providers in the city as not all registered beds are of the quality required by the local authority. Treasure Nest Ltd are a contracted provider to Leicester City Council with two homes in the county rated "good" and "outstanding". Therefore, we believe that this proposed home will be of potential benefit to children from Leicester City.

#### Are essential services suitably available?

There are significant pressure on health (primary care, dentistry, paediatrics, CAMHS), education places (particularly for those children with additional needs) and policing in the city. The proposed home is likely to be used by Leicester City Council for local children and as such we would expect local children to be placed who already in contact with relevant service so would not add new pressures.

#### Is the location safe and suitable?

The proposed provider has provided the methodology to be used to assess location risk and the provider has demonstrated a solid knowledge of managing risks inherent in providing children's residential care. This will need to be fully completed if the local authority is to support Ofsted registration. Local knowledge does not suggest any particular risk in the proposed location at the current time.

#### Further comments

Staffing provisions described by the applicant are in line with the minimum staffing numbers that would be required by Ofsted. There is potential need for car parking etc at shift handovers for staff as described in the planning statement. The applicant proposes three residents. The Highways considerations also need to take account of additional regular professional and family visitors to the home.

In respect of the proposed operator, I recommend the benefit of the permission be restricted through a personal consent condition to Treasure Nest Ltd.

#### Conclusion

Having regard to the above, the Social Care department would support registration of the proposed care home with Ofsted once a formal location risk assessment has been completed. The proposal would desirably add to children's care provision in Leicester. I support the application.

## Representations

Objections have been received from 10 addresses within the local authority boundary raising the following concerns:

### Principle of development

Notes a need for care homes but considers this location inappropriate.

Notes other care homes are in the area and additional home could cause an imbalance

Residential area consists mostly of family homes and has a peaceful living environment. A commercial/ institutional-style care operation would alter the nature of the area and risks eroding the existing sense of community cohesion and security.

### Residential Amenity

Residential area consists mostly of family homes and has a peaceful living environment. A commercial/ institutional-style care operation/more intensive use with more complex operations than a family dwelling would undermine the residential amenity and safety.

Additional staff patterns, regular vehicle movements at all hours, visitors, and potential emergency service attendance would lead to increased noise and disturbance.

Weekly or monthly fire alarm tests would be disruptive.

### Highway impact and parking

Staff and visitors would result in traffic within a road network that was designed purely for residential use.

There is an existing lack of on-street parking and the proposal could lead to congestion, obstruction, and reduced safety for pedestrians, particularly children and elderly residents.

The application does not demonstrate how this increased demand would be accommodated without exacerbating congestion and creating highway safety concerns.

### Other matters

Property is not large enough to facilitate 2-3 adults and 3 children.

Questions regarding publicity conducted and who was notified of the development

Existing graffiti, noise and maintenance of the park is not acceptable

Development would set an undesirable precedent for further non-residential uses in the area.

Without a clear management plan or behavioural management policies, it is not possible to properly assess the impact on neighbouring properties or ensure the protection of residential amenity.

Questions of whether the council will take responsibility for any anti-social behaviour resulting from the change of use if approved.

