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Date: 27th January 2026

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 10th February 2026 at 6.00p.m.**

Public Consultation on planning applications with 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.

The Council is committed to providing a safe and respectful environment for our employees, customers and elected members. As such, please be advised that any form of abuse, aggression, or disrespectful behaviour towards our team will not be tolerated under any circumstances.

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 13th January 2026, 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 8**).

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

13th January 2026

A meeting of the Planning Applications Committee was held in the Town Hall, Nuneaton on Tuesday, 13th January 2026.

Present

Councillor B. Hancox (Chair)

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

Apologies: Councillors K. Wilson and R. Smith.

Absent: Councillor J. Sheppard.

PLA29 **Minutes**

RESOLVED that the minutes of the meeting held on the 16th December 2025 be approved, and signed by the Chair.

PLA30 **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](#)). In addition, Councillor M. Kondakor declared an interest that her husband (Keith Kondakor) is a County Councillor.

PLA31 **Declarations of Contact**

The Chair declared that Committee Members had been contacted by a number of residents and County Councillor Keith Kondakor via email in relation to application 040698. Councillors confirmed that they had not discussed this application with residents. Councillor M. Kondakor confirmed that she had not discussed the application with her husband County Councillor Keith Kondakor.

IN PUBLIC SESSION

PLA32 **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 PLA32 OF THE
PLANNING APPLICATIONS COMMITTEE ON 13TH JANUARY 2026

040698 – 212 Higham Lane, Nuneaton, Warwickshire. CV11 6AS

Applicant – Mr Kirushnapillai Vijayarajah

Public Speakers: Councillor Jamie Hartshorn (Councillor)
Dr Kate Rathbone (Objector)
Marina Kitchen (Objector)
Richard Davies (Agent)

DECISION that Planning Permission be refused, due to the following reasons:

- 1) i) Paragraphs 135a and b of the National Planning Policy Framework (2024) state planning decisions should ensure development will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development, and be visually attractive as a result of good architecture.

ii) Policy DS2 of the Borough Plan Review 2021-2039 (2025) states development within settlement boundaries, as shown on the policies map, will be acceptable subject to there being a positive impact on amenity.

iii) Policy BE3 of the Borough Plan Review 2021-2039 (2025) states development proposals must contribute to local distinctiveness and character, including consideration of built form.

This application is contrary to these policies in that the proposed use would not be in keeping with the surrounding uses and would be out of character and not add to the overall quality of the area. The development by virtue of its scale, bulk, design and architecture would be contrary to the above policies and result in a significantly harmful impact on amenity and the character and appearance of the area.

- 2) i) Paragraphs 181b, c, d and e of the National Planning Policy Framework (2024) state planning decisions should ensure development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment, it incorporates sustainable drainage systems, any residual risk can be safely managed, and safe access and escape routes are included where appropriate.

ii) Policy NE4 of the Borough Plan Review 2021-2039 (2025) states flood risk should be considered proportionately for all development. A site-specific Flood Risk Assessment

will be required to support planning applications in areas at risk of flooding, in order to demonstrate that the risk both within the site and to surrounding/downstream sites is not increased.

iii) The development would result in intensification of the site which in an area within Flood Zone 2 and vulnerable to surface water flooding. The submitted Flood Risk Assessment fails to demonstrate adequate mitigation measures to ensure it is appropriately flood resistant and resilient. Suitable access and escape routes in exceedance events is not considered to be provided.

3) i) Paragraphs 115b and 116 of the National Planning Policy Framework (2024) state planning decisions should ensure development has safe and suitable access to the site can be achieved for all users, and should only be 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.

ii) Policy HS2 of the Borough Plan Review 2021-2039 (2025) states development should demonstrate whether the proposal will meet acceptable levels of impact on existing highways networks and the mitigation measures required to meet this acceptable level, and be designed to provide safe and suitable access for all users.

iii) The development, by virtue of vehicles accessing and egressing a new access and parking area with insufficient visibility, and increased trip generation, would cause undue interference with the safety and operation of users of nearby highways and is considered inappropriate for this area to the detriment of highway safety.

