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Date: 8th July 2025

Our Ref: MM

Dear Sir/Madam,

A meeting of the **PLANNING APPLICATIONS COMMITTEE** will be held in the Council Chamber, Town Hall, Nuneaton on **Tuesday 22nd July 2025 at 6.00 p.m.**

Public Consultation on planning applications will commence at 6.00pm (see Agenda Item No. 6 for clarification).

Yours faithfully,

TOM SHARDLOW

Chief Executive

To: All Members of the Planning
Applications Committee

Councillors B. Hancox (Chair),
L. Cvetkovic (Vice-Chair), E. Amaechi,
S. Dhillon, P. Hickling, M. Kondakor,
S. Markham, W. Markham, J. Sheppard,
R. Smith and K. Wilson.

AGENDA

PART I - PUBLIC BUSINESS

1. **EVACUATION PROCEDURE**

A fire drill is not expected, so if the alarm sounds please evacuate the building quickly and calmly. Please use the stairs and do not use the lifts. Once out of the building, please gather outside Lloyds Bank on the opposite side of the road.

Exit by the door by which you entered the room or by the fire exits which are clearly indicated by the standard green fire exit signs.

If you need any assistance in evacuating the building, please make yourself known to a member of staff.

Please also make sure all your mobile phones are turned off or set to silent.

2. **APOLOGIES** - To receive apologies for absence from the meeting.

3. **MINUTES** - To confirm the minutes of the meeting held on 17th June 2025, attached (**Page 5**).

4. **DECLARATIONS OF INTEREST**

To receive declarations of Disclosable Pecuniary and Other Interests, in accordance with the Members' Code of Conduct.

Declaring interests at meetings

If there is any item of business to be discussed at the meeting in which you have a disclosable pecuniary interest or non-pecuniary interest (Other Interests), you must declare the interest appropriately at the start of the meeting or as soon as you become aware that you have an interest.

Arrangements have been made so that interests that are declared regularly by members can be viewed in a schedule on the Council website ([Councillor Schedule of Declarations of Interests for Meetings](#)). Any interest noted in the schedule on the website will be deemed to have been declared and will be minuted as such by the Democratic Services Officer. As a general rule, there will, therefore, be no need for those Members to declare those interests as set out in the schedule.

There are, however, TWO EXCEPTIONS to the general rule:

1. When the interest amounts to a Disclosable Pecuniary Interest that is engaged in connection with any item on the agenda and the member feels that the interest is such that they must leave the room. Prior to leaving the room, the member must inform the meeting that they are doing so, to ensure that it is recorded in the minutes.

2. Where a dispensation has been granted to vote and/or speak on an item where there is a Disclosable Pecuniary Interest, but it is not referred to in the Schedule (where for example, the dispensation was granted by the Monitoring Officer immediately prior to the meeting). The existence and

nature of the dispensation needs to be recorded in the minutes and will, therefore, have to be disclosed at an appropriate time to the meeting.

Note: Following the adoption of the new Code of Conduct, Members are reminded that they should declare the existence and nature of their personal interests at the commencement of the relevant item (or as soon as the interest becomes apparent). If that interest is a Disclosable Pecuniary or a Deemed Disclosable Pecuniary Interest, the Member must withdraw from the room.

Where a Member has a Disclosable Pecuniary Interest but has received a dispensation from Standards Committee, that Member may vote and/or speak on the matter (as the case may be) and must disclose the existence of the dispensation and any restrictions placed on it at the time the interest is declared.

Where a Member has a Deemed Disclosable Interest as defined in the Code of Conduct, the Member may address the meeting as a member of the public as set out in the Code.

Note: Council Procedure Rules require Members with Disclosable Pecuniary Interests to withdraw from the meeting unless a dispensation allows them to remain to vote and/or speak on the business giving rise to the interest.

Where a Member has a Deemed Disclosable Interest, the Council's Code of Conduct permits public speaking on the item, after which the Member is required by Council Procedure Rules to withdraw from the meeting.

5. DECLARATIONS OF CONTACT

Members are reminded that contacts about any Planning Applications on this agenda must be declared before the application is considered.

6. APPLICATIONS FOR PLANNING PERMISSION ON WHICH THE PUBLIC HAVE INDICATED A DESIRE TO SPEAK. EACH SPEAKER WILL BE ALLOWED 3 MINUTES ONLY TO MAKE THEIR POINTS – the report of the Head of Development Control, attached **(Page 7)**.

Members of the public will be given three minutes to speak on a particular item and this is strictly timed. The chair will inform all public speakers that: their comments must be limited to addressing issues raised in the agenda item under consideration: and that any departure from the item will not be tolerated.

The Chair may interrupt the speaker if they start discussing other matters which are not related to the item, or the speaker uses threatening or inappropriate language towards Councillors or Officers and if after a warning issued by the chair, the speaker persists, they will be asked to stop speaking by the Chair. The Chair will advise the speaker that, having ignored the warning, the speaker's opportunity to speak to the current or other items on the agenda may not be allowed. In this eventuality, the Chair has discretion to exclude the speaker from speaking further on the item under consideration or other items of the agenda.

7. APPLICATIONS FOR PLANNING PERMISSION ON WHICH NO MEMBER OF THE PUBLIC HAS INDICATED A DESIRE TO SPEAK – the report of the Head of Development Control.
8. ANY OTHER ITEMS which in the opinion of the Chair of the meeting should be considered as a matter of urgency because of special circumstances (which must be specified).

NUNEATON AND BEDWORTH BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

17th June 2025

A meeting of the Planning Applications Committee was held in the Town Hall, Nuneaton on Tuesday, 17th June 2025.

Present

Councillor B. Hancox (Chair)

Councillors: L. Cvetkovic (Vice-Chair), E. Amaechi, S. Dhillon, P. Hickling, M. Kondakor, S. Markham, W. Markham, R. Smith and K. Wilson.

Apologies: Councillor J. Sheppard.

PLA1 **Minutes**

RESOLVED that the minutes of the meeting held on the 8th April 2025 be approved, and signed by the Chair.