Impact property values

## Consideration

### Principle of Development

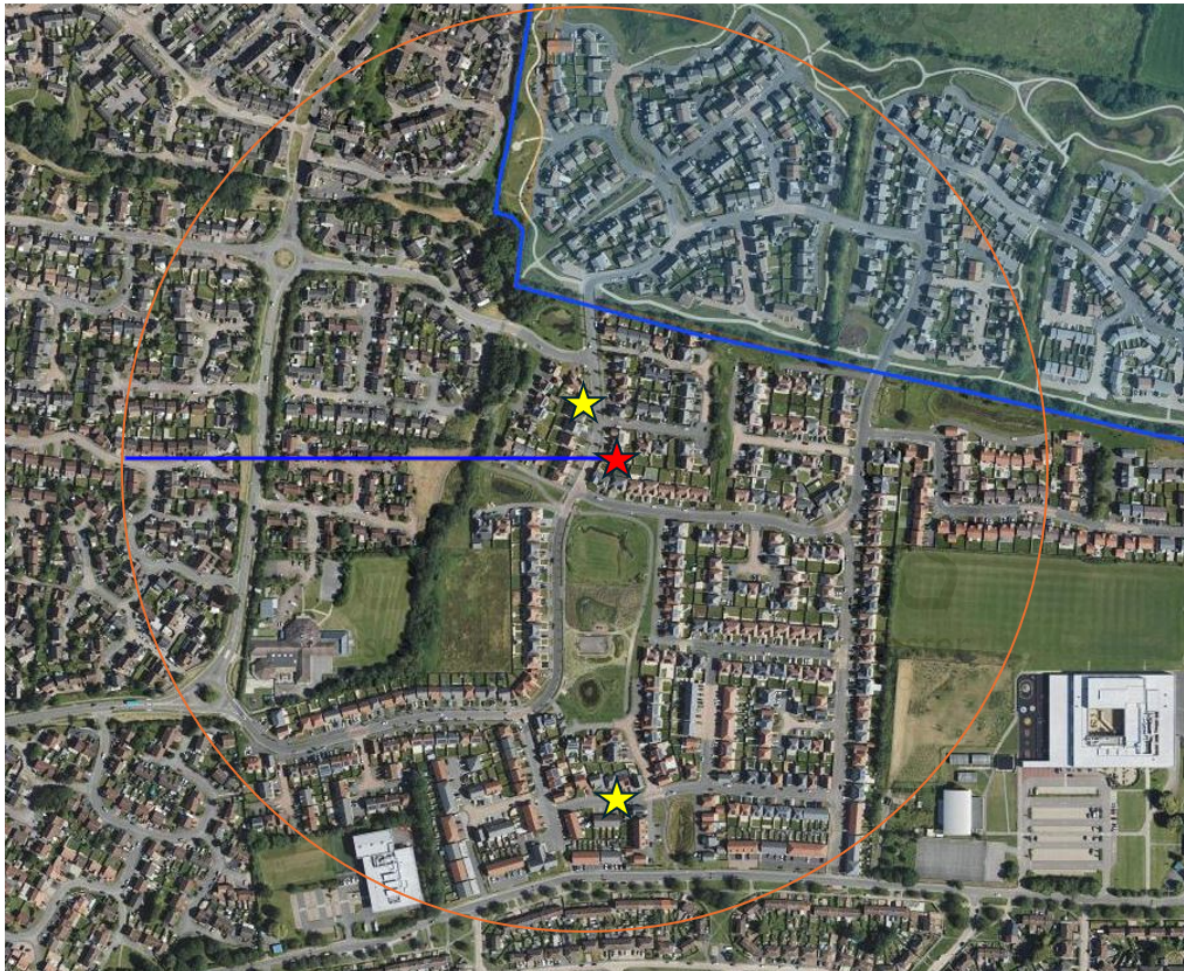
Core Strategy policies CS06 and CS08 state new housing developments will be required to provide an appropriate mix of housing types, sizes and tenures to meet the needs of existing and future households. This trajectory is maintained in the emerging Local Plan policies Ho03 and Ho10.

The proposal would change the use of the site away from a residential dwelling (Class C3). The Local Housing Needs Assessment published in 2022 identifies the need for different sizes of family (C3) dwellings across the city. Table 2 in the 2026 Local Plan states there is a need for 3,792 4+ bedroom homes over the plan period. Therefore, the proposal would run contrary to the need for large family housing.

As confirmed by the Children's Social Care Team, the rolling need for children's care homes is 100 bed spaces, with the Council currently benefitting from 122 bed spaces as of January 2026. However, whilst the volume need of children's care homes for Leicester City Council children is being met, the Social Care Team note that there is a need for experienced and resilient providers with a proven record of effectively maintain long term placements for children with the most complex needs. The applicant for this application has two existing properties in the authority boundary which are rated 'outstanding' and 'good' and is considered to meet a qualitative need that Leicester City Council has.

Conditions could be attached to ensure that the home is only run by the applicant and no other operators, and to confirm that the property would be converted back to a family dwelling if/when the applicant's ceases to continue the C2 use. Noting this I consider the loss of a family house would not necessarily be a permanent/long-term situation and the impact of this would be outweighed in this instance by the Council's need for good quality children's homes managed in a way to mee the specific demands of the City. As such I consider the change of use from a family home to a children's home is acceptable in principle.