041288 – 11 Bentley Road, Nuneaton, Warwickshire. CV11 5LR

Applicant – Rubina Patel

DECISION that prior approval will not be required, subject to the conditions printed.

Planning Applications Committee
10th February 2026**Agenda Item Index****Planning Applications**

Item No.	Reference	Ward	Address	Page No.
1.	041225	GC	32 Chesterton Drive, Nuneaton, CV10 9QR	9
2.	041338	AT	2 Glebe Road, Nuneaton, CV11 4BJ	18

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. 041225

Site Address: 32 Chesterton Drive, Nuneaton, Warwickshire, CV10 9QR

Description of Development: Change of use of C3 Dwelling to C2 Children's Care Home

Applicant: Mr Abdullah Ahmed

Ward: GC

RECOMMENDATION:

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

INTRODUCTION:

This application seeks consent for a change of use from a residential dwelling (Use Class C3) to a children's home (Use Class C2) at 32 Chesterton Drive, Nuneaton, CV10 9QR. This would comprise providing care for up to 3 children with no external modifications proposed.

The dwelling as existing is a large, detached home with 4 bedrooms over 2 storeys. The proposed would comprise a total of 3 children's bedrooms and 1 staff bedroom. The premises is only proposed for up to 3 children. The ground floor study, which is the smallest of the bedrooms is proposed to be converted to an office room for staff. The first-floor bathroom is communal, and no bedroom has an en-suite. At ground floor, the floor plan would remain relatively the same and comprises an internal lounge, kitchen and dining room as well as a WC. The property also has an extended conservatory to the rear.

The dwelling has a driveway to the front as well as a rear garden, which are to be retained. They would provide off-street car parking and private amenity space for future occupants.

BACKGROUND:

This application is being reported to Committee because third-party letters of objection received exceed the threshold for referral to Committee - as set out in Annex A within 3E.7 of the Council's Constitution.

RELEVANT PLANNING HISTORY:

- 001708 Single storey extension to front.
Received: March 2000 and Approved: April 2000
- 028600 Garage and kitchen extension to side, canopy and porch.
Received: September 1988 and Approved: November 1988

RELEVANT PLANNING POLICIES:

- Policies of the Borough Plan Review 2025:

- Strategic Policy DS1 – Delivering sustainable development
- Strategic Policy DS2 – Settlement hierarchy and roles
- Policy BE3 – Sustainable design and construction
- Policy H4 – Nationally Described Space Standards
- Supplementary Planning Guidance / Supplementary Planning Documents.
 - Sustainable Design and Construction SPD 2020.
 - Transport Demand Management Matters SPD 2022.
- National Policy Planning Framework (NPPF) 2024.
- National Planning Practice Guidance (NPPG).

CONSULTEES NOTIFIED:

NBBC Environmental Health, NBBC Private Sector Housing, NBBC Waste and Refuse, Severn Trent Water, Warwickshire Fire Safety, Warwickshire Police, WCC Childrens Commissioning Services, WCC Highways & WCC Infrastructure.

CONSULTATION RESPONSES:

No objection subject to conditions:
Severn Trent Water

No objection from:
NBBC Environmental Health, WCC Highways & WCC Infrastructure

Comment from:
Warwickshire Fire Safety, Warwickshire Police & WCC Childrens Commissioning Services

No response from:
NBBC Private Sector Housing & NBBC Waste and Refuse

NEIGHBOURS NOTIFIED:

The neighbouring properties at 30, 34 and 36 Chesterton Drive; 4, 5, 6, 7, 8 and 9 Marlowe Close; 1 and 16 Austen Close and Hill Farm, Plough Hill Road.

Neighbouring properties were sent letters notifying them of the proposed development on 25th September 2025.