PLA2 **Declarations of Interest**

RESOLVED that the declarations of interests are as set out in the Schedule that can be found on the Council's website - [Councillor Schedule of Declarations of Interests for Meetings](#)

PLA3 **Declarations of Contact**

The Chair and Cllr Cvetkovic declared that they had received an email from Councillor Akhtar from Coventry City Council in relation to application 040768. All other Committee Members confirmed they had received the same communication. Councillors did not discuss the item with Councillor Akhtar, or indicate how they would vote.

IN PUBLIC SESSION

PLA4 **Planning Applications**

(Note: Names of the members of the public who submitted statements or spoke are recorded in the Schedule).

RESOLVED that decisions made on applications for planning permission are as shown in the attached schedule, for the reasons and with the conditions set out in the report and addendum, unless stated otherwise.

Chair

SCHEDULE OF APPLICATIONS FOR PLANNING PERMISSION AND
RELATED MATTERS REFERRED TO IN MINUTE PLA4 OF THE PLANNING
APPLICATIONS COMMITTEE ON 17TH JUNE 2025

1. 040768: 62 Arbury Road, Nuneaton, Warwickshire. CV10 7NA

Applicant – Mr Foyzul Islam

Public Speakers:	Councillor B. Hughes	(Ward Councillor)
	Mr Simon Winterman	(Objector)
	Mr Ritesh Parekh	(Agent)

DECISION that planning permission be granted, subject to the conditions printed in the agenda.

Planning Applications Committee
22nd July 2025

Applications for Planning Permission
Agenda Item Index

Planning Applications

Item No.	Reference	Ward	Address	Page No.
1.	040989	EA	36 Wyandotte Lane, Nuneaton, Warwickshire CV11 6XS	8

Wards:					
AR	Arbury	EA	Eastboro	SL	Slough
AT	Attleborough	EX	Exhall	SM	St Marys
BE	Bede	GC	Galley Common	SN	St Nicolas
BU	Bulkington	HE	Heath	SE	Stockingford East
CH	Camp Hill	MI	Milby	SW	Stockingford West
CC	Chilvers Coton	PO	Poplar	WE	Weddington
				WH	Whitestone

REFERENCE No. 040989

Site Address: 36 Wyandotte Lane, Nuneaton, Warwickshire CV11 6XS

Description of Development: Change of use from C3 (residential) to C2 (residential institution)

Applicant: Mr P Lun Leung

Ward: EA

RECOMMENDATION:

Planning Committee is recommended to grant planning permission, subject to the conditions printed.

INTRODUCTION:

Full planning permission is sought to change the use from at 36 Wyandotte Lane from Use Class C3 (residential) to Use Class C2 (Residential Institution). The proposed use would accommodate up to 4 children aged 6-17 years old with care provided 24 hours a day, 7 days a week by up to 12 employees.

There are to be no external alterations to 36 Wyandotte Lane as a result of the change of use. The existing property is a 4-bed detached dwelling with 1 bathroom, 1 en-suite, 1 WC, a lounge, open dining room/kitchen, utility room and family room. The floor plans indicate that the existing family room will be altered to an office and there will be the closing up of the doors to Bedroom1/ the en-suite. Otherwise, there are to be no other internal alterations. It should be noted that the internal alterations do not require planning permission.

The property features a driveway which can accommodate two vehicles and a double garage. There is a garden to the rear of the property which is currently grassed over. No changes are proposed to this arrangement.

RELEVANT PLANNING HISTORY:

- 034615- Outline planning permission was granted in August 2019 for the residential development of Callendar Farm for up to 850 dwellings with vehicular access.
- 040231- Application for approval of reserved matters following outline approval of 034615 relating to appearance, layout and scale of up to 191 dwellings. This was approved in November 2024.
- 040327- Application for approval of reserved matters for part of the site following approval 034615 relating to landscaping for up to 191 dwellings. This was approved in February 2025.

RELEVANT PLANNING POLICIES:

- Policies of the Borough Plan 2019:
 - DS1 – Presumption in favour of sustainable development
 - BE3 – Sustainable design and construction
- Sustainable Design and Construction SPD 2020.

- Transport Demand Management Matters SPD 2022.
- National Policy Planning Framework (NPPF).
- National Planning Practice Guidance (NPPG).

CONSULTEES NOTIFIED:

WCC Highways Authority, NBBC Environmental Health, NBBC Fire Safety, NBBC Waste Management, WCC Police, WCC Children's Services and Ofsted.

CONSULTATION RESPONSES:

No objection from:

WCC Highways Authority, WCC Police and NBBC Environmental Health.

No response from:

NBBC Fire Safety, NBBC Waste Management, WCC Children's Services and Ofsted.

NEIGHBOURS NOTIFIED:

6, 8, 10, 12, 14 & 16 Ombersley Drive and 28, 32 & 34 Wyandotte Lane.

Neighbouring properties were sent letters notifying them of the proposed development on 27th May 2025. A site notice was erected on a lamppost adjacent to the site on 30th May 2025.

NEIGHBOUR RESPONSES:

There have been 12 objections from 9 addresses. Councillor Cooper has also objected. The comments are summarised below;

1. Inconsistencies in the application form.
2. Traffic generation and at unsociable hours.
3. Insufficient parking provision.
4. Noise and nuisance, and the comings and goings of workers.
5. Loss of privacy.
6. Change in residential character of the area.
7. Reduced sense of safety.
8. Impacts on community cohesion.
9. Contrary to the Development Plan and national policy.
10. Covenants on the property.
11. Local of local infrastructure.
12. Setting precedents.
13. Health and well-being.

A petition has been received objecting to the application with 55 signatures from 35 addresses. The petition outlines the reasons for the objection which relates to inconsistencies in the application, traffic generation, noise and disturbances, loss of privacy, change in character, safeguarding, contrary to the Development Plan, covenants and lack of infrastructure.

APPRAISAL:

The key issues to assess in the determination of this application are;

1. The principle of the development
2. Impact on Residential Amenity

3. Impact on Highway Safety and Parking
4. Other considerations
5. Conclusion

1. The Principle of Development

The application site is located within the strategic housing allocation site HSG1 (North of Nuneaton) which is described as a sustainable and deliverable urban extension to Nuneaton, providing a new district centre and local centre. This phase of HSG1 has been built out by Jelson Homes and therefore is an established residential area. Borough Plan policy DS2 sets out the settlement hierarchy for Borough and the role of each settlement. This sets out that Nuneaton has the primary role for employment, housing, town centre, leisure and service provision. Most development will be directed to Nuneaton as the primary town.