I have also reviewed the planning history for small children's homes in the nearby area and note that a site within close proximity to the application site was granted permission for a children's home with 3 children: 69 Bryony Road, (over 50m away/1min walk) and an additional home at 13 Farnley Road, (over 300m away/6min walk). It is understood not clear whether this property has secured a licence from Ofsted or whether the use has commenced and I will provide an update at the Committee meeting on this. Regarding concerns about the use impacting a residential area, the proposal is not considered to be a commercial use and is ultimately residential in nature. The number of occupants is not dissimilar to the number of residents expected to reside within a family home of the same size. I do not consider that this use individually or taken cumulatively with others in the vicinity would result in a disproportionate number of children's home or an impact on the character of the area that would be unacceptable in principle.



*Map showing existing children's care homes in yellow within a 400m radius and application site in red*

### Residential amenity (neighbouring properties)

Taken together, NPPF paragraph 135f, and Local Plan saved policies PS10 and PS11 require a good standard amenity to be retained for neighbouring residents.

As no external alterations are being completed on the property, there would be no impact to the levels of outlook, light or privacy to neighbouring properties.

With regards to noise, the property is a detached property. As such there would not be significant noise impacts from internal use of the property to neighbouring dwellings. The proposal is to provide managed care for three young people with carers always present for professional oversight and supervision. Whilst there would be potential for there to be more people present in the house regularly during daytimes, there would not be likely to be any inherently noisy uses or activities that would be out of character for a residential area. Whilst neighbours may experience different character of activities such as staff changes and, possibly, more transient occupiers over the longer term, it is considered that these differences do not necessarily equate to harm. It is also not considered that the use of the rear garden by staff and occupiers of the home, nor general comings and goings associated with the property, are likely to give rise to noise impacts that would be very significantly

different from the existing four-bedroomed dwelling or unacceptably impact amenity at any neighbouring properties.

Therefore, the proposal would not conflict with NPPF paragraph 135f, and Local Plan saved policies PS10 and PS11, and the emerging 2026 Local Plan policy DQP06 and the proposal would be acceptable in terms of impact upon amenity.

It should also be noted that regardless of this decision, the granting of any planning permission does not indemnify against statutory nuisance action being taken should substantiated noise complaints be received but there would be no planning justification to withhold permission on this basis. NPPF paragraph 201 states that: 'The focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively.' As the proposal would be an acceptable use of land and given the suitable separation between the application site and the neighbour, there is no planning reason to require a noise management plan on the grounds of noise/disturbance/anti-social behaviour which again, could be dealt with by noise pollution control, the police or Ofsted. It is also considered that a noise management plan for this type of use would present significant technical enforcement challenges and as such would not be appropriate to impose.

Regarding concerns about fire alarm testing specifically, the Planning Statement states fire alarms could be tested on a monthly basis if weekly tests are found disruptive by residents. I do not consider 12 fire alarm tests a year to equate to significant harm.

I conclude that the proposal would comply with policy CS03 of the Core Strategy (2014), saved policy PS10 of the Local Plan (2006), 2026 Local Plan policy DQP06, and paragraph 135 of the NPPF, and is acceptable in terms of amenity to neighbouring properties.

#### Living Conditions

The dwelling is to be occupied by up to 3 children.

The house would provide reasonable levels of light, outlook, and privacy as the current occupants do, and would benefit from ample sized bedrooms and communal areas with over 130m<sup>2</sup> of rear private garden space.

I therefore consider that the proposal provides a sufficient quality of living space for future occupants as a care home for 3 children, and the works are in accordance with Policy CS03 of the adopted Core Strategy. I consider a condition is secured to ensure there would be no more than 3 children in care at any given time.

#### Highways and Parking

##### *Policy Context*

Local Plan saved policies AM01 and AM02, 2026 Local Plan policies T01 and T07 and NPPF paragraphs 109 and require developments to provide suitable facilities for traffic and parking. Appendix 01 from the saved Local Plan provides maximum

parking requirements for each type of use, for family housing this is 2 spaces per dwelling, and for Class C2 residential institutions this is 1 car parking space per 4 bedspaces.

NPPF paragraph 116 states: *“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.”*

There would be 2-3 staff on site at any given time, with a 30minute period during the day in which staff would change over, there would also be times where visitors would be present. Excluding the 30-minute changeover period this is not dissimilar to a standard family home of this size. The house is relatively new and build to accord with modern day parking expectations. The drive would comfortably fit 2 cars and the garage would provide another exceeding the recommended maximum standards in Appendix 01, and providing space for at least 3 staff members on site. I would not consider that, even in the instance of a modest amount of off-street parking taking place outside of the property for visitors and additional staff during changeover, the proposal would result in significant impacts to highway safety or functioning. Even during busier periods, I do not consider the use would cause an unacceptable or severe impact on highway safety.