NEIGHBOUR RESPONSES:

There have been 8 objections from 5 addresses. The comments are summarised below;

1. No guarantee the children won't have extreme behaviours or criminal histories
2. Increase footfall and cars will impact the area
3. Children's families will be hostile and this could cause disturbance
4. Children who currently live in the area do not want this
5. Impact on car parking for both the property and all neighbouring properties
6. Parking on the road is dangerous and this will increase
7. Not enough amenity space on site
8. Impact on existing infrastructure
9. Front of the property has a slope which is dangerous for children
10. What about minibus or larger vehicle travel
11. This will lead to violence, anti-social behaviour and more police call outs
12. The company are only applying because Nuneaton and Bedworth will approve when other councils will not

13. Will lead to significant distress for neighbours as a result of this change of use
14. A detrimental impact on effect on local resident's daily life, sense of security and mental health
15. Dwelling is not fit for purpose
16. Poses unacceptable risks to both the children intended to be housed there and to the local community

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

Strategic Policy DS1 of the Borough Plan Review states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF). 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 Review (and where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.

The application site is located within an established residential estate in Nuneaton. Nuneaton has the primary role for employment, housing, leisure and service provisions within the Borough as per Strategic Policy DS2 of the Borough Plan Review. The site is also within the defined settlement boundary, as per the same policy. The site is located within walking distance to suitable facilities including Hickman Road shops, Galley Common Infant School as well as 2no. community parks and 1no. local park, also located within Galley Common.

Policy H1 of the Borough Plan Review states that development proposals for specialised housing will be approved where a local need can be demonstrated. WCC have provided a consultation response stating that there is sufficient data evidence to say that there is a need for children's home provision within Warwickshire. They do note that most of these applications received are in the Nuneaton and Bedworth area where several children's homes are already established and many more have been given permission.

It cannot be confirmed as part of this application the specific ages of children who will occupy the site (other than those between the ages of 5-17) nor can it be confirmed whether the children to be homed at this premises are to be from the Warwickshire area or further afield. However, it is for the experts in this field (Ofsted, WCC Childrens Services and other Council's Childrens Services Teams, along with private industry professionals) to home children in the best placement available to them at that time. This application would provide an additional home and increase the chance that a local child can be homed in their local area. The management plan submitted with the application has stated that the home is designed to be a small, therapeutic environment for a younger cohort of children and that it is not intended to house children with high-risk or extreme behaviour, but this cannot be conditioned or controlled by Planning.

On balance, taking into account the settled case law (North Devonon DC v SoS) on the change of use from a C3 dwelling to a small Class C2 children's care home, as the change proposed would not materially change the use of the property, it is considered that the proposal is acceptable in terms of the principle of the change of use to Class C2 (children's care home).

2. Impact on Residential Amenity

The proposal would provide accommodation for a maximum of 3 children. Concerns have been raised by residents with regard to safety, noise and loss of privacy, all of which are considerations which may impact the residential amenity of the area.

With regard to noise generated from the comings and goings, a similar application was refused and overturned at appeal in January 2023 in Burnley (ref APP/Z2315/W/22/3305898). This proposal provided four bedrooms for children and two for staff. Within the appeal decision, the Inspector stated that *'the proposed use would function very much like a typical family home with older adults caring for children of mixed ages'* 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'*. The Inspector acknowledged that there would inevitably 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. The Inspector also stated that *'given the scale of the proposal, the noise and disturbance associated with the comings and goings would not be disproportionately or significantly above what could reasonably be expected to be generated by the existing five bedroom dwellings'*. The Inspector finally went on to say that a family dwelling could consist of adults, children and teenagers. In occupying the property, they could generate considerable activity in the form of comings and goings for work, school, leisure and shopping at various times of the day. This decision is a material consideration for this application.

This property has four bedrooms as existing. It is considered that the comings and goings expected due to this development would not be dissimilar to, if not less impactful than, a 4-bedroom family home. It would not be unusual for a C3 family home with 4 bedrooms to be occupied by 3 children.