Borough Plan policy DS1 states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained within the National Planning Policy Framework. It will always work proactively with applicants to jointly find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area. Planning applications that accord with the policies in this Borough Plan will be approved without delay, unless material considerations indicate otherwise.

In light of the above, and in accordance with DS1 and DS2, the site is considered to be within an acceptable and sustainable location for development given the residential use of the children's care home.

There are no specific policies contained within the adopted Borough Plan which expressly relates to the provision of a care home for children. However, Policy H1 says that development proposals for specialised housing will be approved where a local need can be demonstrated. It has been accepted in recent applications pertaining to children's home (e.g. 039556 and 040011) that there is a need for placements in Warwickshire and specifically within Nuneaton and Bedworth.

The change of use from a C3 dwellinghouse to a C2 use is considered to be minimal when considering the limited differences between a C3 use and a C2 use. Use Class C2 is categorised as 'residential institutions' which emphasises on the residential element. At present, the dwellinghouse which is two storeys and has four bedrooms could accommodate between 5 to 8 people (depending on whether rooms are occupied as single or double rooms). Through the change in use, the number of people residing in the building will not detrimentally increase above this figure given that there will be 4 resident children and up to 4 employees during the day (decreasing to 2 employees during the night). As such, the number of children and staff members which would be present at the property is not dissimilar to what may be present within a typical C3 family dwellinghouse. A similar application was refused for a 5-bedroom children's home and overturned at appeal in January 2023 in Burnley (APP/Z2315/W/22/3305898). In the appeal decision, the Inspector commented that *'the proposed use would function very much like a typical family home'* and *'the numbers that would present in the dwelling at any one time would not be greater than could be expected to be present in the existing five bedroomed dwelling'*. This is the case in this context of a four-bedroom property.

It has also been suggested that the proposed development would cause an unacceptable impact on local services. However, this is a small-scale proposal and

given that this is a 4-bed property, this would have the same impact on schools and services when comparing a C3 dwellinghouse with the proposed change of use. The impacts on the local services would have been assessed during the grant of outline planning permission and will have been accounted for in subsequent Section 106 agreement for the development of the housing in this area. As such, impacts on infrastructure have been accounted for. In addition, up to 9 dwellings can be granted planning permission without being required to contribute towards schools and services. This would have a significantly larger impact on local infrastructure than this proposal would.

The principle of development is accepted. Such a use is appropriate within an established residential area. Existing residential estates present an appropriate location for small scale children's homes so that the residents are not excluded from society and so that they have the same opportunities to access schools, parks and local facilities that children should have.

2. Impact on Residential Amenity

Paragraph 198 of the NPPF requires planning decisions to ensure that developments are appropriate for the location taking into account effects on living standards, noise impacts, light pollution and amenity. The Sustainable Design and Construction SPD sets out that development proposals should show an understanding of the local impact of the new development on the immediate and surrounding properties. Existing users should not be expected to have to adapt their activities because of new development.

The premise of the neighbour objections are primarily concerned with neighbour amenity and in particular, in relation to noise issues from the operation of the children's home, the disturbance from the 24hr operation of the children's home, the impact on sense of security and negative impact on privacy.

Firstly, with regards to noise Environmental Health have been consulted with and offer no objection. They have commented that it is a detached property and ideal for the change of use to a children's home. In carrying out a planning balance, it would be difficult to substantiate a refusal on the possibility that disturbance could be caused. Noise is regarded as what an ordinary person is reasonably expected to tolerate. It does not consider unforeseen circumstances like anti-social noise as this would be unreasonable. The Planning Practice Guidance provides policy guidance on noise. It sets out that decision making needs to take account of the acoustic environment and in doing so consider whether a significant adverse effect is likely to occur, whether an adverse effect is likely to occur and whether a good standard of amenity can be achieved (Paragraph: 003 Reference ID: 30-003-20190722). The observed levels are as follows:

- Significant observed adverse effect level: This is the level of noise exposure above which significant adverse effects on health and quality of life occur.
- Lowest observed adverse effect level: this is the level of noise exposure above which adverse effects on health and quality of life can be detected.
- No observed effect level: this is the level of noise exposure below which no effect at all on health or quality of life can be detected. (004 Reference ID: 30-004-20190722).

In light of this, given the scale of the scheme, it is considered that there would be minimal significant adverse impacts to neighbouring properties and minimal observed effect levels. Whilst it is accepted that inevitably there will be comings and goings to and from the site at shift handover times as well as occasional visits by family members

and representatives of agencies and other professions, these would generate a degree of noise and disturbance, although this is likely to be spread out through the day. However, when comparing to a typical family dwelling which could consist of adults, teenagers and children, in occupying the property, a family could generate considerable activity in the form of coming and goings for work, school, leisure and shopping at various times of the day. This is upheld in recent appeal decision (APP/D4635/W/25/3359517) which was allowed in Wolverhampton in May 2025 for the proposed a change of use to a four-bedroomed children's home. In the appeal decision, the Inspector said '*A building in C2 use is still classed as residential, and the day-to-day use of the building would be very similar to a dwelling with the care home providing a home for the children. This is not substantially different to a Use Class C3 dwelling where children with specialist needs can live. The type of noise and disturbance from this use would not be materially different from that which can occur in a dwelling.*'

The possibility that a resident may create noise levels above what is typically associated with a residential area is not a reason for refusal. In all instances, even in a C3 dwellinghouse, neighbouring residents cannot be controlled, and noisy neighbours could possibly exist in a typical residential road. It is therefore not appropriate to speculate on future occupiers or assume that looked after children are any more noisy or disruptive than any other family that may move into the property.

As such, it is considered that noise impacts associated with the change of use and the impact on the residential amenity of neighbouring properties are considered to be of an acceptable level.