Additionally, there is scope to store bikes on site, either to the rear or within the garage, and there is a bus stop 6 and 7 minutes away serviced by the 38, 58, 58a bus which travel from Hamilton to the city centre.

The proposal would be in accordance with the NPPF paragraphs and policies listed above, and the proposal would not warrant refusal on highways grounds.

#### Other matters

Regarding points raised by the objections, the application was publicised in accordance with statutory publicity requirements.

House prices are not a material planning consideration.

The property is considered large enough to facilitate 2-3 adults and 3 children in planning terms and a separate assessment in terms of capacity and running of the home would be carried out by Ofsted at registration phase.

There is no evidence to suggest that existing issues regarding graffiti, noise and maintenance of the park would be exacerbated by the proposed development.

The development would not set an undesirable precedent for further non-residential uses in the area as each application is determined on its own merits.

Regarding questions and concerns about management plans and behavioural management policies, such details would be assessed by Ofsted who acts as the regulating body for Children’s homes. The property would need to be registered by Ofsted in order to act lawfully. As part of this, the Council’s social care team would also review the acceptability of the proposed care plans.

There is no evidence to suggest that the new use would result in an increase in crime or antisocial behaviour. Any illegal activities should be reported to the police for investigation.

## Conclusion

I therefore recommend that the application be APPROVED subject to the following conditions:

### CONDITIONS

1. The development shall be begun within three years from the date of this permission. (To comply with Section 91 of the Town & Country Planning Act 1990.)
2. The use hereby permitted shall be carried on only by Treasure Nest Ltd (company number 12602940). When the premises cease to be operated by Treasure Nest Ltd, the use hereby permitted shall cease and the property reverted back to a family house (Class C3). (To ensure the use addresses the qualitative need evidenced by the Social Care Team and Local Housing Needs Assessment and is in accordance with Core Strategy policies CS06 and CS08 and 2026 Local Plan policy Ho03).
3. The premises shall not accommodate any more than 3 residents in care at any one time, unless otherwise approved in writing by the local planning authority. (To enable consideration of the amenity of residents and parking impacts of a more intensive use, in accordance with Policy CS14 of the Leicester Core Strategy, saved Policy PS10 of the Local Plan, and 2026 Local Plan policy DQP06.
4. Development shall be carried out in full accordance with the following approved plans:
  - LUX\_054-20 70 01, Proposed Elevations, Revision P01, Received 12 January 2026
  - LUX\_054-20 00 01, Proposed Floor Plans, Revision P01, Received 12 January 2026
  - LUX\_054-00 00 02, Proposed Site Plan, Revision P01, Received 19 January 2026(For the avoidance of doubt).

### NOTES FOR APPLICANT

1. There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply.

Based on the information available, this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is

begun because the following statutory exemption/transitional arrangement is considered to apply:

Development below the de minimis threshold, meaning development which:

i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and

ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

2. The City Council, as local planning authority has acted positively and proactively in determining this application by assessing the proposal against all material planning considerations, including planning policies and representations that may have been received and subsequently determining to grant planning permission with appropriate conditions taking account of those material considerations in accordance with the presumption in favour of sustainable development as set out in the NPPF 2024.

### **Policies relating to this recommendation**

2006_AM12	Levels of car parking for residential development will be determined in accordance with the standards in Appendix 01.
2006_PS10	Criteria will be used to assess planning applications which concern the amenity of existing or proposed residents.
2006_PS11	Control over proposals which have the potential to pollute, and over proposals which are sensitive to pollution near existing polluting uses; support for alternative fuels etc.
2014_CS06	The policy sets out measures to ensure that the overall housing requirements for the City can be met; and to ensure that new housing meets the needs of City residents.
2014_CS08	Neighbourhoods should be sustainable places that people choose to live and work in and where everyday facilities are available to local people. The policy sets out requirements for various neighbourhood areas in the City.
2014_CS14	The Council will seek to ensure that new development is easily accessible to all future users including by alternative means of travel to the car; and will aim to develop and maintain a Transport Network that will maximise accessibility, manage congestion and air quality, and accommodate the impacts of new development.
2014_CS15	To meet the key aim of reducing Leicester's contribution to climate change, the policy sets out measures to help manage congestion on the City roads.