Regarding noise from the future occupiers, whilst noise has been assumed within the majority of objections received, it is considered unreasonable to assume that looked after children are any more noisy or disruptive than any other family or children that may move into the property. In addition, the Inspector's decision for APP/Z2315/W/22/3305898 concluded that any noise arising from the property would be unlikely to significantly exceed the levels that could be generated by a typical family home with children of a variety of ages. NBBC Environmental Health have been consulted as part of this application and raise no objections, stating that in terms of noise which is believed to have been raised by several objectors, whilst this is a change of use, it is essentially still a place of dwelling and the dynamic is seen as carers replacing parents on a like for like basis for what constitutes a family. Given the size of the property and number of available bedrooms, the proposed occupancy is not dissimilar to a large family occupying the house and the potential activities that occupancy might involve would be similar.

While the perception of fear in crime, safety and anti-social behaviour is capable of being a material consideration, there is no substantial evidence to imply that such

non-C3 use, particularly of this scale, would result in detrimental increase in anti-social behaviour/crime rates above and beyond that experienced by local residents or children/young people that form part of a family unit. The NPPF seeks to ensure that development is inclusive, and the fear of crime does not undermine quality of life, community cohesion and resilience. The fear of crime can be a material consideration. However, there must be an evidential basis for that fear. Warwickshire Police have been consulted with as part of the application process and they have no objection. In addition, the management of the facility would be required to operate within the minimum national standards for children's homes and staff would be subject to Ofsted regulation and inspections. Children would be looked after by staff members and therefore it is considered that sufficient safeguards are in place to minimise the risk of crime for local children and future occupants. Safeguards and staff training are reviewed by the governing body, Ofsted. The above assessment is based upon the occupancy level identified in the application and whilst it is somewhat dictated by the scale of the property, it is considered appropriate to limit the number of young people occupying the property to 3 as set out in the Planning Statement, by condition, to ensure the amenity of neighbouring properties. As such, it is not considered to be reasonable to refuse the application on this basis.

The proposal is for a change of use only and there are no proposed changes to the external dwelling elevations or features. The ground floor amenities and floor layout plan will be mostly retained with the features retained being the lounge, dining room, kitchen and conservatory with the only change being the change from a study to an office, which it to provide a more formal designation for the manager and working professionals at the property. On the first floor, there will be 3 bedrooms and 1 staff bedroom, all of which were labelled bedrooms previously. The only alteration is the introduction of a staff bedroom where there was previously a bedroom. The property features no en-suites and 2 communal bathrooms/WCs.

Policy H4 of the Borough Plan Review states that all residential dwellings should comply with the National Described Space Standards (NDSS) unless proven not to be feasible, including any dwelling which does not fall within a C3 use class. This is a 2-storey dwelling for between 4 and 6 occupiers. This means that the property should be at least 106m² with 3.0m² of built in storage. Once measured, the floorspace space of the property is approximately 111.8m² which is above the 106m² and features enough extra space for it have plenty of storage. The proposal includes four bedrooms, which are currently in use as sleeping accommodation. The Nationally Described Space Standards (NDSS) require single bedrooms to provide a minimum floor area of 7.5 sqm and a minimum width of 2.15m. Two of the four bedrooms exceed these minimum standards. The remaining two bedrooms, including the staff bedroom and one additional bedroom, fall below the NDSS requirements to differing degrees. In particular, the child's bedroom measures approximately 7.0 sqm, representing only a minor shortfall with the staff bedroom measuring 3.5m². This limited non-compliance is not considered to significantly weigh against the proposal. All four rooms are existing bedrooms within the property and would continue to be used as such irrespective of the development, as the dwelling would remain in Use Class C3. No additional bedrooms are being created, nor is there an intensification of use. On this basis, the minor deviation from the NDSS is considered acceptable, and the proposal is judged to accord with the overall aims of the policy. Accordingly, this matter does not justify refusal and is not considered to undermine the acceptability of the development. The dwelling and rooms within the dwelling are of a good size and would provide suitable space for privacy within bedrooms as well as a good size living room providing a social area. The property also has a rear garden for outdoor amenity.