A comment has been raised regarding the reduced sense of safety as a result of a high turnover of staff from outside the area. Paragraph 96 of the NPPF seeks to ensure that decisions achieve inclusive and safe places and that crime and disorder do not undermine the quality of life or community cohesion. Whilst the fear of safety can be a material consideration, there must be an evidential basis for that concern. In such cases, the concern that staff members will be from outside the area is not a material consideration. Typical C3 dwellinghouses will have visitors from outside of the local area. This is not considered to undermine community cohesion and as such, is not a reason for refusal. WCC Police have been consulted with, and they have raised no objection. The management of a children's home would be required to operate within the minimum national standards for children's homes and staff would be subject to Ofsted regulation and inspections. The home would be run by qualified and experienced staff and equipped with modern security arrangements. All staff will subject to DBS checks. As such, it is considered that sufficient safeguards are in place via other regulations and statutory bodies to minimise the risk to safety for local children and future occupants.

A comment has been received regarding emergency vehicles at the site. This is not a material planning matter. Frontline emergency workers can activate vehicle sirens at any time of day or night as appropriate and necessary. An emergency can take place at any dwellinghouse regardless of the background of residents therefore, this is not a consideration.

There are no external changes proposed to 36 Wyandotte Road therefore, this will be no impact to the neighbouring properties in terms of loss of light, loss of privacy or sense of enclosure. A comment has been received regarding the loss of privacy as a result of staff members within the rear garden. Children and staff being in the garden

is no different to a family being in their garden. The use of the rear garden will be supervised. This will not lead to a detrimental impact on neighbouring privacy.

Overall, the development is proposed to create a home for future residents who would live and socialise together and therefore the noise and activity would be similar to any other family home expect with the additional of care staff being present at the property. The property would operate in a similar way to a family dwelling and the development would therefore be unlikely to cause any more harm to amenity than a family dwelling. Again, in all instances neighbouring residents cannot be controlled, and noisy neighbours could possibly exist in a typical C3 dwellinghouse. A manager would be on duty to assist with any issues. The development is there in accordance with the guidance set out in the Sustainable Design and Construction SPD and the relevant sections of the NPPF.

3. Impact on Highway Safety and Parking

Paragraph 115, part b of the NPPF says it should be ensured that 'safe and suitable access to the site can be achieved for all users'. Paragraph 116 says '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'.

Borough Plan policy HS2 requires that planning applications demonstrate suitable demand management measures, which includes adequate parking provision, and whether the proposal will meet acceptable levels of impact on existing highways networks. The Transport Demand Management Matters SPD sets out the parking provision for new development. For a residential institution this requires one per four residents and one space per two (FTE) staff members. When considering that this development is to be a children's home for ages 6-17, it is not considered necessary to provide parking for the residents as the majority of the children will not be of an age where they will be able to drive and therefore will not own cars.

Four parking spaces can be provided at 36 Wyandotte Lane; 2 spaces on the designated driveway and 2 spaces within the detached double garage. This would be sufficient during the daytime when there will be four staff in attendance, comprised of two residential care workers, one senior residential care worker and either a Deputy Manager or Homes Manager. This is in accordance with the parking standards within the SPD. The parking will also be sufficient during the nighttime when there will be two nighttime staff in a sleep in/waking night role. The managers will remain on call but not present on site. This assumes that all members of staff will drive. However, there is a well-served bus route within a 10-minute walk of the site along the A47 therefore some may rely on public transport. Family members and friends may visit the residents however, it is not assumed that everyone would visit in one go as to cause a detrimental impact. As such, the proposed parking standards are acceptable.

At worst case scenario, there would be 5 children, 3 members of staff and the manger present at the property at any one time. It is important to consider comparable alternatives. Whilst this is not a scenario which is being pursued, theoretically, under Part 3, Class L of The Town and Country Planning (General Permitted Development) Order a C3 dwelling can change use to become a house in multiple occupation (HMO) for 6 adults. This could result in 6 adults with 6 cars. In terms of parking impacts, it is considered that the impact of 6 adults living at the property is likely to be greater than this proposal. Furthermore, it would not be unusual for a couple with 3 children to occupy the house. These children may stay in the family home until they are able to

drive and own their own cars, which could result in 2 adults and 3 young adults. It is considered that this scenario is also likely to have a greater impact on parking than this proposal would.

The Highways Authority have been consulted with and have no objection. The driveway is a private driveway and as such, the Highways Authority can only comment on the adopted highway. With regards to the adopted highway, they have commented that the number of vehicle movements associated with the proposed development should not have a severe impact on the public highway network. Any extra parking in front of the site should not have a severe impact on the public highway network either.

Overall, it is considered it would be unreasonable to refuse the application on highways or parking grounds. The permitted development fallback position could cause greater vehicular movements. 36 Wyandotte Lane operating as a dwellinghouse could also result in a requirement for greater parking provision. The parking provision is in accordance with the Transport Demand Management Matters SPD. The development is in accordance with Borough Plan policies and the relevant sections of the NPPF.

4. Other Matters

This application is clearly contentious within the local area, however, it should be clear as to which matters are material planning considerations. Issues relating to the internal re-configuration of the property do not need planning permission and therefore the impact of those changes cannot be considered.

A comment has been raised that there is a restrictive covenant in place which restricts the use of properties to private residential purposes only and that the change of use could give rise to a legal dispute. Restrictive covenants are not a material planning consideration. Any covenants are listed on the deeds, and it is up to the landowner/developer to ensure that the proposed changes to the property are within the limits of the covenant. The applicant is advised to seek independent, legal advice on this.

Concern has also been raised that the change in use will set a precedent in the area. There are no precedents in planning as each application is assessed on its own merits against the Development Plan policies, the National Planning Policy Framework, and the relevant legislation. This is therefore not a material consideration in the planning balance.

An objector has raised that there is no local infrastructure including a GP surgery, shop or transport hub in the area to accommodate the change in use. The number of residents within the property will be no greater than if a family was to reside there. The local facilities have already been taken into account on the grant of outline planning permission for the wider HSG1 site. There will not be a detrimental increase in the number of residents that it will put a strain on the local services. As discussed, residential use in this location is acceptable and therefore whether or not there is a GP surgery, shop or transport hub, would not be a valid reason for refusal.

Finally, there has been comments raised regarding the inconsistency between the number of staff and full-time employees. The figure of twelve members of staff represents the total number of staff on the payroll required to provide 24-hour, year-round cover through a rotating shift pattern. Crucially, at no point will all twelve members of staff be on the site simultaneously. The home will operate with a maximum of four staff members on duty at any one time. The figure of '4 full-time' members refers to the full-time equivalent posts which is a standard metric used.