It is consequently considered that there would be no unacceptable impact to the residential amenity of neighbours or future occupiers.

3. Impact on Highway Safety and Parking

The Transport Demand Management Matters – Parking Standards SPD states that in the case of Class C2, there should be one space provided per 4 residents and one space per 2 (FTE) staff members. However, when considering that this is to be a children's home, it is not considered necessary to provide parking for the residents as the children are unlikely to drive or own a car. WCC Highways agree that the children are unlikely to drive themselves so consideration should only be given for staff parking.

The site, as existing, has off-street car parking on an existing driveway which could provide parking for up to 4 vehicles, in two tandem style rows. It is stated that staff arrangements would be 1 registered manager working at the site Monday – Friday 9am – 5pm, though this may vary depending on operational needs. Shift handovers occur at 8am and 11pm daily, and the staffing model is built around a 1 to 1 care arrangement, with each child being supported by one dedicated carer throughout the day. At night two sleep in staff will remain on site. Therefore, during the day there will be 4 staff (1 manager and 3 one to one carers) and 2 at night.

WCC Highways have been consulted on this application and have submitted a response of no objection. They have stated in their response that the Parking Standards SPD do not set out the requirements for a children's home specifically. Therefore, in terms of parking, the site will likely appear more like a residential dwelling which in terms of the SPD, Class C3 should provide 2 no. parking spaces for dwellings with 2+ bedrooms. Furthermore, there is on-street parking available which may be used by any additional staff and visitors. It is not considered that on-street parking would result in harm to highway safety and as such, they had no objections.

The Transport Demand Management Matters – Parking Standards SPD states that for use class C2 and for specifically residential institutions, which this is, there should be 1 cycle space per 3 staff (FTE) on shift and 1 space per 20 beds. The number of cycle spaces and storage is not fully detailed on the plans, but a label is on the site plan. A suitably worded condition will be added to the decision notice should this be approved.

It is considered that the development would not have any material harm to highway safety or parking and is therefore considered to be acceptable.

4. Other Considerations

Severn Trent Water were consulted on the application, and they returned a response of no objection subject to a condition surrounding the disposal of foul and surface water and when this should be triggered to be sent for discharge of condition. Having assessed the condition against the NPPF tests however, it is felt that it is not necessary or relevant to the development as this is not a new unit, no new bathrooms are proposed nor is hard surfacing changing. Therefore, the unit will use the same disposal methods as the existing property which is acceptable and therefore, this condition will not be added to the decision notice.

5. Conclusion

In conclusion, the NPPF 2024 (paragraph 11) 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 principle of the change of use is considered to be acceptable, given that the property is located within a residential area and within the defined settlement boundary. The proposed use is a form of residential accommodation, and it is considered that the levels of noise and vehicular movements would not be dissimilar to that created by a 4-bed C3 dwelling. The level of parking provision is considered to be acceptable for the type and scale of the use and WCC Highways, NBBC Environmental Health and Warwickshire Police all have no objection to the scheme.

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.

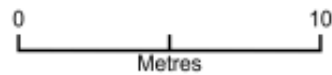
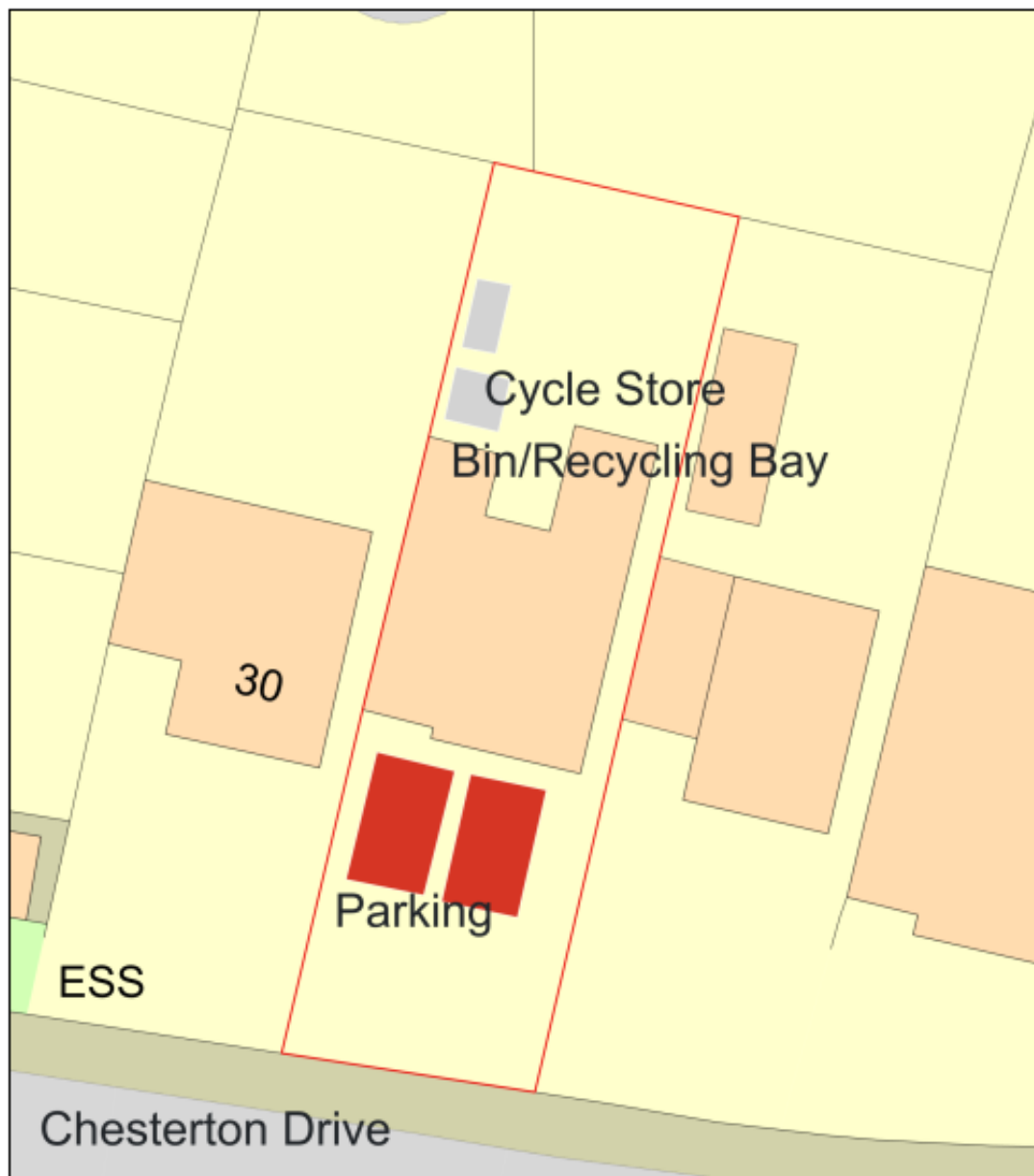
SCHEDULE OF CONDITIONS:

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 shall not be carried out other than in accordance with the approved plans contained in the following schedule:

<u>Plan Description</u>	<u>Plan Reference</u>	<u>Date Received</u>
Existing Layout	0017-SPS-XX-XX-DR-0001	05/09/2025
Proposed Layout	0017-SPS-XX-XX-DR-0002	05/09/2025
Site Plan	N/A	05/09/2025

3. The number of children and staff members occupying the property shall operate in accordance with the Planning Statement received by the Council on the 5th September 2025. Specifically, there shall be no more than 3 child residents occupying the property at any one time.
4. Notwithstanding the approved plans in Condition 2, the proposed use hereby approved shall not commence until the full details of the proposed cycle store as shown on the site plan has been submitted to and approved in writing by the Council. There shall be no occupation until the cycle store has been implemented on site in accordance with the approved details and shall be retained for the duration of the development.