5. Conclusion

The NPPF promotes a presumption in favour of sustainable development, and in line with the Planning and Compulsory Purchase Act 2004 states that decisions should be made in line with an adopted Development Plan, unless material considerations indicate otherwise.

The proposal is in accordance with Development Plan policies, Supplementary Planning Guidance and guidance within the NPPF. The principle of development is supported, given that the site is located within a residential area. The proposed development is a form of residential accommodation and represents sustainable development. It is considered that there is no adverse impact on neighbouring properties, more than would be reasonably acceptable as it is considered that the levels of noise and vehicular movements will not be too dissimilar to that created by a 4-bedroom C3 dwellinghouse. There are no adverse impacts on the surrounding highway and the parking provision is acceptable for the proposed use. Matters on privacy, safety and local infrastructure have been taken into account and it is not considered that there would be a demonstrable harm from the development.

On balance, whilst there have been multiple objections to the scheme, it is considered that there are no reasonable grounds for refusal. As such, the recommendation is one of approval, subject to conditions.

REASONS FOR APPROVAL:

Having regard to the pattern of existing development in the area, relevant provisions of the development plan, as summarised above, and the consultation responses received, it is considered that subject to compliance with the conditions attached to this permission, the proposed development would be in accordance with the development plan, would not materially harm the character or appearance of the area or the living conditions of neighbouring occupiers and would be acceptable in terms of traffic safety and convenience.

SCHEDULE OF CONDITIONS:

1. The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

2. The development hereby approved shall not be carried out otherwise than in accordance with the plans contained in the following schedule:

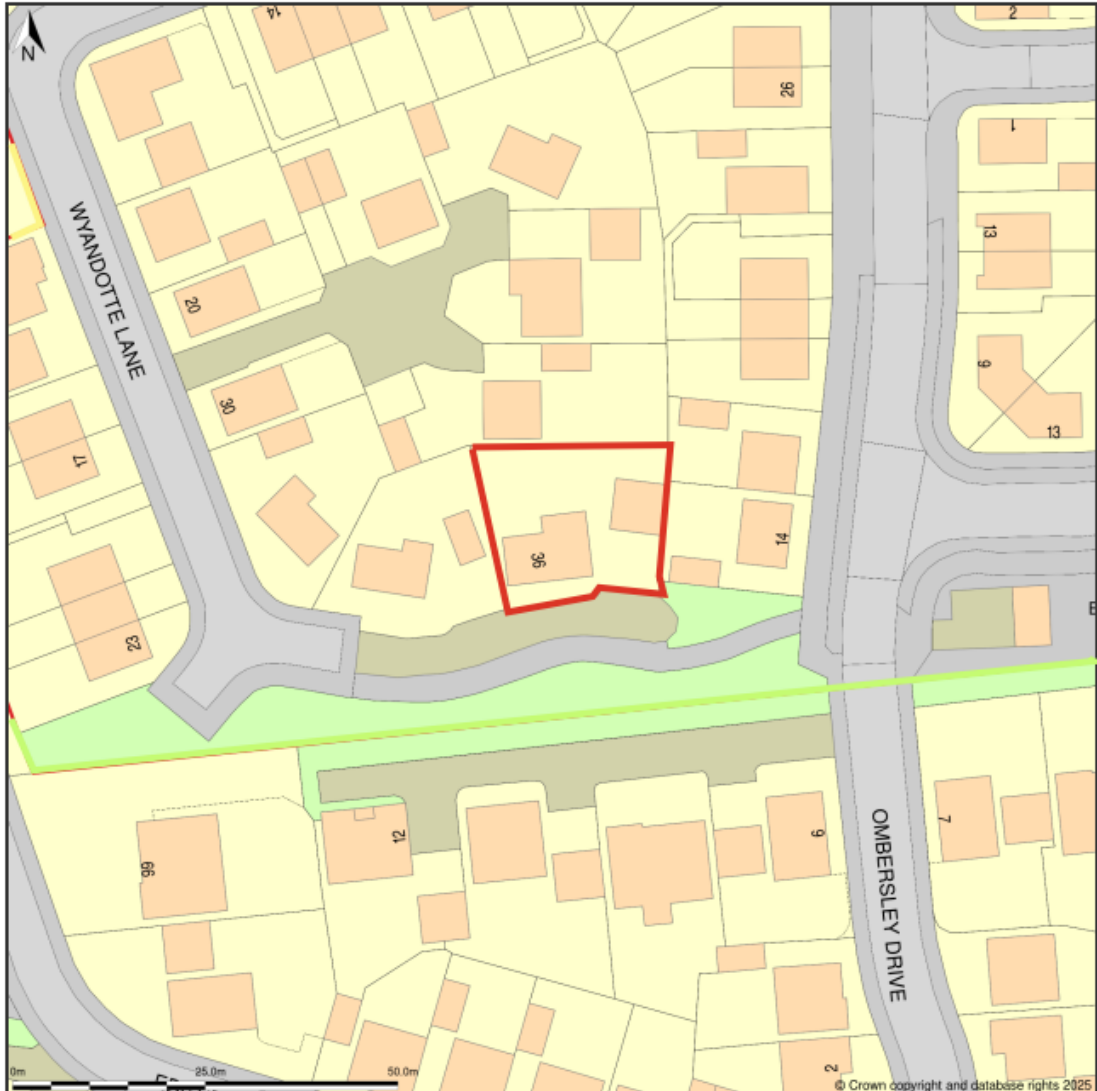
Plan Description	Plan Reference	Date Received
Floor Plan	Rev A	21/05/2025
Proposed Parking Layout/Block Plan		21/05/2025
Location Plan		19/05/2025

3. The development hereby permitted shall be occupied by no more than 4 permanent child residents at any time.

4. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) the development hereby approved shall only be used as a children's home, falling

into Use Class C2. In particular, it shall not be used for any other purpose within Use Class C2, or in any provision equivalent to the Class in any statutory instrument revoking and re-enacting that Order.