32 Chesterton Drive



Plan Produced for: A Ahmed
Date Produced: 05 Sep 2025
Plan Reference Number: TORQM25248090035546
Scale: 1:200 @ A4

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Site Plan

REFERENCE No. 041338

Site Address: 2 Glebe Road, Nuneaton, Warwickshire, CV11 4BJ

Description of Development: Change of use from up to 6 bedroom House of Multiple Occupation (Use Class C4) to up to 7 bedroom House of Multiple Occupation (Use Class Sui Generis)

Applicant: Ms Lucy Reah

Ward: AT

RECOMMENDATION:

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

INTRODUCTION:

The application seeks permission for a change of use from an up to 6 bedroom House of Multiple Occupation (HMO) (Use Class C4) to an up to 7 bedroom House of Multiple Occupation (Use Class Sui Generis) at 2 Glebe Road. The development largely relates to internal works including a loft conversion, notwithstanding a cycle store to the rear.

The site relates to an end-terrace building and associated outdoor space. To the west is Glebe Road itself. On the opposite side of Glebe Road are Nos. 1, 3 and 3a Glebe Road, as well as outdoor rear space associated with No. 101 Wheat Street. To the north are outdoor rear spaces associated with Nos, 105, 107, 109, 111 and 113 Wheat Street. To the east is the West Coast Main Line railway. To the south is the attached property No. 4 Glebe Road and its associated outdoor rear space. A covered shared passage between the application site and No. 4 allows for direct access to the rear of these properties.

There are a range of design types of materials along Glebe Road. The most common properties are terraced dwellinghouses in white render and/ or red brick. Care homes/ supported accommodation etc. are also present along Glebe Road, of particular note is Stan Williams Court at the southern end of the Road.

Glebe Road falls within the N1 parking permit zone. This zone is managed by WCC. The conditions of parking allocated to this zone are:

- Permit holders parking only, or
- 1 hour parking with no return within 2 hours (Monday to Saturday, 08:00 to 20:00)

It is understood permits are restricted to up to three resident permits per property, as well as 1 visitor permit per property (with some exceptions). The Wheat Street-Glebe Road junction is subject to double yellow lines (i.e. no parking at any time). Glebe Road has unrestricted parking on one side of the Road, and zone restricted parking

on the other side. The management of the zone, and any future changes, are separate to this application.

BACKGROUND:

This application is being reported to Committee because third-party letters of objection received exceed the threshold for referral to Committee - as set out in Annex A within 3E.7 of the Council's Constitution.

RELEVANT PLANNING HISTORY:

There is no record of any planning history, i.e. planning applications at this site. The property was built prior to the creation of the planning system, established by the Town and Country Planning Act 1947.

This site is not to be confused with 2 Glebe Lane, Nuneaton, CV11 6LR.

RELEVANT PLANNING POLICIES:

- Policies of the Borough Plan Review 2025:
 - Strategic Policy DS1 – Delivering sustainable development
 - Strategic Policy DS2 – Settlement hierarchy and roles
 - HS2 - Strategic accessibility and sustainable transport
 - NE3 - Biodiversity and geodiversity
 - NE4 - Managing flood risk and water quality
 - Policy BE3 – Sustainable design and construction
 - Policy H4 – Nationally Described Space Standards
 - Supplementary Planning Guidance / Supplementary Planning Documents.
- Supplementary Planning Guidance / Supplementary Planning Documents.
 - Sustainable Design and Construction SPD 2020.
 - Air Quality SPD 2020
 - Open Space and Green Infrastructure (OSGI) SPD 2021
 - Transport Demand Management Matters SPD 2022.
- National Policy Planning Framework (NPPF) 2024.
- National Planning Practice Guidance (NPPG).