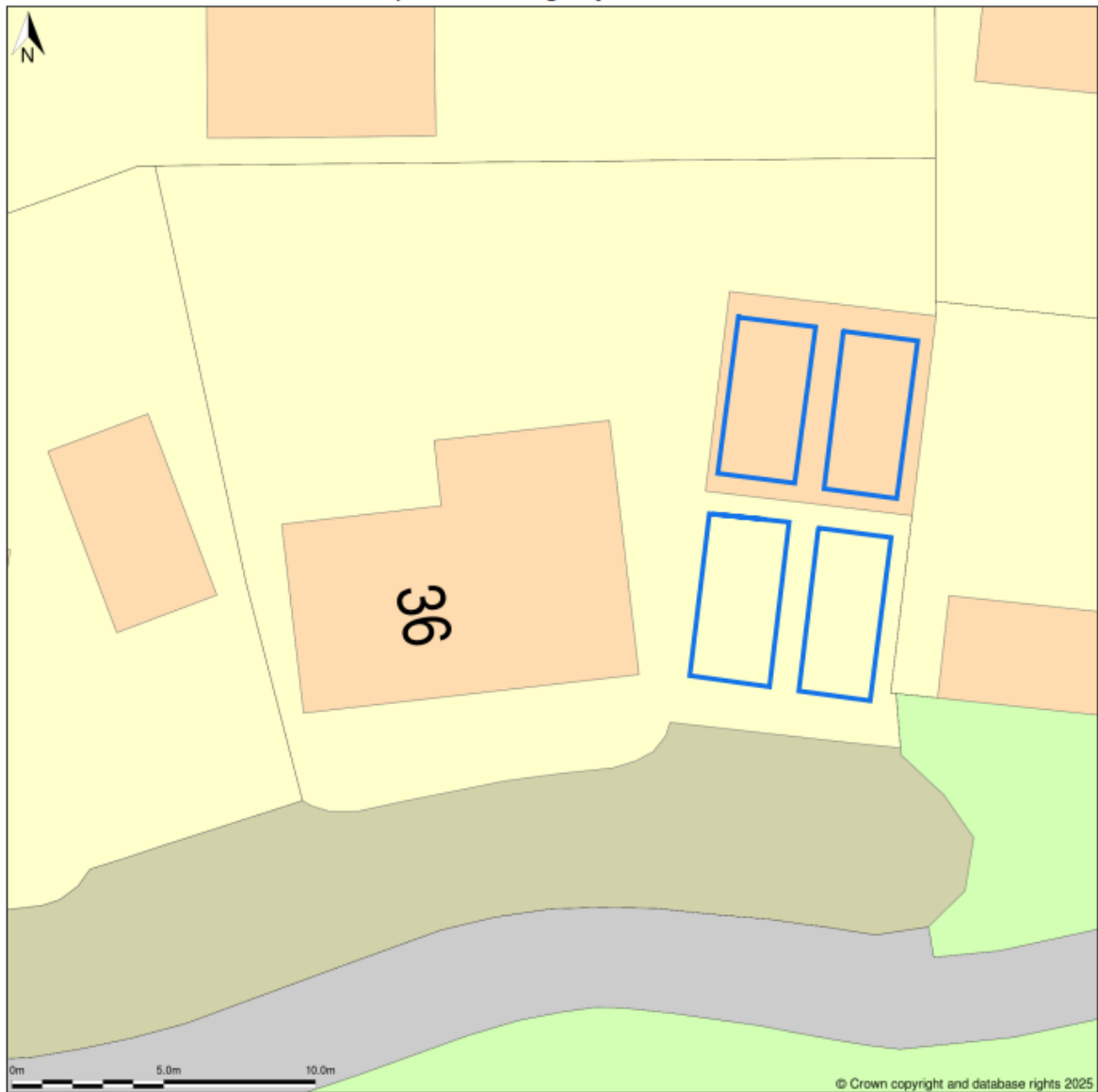
36. Wyandotte Lane, Nuneaton, Warwickshire, CV11 6XS



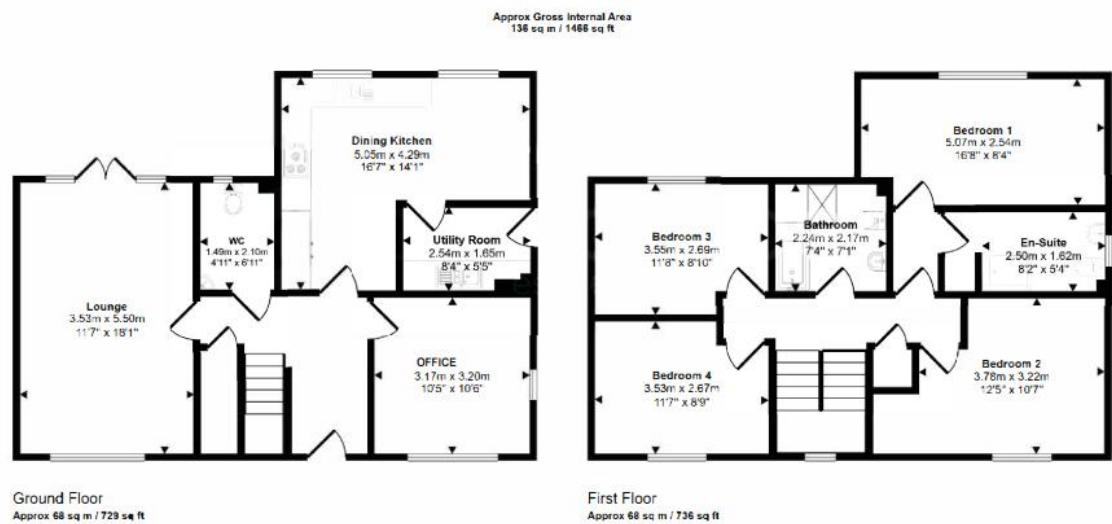
Site Location Plan

36, Wyandotte Lane, Nuneaton, Warwickshire, CV11 6XS

Proposed Parking Layout



Parking Layout/Block Plan



This floorplan is only for illustrative purposes and is not to scale. Measurements of rooms, doors, windows, and any items are approximate and no responsibility is taken for any error, omission or mis-statement. Items of items such as bathroom suites are representations only and may not look like the real items.

36 Wyandotte Lane, Lockley Gardens, Nuneaton, CV11 6XS
Floor Plan 1:100 @ A4

Proposed Floor Plans

Glossary

Adoption – The final confirmation of a local plan, or planning document, by a local planning authority.

Advertisement consent – A type of consent required for certain kinds of advertisements, such as shop signs and hoardings. Some advertisements are allowed without the need for an application by the Town and Country Planning (Control of Advertisement) (England) Regulation 2007.

Affordable housing – Social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. Affordable housing should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision.

Authority monitoring report – A report that allows the Local Authority to assess the extent to which policies and proposals set out in all the local development documents are being achieved.

Appeal – The process by which a planning applicant can challenge a planning decision that has been refused or had conditions imposed.

Area action plan – A document forming part of the local plan containing proposals for a specific defined area.

Article 4 direction – A direction restricting permitted development rights within a specified area. They are often used in conservation areas to provide protection for things like windows, doors, chimneys, etc.

Brownfield – Land which has had a former use.

Conservation area – An area of special architectural or historic interest, the character and appearance of which are preserved and enhanced by local planning policies and guidance.

Conservation area consent – Consent needed for the demolition of unlisted buildings in a conservation area.

Consultation – A communication process with the local community that informs planning decision-making.

Certificate of lawfulness – A certificate that can be obtained from the local planning authority to confirm that existing development is lawful. **Change of use** – A material change in the use of land or buildings that is of significance for planning purposes e.g. from retail to residential.

Character appraisal – An appraisal, usually of the historic and architectural character of conservation areas.

Community – A group of people that hold something in common. They could share a common place (e.g. individual neighbourhood) a common interest (e.g. interest in the environment) a common identity (e.g. age) or a common need (e.g. a particular service focus).

Community engagement and involvement – Involving the local community in the decisions that are made regarding their area.

Design and access statement – A short report accompanying a planning permission application. Describes design principles of a development such as layout, townscape characteristics, scale, landscape design and appearance.

Design Code - A design code provides detailed design guidance for a site or area they prescribe design requirements (or 'rules') that new development within the specified site or area should follow.

Development – Legal definition is “the carrying out of building, mining, engineering or other operations in, on, under or over land, and the making of any material change in the use of buildings or other land.”

Development management control – The process of administering and making decisions on different kinds of planning application.

Development plan – A document setting out the local planning authority's policies and proposals for the development and use of land in the area.

Duty to co-operate – A requirement introduced by the Localism Act 2011 for local authorities to work together in dealing with cross-boundary issues such as public transport, housing allocations or large retail parks.

Economic development – Improvement of an area's economy through investment, development, job creation, and other measures.

Enforcement – Enforcement of planning control ensures that terms and conditions of planning decisions are carried out.

Enforcement notice – A legal notice served by the local planning authority requiring specified breaches of planning control to be corrected.

Environmental impact assessment – Evaluates the likely environmental impacts of the development, together with an assessment of how these impacts could be reduced.

Flood plain – An area prone to flooding.

Front loading – An approach to community engagement in which communities are consulted at the start of the planning process before any proposals have been produced. General (Permitted Development) Order The Town and Country Planning General (Permitted Development) Order is a statutory document that allows specified minor kinds of development (such as small house extensions) to be undertaken without formal planning permission

Greenbelt – A designated band of land around urban areas, designed to contain urban sprawl (not to be confused with 'greenfield').

Greenfield site – Land where there has been no previous development (not to be confused with Greenbelt).

Green infrastructure – Landscape, biodiversity, trees, allotments, parks, open spaces and other natural assets.

Green space – Those parts of an area which are occupied by natural, designed or agricultural landscape as opposed to built development; open space, parkland, woodland, sports fields, gardens, allotments, and the like.

Green travel plan – A package of actions produced by a workplace or an organization setting out how employees, users or visitors will travel to the place in question using options that are healthy, safe and sustainable, and reduce the use of the private car.

Highway authority – The body with legal responsibility for the management and maintenance of public roads. In the UK the highway authority is usually the county council or the unitary authority for a particular area, which can delegate some functions to the district council.

Historic parks and gardens register – The national register managed by English Heritage which provides a listing and classification system for historic parks and gardens.

Housing associations – Not-for-profit organisations providing homes mainly to those in housing need.

Independent examination – An examination of a proposed neighbourhood plan, carried out by an independent person, set up to consider whether a neighbourhood plan meets the basic conditions required.

Infrastructure – Basic services necessary for development to take place e.g. roads, electricity, water, education and health facilities.

Inquiry – A hearing by a planning inspector into a planning matter such as a local plan or appeal.

Judicial review – Legal challenge of a planning decision, to consider whether it has been made in a proper and lawful manner.

Legislation – The Acts of Parliament, regulations, and statutory instruments which provide the legal framework within which public law is administered.

Listed buildings – Any building or structure which is included in the statutory list of buildings of special architectural or historic interest.

Listed building consent – The formal approval which gives consent to carry out work affecting the special architectural or historic interest of a listed building.

Local authority – The administrative body that governs local services such as education, planning and social services.

Local plan - The name for the collection of documents prepared by a local planning authority for the use and development of land and for changes to the transport system. Can contain documents such as development plans and statements of community involvement.

Local planning authority – Local government body responsible for formulating planning policies and controlling development; a district council, metropolitan council, a county council, a unitary authority or national park authority.

Major Planning application-

- the winning and working of minerals or the use of land for mineral-working deposits
- waste development
- Residential development of 10 or more residential dwellings
- Residential development of on a site of 0.5 hectares or more (where the number of residential units is not yet known i.e. for outline applications)
- the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more.
- development carried out on a site having an area of 1 hectare or more

Material considerations – Factors which are relevant in the making of planning decisions, such as sustainability, impact on residential amenity, design and traffic impacts.

Micro-generation – The small-scale generation of renewable energy usually consumed on the site where it is produced.

Mixed use – The development of a single building or site with two or more complementary uses.

National Planning Policy Framework (NPPF) – The government policy document first adopted in 2012 was updated in 2021. The NPPF introduces a presumption in favour of sustainable development. It gives five guiding principles of sustainable development: living within the planet's means; ensuring a strong, healthy and just society; achieving a sustainable economy; promoting good governance; and using sound science responsibly.

Neighbourhood planning – A community initiated process in which people get together through a local forum or parish or town council and produce a neighbourhood plan or neighbourhood development order.

Non-determination – When a planning application is submitted and the local authority fails to give a decision on it within the defined statutory period.

Operational development – The carrying out of building, engineering, mining or other operations in, on over, or under land; part of the statutory definition of development (the other part being material changes of use of buildings or land).

Permitted development – Certain minor building works that don't need planning permission e.g. a boundary wall below a certain height.

Policy – A concise statement of the principles that a particular kind of development proposal should satisfy in order to obtain planning permission.

Parking standards – The requirements of a local authority in respect of the level of car parking provided for different kinds of development.

Plan-led – A system of planning which is organised around the implementation of an adopted plan, as opposed to an ad hoc approach to planning in which each case is judged on its own merits.

Planning gain – The increase in value of land resulting from the granting of planning permission. This value mainly accrues to the owner of the land, but sometimes the local council negotiates with the developer to secure benefit to the public, either through section 106 planning obligations or the setting of a community infrastructure levy.

Planning inspectorate – The government body established to provide an independent judgement on planning decisions which are taken to appeal.

Planning obligation – Planning obligation under Section 106 of the Town and Country Planning Act 1990, secured by a local planning authority through negotiations with a developer to offset the public cost of permitting a development proposal. Sometimes developers can self-impose obligations to pre-empt objections to planning permission being granted. They cover things like highway improvements or open space provision.

Planning permission – Formal approval granted by a council allowing a proposed development to proceed. Planning Practice Guidance (PPG) The government's PPG can be read alongside the NPPF and is intended as a guidebook for planners. It is not a single document but an online resource which is

kept current through regular updates. Presumption in favour of sustainable development The concept introduced in 2012 by the UK government with the National Planning Policy Framework to be the 'golden thread running through both plan making and decision taking'. The National Planning Policy Framework gives five guiding principles of sustainable development: living within the planet's means; ensuring a strong, healthy and just society; achieving a sustainable economy; promoting good governance; and using sound science responsibly.

Public inquiry – See Inquiry.

Public open space – Open space to which the public has free access.

Public realm – Areas of space usually in town and city centres where the public can circulate freely, including streets, parks and public squares.

Regeneration - Upgrading an area through social, physical and economic improvements.

Retail – The process of selling single or small numbers of items directly and in person to customers. The use category defined as Class E in the Town and Country Planning (Use Classes) Order 1987 (as amended).

Rural – Areas of land which are generally not urbanised; usually with low population densities and a high proportion of land devoted to agriculture.

Scheduled ancient monument – A nationally important archaeological site, building or structure which is protected against unauthorised change by the Ancient Monuments and Archaeological Areas Act 1979.

Section 106 – see Planning obligation.

Sequential test – A principle for making a planning decision based on developing certain sites or types of land before others, for example, developing brownfield land before greenfield sites, or developing sites within town centres before sites outside town centres.

Setting – The immediate context in which a building is situated, for example, the setting of a listed building could include neighbouring land or development with which it is historically associated, or the surrounding townscape of which it forms a part.

Space standards – Quantified dimensions set down by a local planning authority to determine whether a particular development proposal provides enough space around it so as not to affect the amenity of existing neighbouring developments. Space standards can also apply to garden areas.

Supplementary planning document – Provides detailed thematic or site-specific guidance explaining or supporting the policies in the local plan.

Sustainable development – An approach to development that aims to allow economic growth without damaging the environment or natural resources. Development that "meets the needs of the present without compromising the ability of future generations to meet their own needs".

Town and Country Planning Act 1990 – Currently the main planning legislation for England and Wales is consolidated in the Town and Country Planning Act 1990; this is regarded as the 'principal act'.

Tree preservation order – An order made by a local planning authority to protect a specific tree, a group of trees or woodland. Tree preservation orders (TPOs) prevent the felling, lopping, topping, uprooting or other deliberate damage of trees without the permission of the local planning authority.

Use classes order – The Town and Country Planning (Use Classes) Order 1987 (as amended) is the statutory instrument that defines the 8 categories of use of buildings or land for the purposes of planning legislation. Planning permission must be obtained to change the use of a building or land to another use class.

Urban – Having the characteristics of a town or a city; an area dominated by built development. Urban design – The design of towns and cities, including the physical characteristics of groups of buildings, streets and public spaces, whole neighbourhoods and districts, and even entire cities.

Urban fringe – The area on the edge of towns and cities where the urban form starts to fragment and the density of development reduces significantly.

Guide to changes to the Use Classes Order in England

Use	Use Class up to 31 August 2020	Use Class from 1 September 2020
Shop not more than 280sqm mostly selling essential goods, including food and at least 1km from another similar shop	A1	F.2
Shop	A1	E
Financial and professional services (not medical)	A2	E
Café or restaurant	A3	E
Pub or drinking establishment	A4	Sui generis
Take away	A5	Sui generis
Office other than a use within Class A2	B1a	E
Research and development of products or processes	B1b	E
For any industrial process (which can be carried out in any residential area without causing detriment to the amenity of the area)	B1c	E
Industrial	B2	B2
Storage or distribution	B8	B8

Use	Use Class up to 31 August 2020	Use Class from 1 September 2020
Hotels, boarding and guest houses	C1	C1
Residential institutions	C2	C2
Secure residential institutions	C2a	C2a
Dwelling houses	C3	C3
Use of a dwellinghouse by 3-6 residents as a 'house in multiple occupation'	C4	C4
Clinics, health centres, creches, day nurseries, day centre	D1	E
Schools, non-residential education and training centres, museums, public libraries, public halls, exhibition halls, places of worship, law courts	D1	F.1
Cinemas, concert halls, bingo halls and dance halls	D2	Sui generis
Gymnasiums, indoor recreations not involving motorised vehicles or firearms	D2	E
Hall or meeting place for the principal use of the local community	D2	F.2
Indoor or outdoor swimming baths, skating rinks, and outdoor sports or recreations not involving motorised vehicles or firearms	D2	F.2

Changes of use within the same class are not development. Use classes prior to 1 September 2020 will remain relevant for certain change of use permitted development rights, until 31 July 2021.
The new use classes comprise:

Class E (Commercial, business and service uses),

Class F.1 (Learning and non-residential institutions)

Class F.2 (Local community uses)