CONSULTEES NOTIFIED:

NBBC Environmental Health, NBBC Licensing/Private Sector Housing, NBBC Waste and Refuse, Network Rail, Severn Trent, Warwickshire Fire Safety, Warwickshire Police Crime Prevention Design Advisor & WCC Highways Authority.

CONSULTATION RESPONSES:

No objection subject to conditions:
Severn Trent

No objection from:

NBBC Environmental Health, Network Rail, Warwickshire Fire Safety, Warwickshire Police Crime Prevention Design Advisor & WCC Highways

Comment from:

NBBC Licensing/ Private Sector Housing

No response from:

NBBC Waste and Refuse

NEIGHBOURS NOTIFIED:

The following neighbouring properties were sent letters notifying them of the proposed development on 25th Nov 2025. Nos. 101, 105, 107, 109, 111 and 113 Wheat Street. Nos. 1, 3, 3a and 4 Glebe Road.

NEIGHBOUR RESPONSES:

There have been letters of objection from 6 addresses as well as ward Cllr Hey. The comments are summarised below;

1. Motives or morals of those involved in the development
2. Inadequate public consultation
3. Some works and/ or occupation have already taken place without planning permission or licensing consent
4. The site is not well maintained or unsightly
5. Cumulative impact of this development in combination with other HMOs and/ or uses in the area i.e. 'over intensification'
6. Impact on character and/ or appearance of the area
7. Impact on anti-social or criminal behaviour
8. Impact on general health and safety
9. Impact on noise and disruption
10. Impact on fire safety
11. Impact on parking provision
12. Impact on highway safety/ vehicular access
13. Impact on waste
14. Impact on sewers or drainage
15. Additional policies should be adopted e.g. a HMO 'sandwich' policy and/ or an Article 4 Direction.
16. No need for the development
17. Inaccurate or unrealistic submission

APPRAISAL:

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

1. Other matters
2. The principle of the development
3. Impact on residential amenity
4. Impact on visual amenity
5. Impact on highway safety and parking
6. Flooding and drainage
7. Waste and fire safety
8. Ecology, biodiversity, landscaping and trees
9. Conclusion and planning balance

1. Other Matters

Material Planning Considerations

PPG Paragraph 008 Ref. ID 21b-008-20140306 notes a material planning consideration is one relevant to making the planning decision in question (i.e. whether to grant or refuse planning permission). The scope of what constitutes a material consideration is very wide and so courts often do not indicate what cannot be a material consideration. However, in general they take the view planning is concerned with land use in the public interest, so the protection of purely private interests are not a material consideration. Matters which would be addressed separately to planning - e.g. any separate consents required by building regulations, licensing etc. - would also generally be viewed as not a material planning

consideration. NBBC Licensing/ Private Sector Housing have confirmed a license has been applied for, however that process is wholly separate to planning.

The Council's Constitution (3E.7iv) states the following are not valid planning considerations: *'1. Developers/ applicants' motives or morals 2. Loss of views over other people's land 3. Impact on property value 4. Impact on private rights and/ or covenants 5. Boundary disputes or objections arising from disputes unrelated to the planning application.'*

It should be noted that planning cannot control people's behaviour. For example, this planning application cannot control an individual hypothetically choosing to park a vehicle dangerously or illegally on a public road etc.

Retrospective Development

PPG Paragraph 012 Ref. ID 17b-012-20140306 notes applicants are entitled to apply for planning permission retrospectively (albeit entirely at their own risk). The Local Planning Authority (LPA) should take care not to fetter its discretion prior to the determination of an application. Any retrospective application must be considered in the normal way. It should be noted in the event of refusal the applicant holds the right to appeal. Enforcement action would not generally be taken against hypothetical refused retrospective development whilst the period allowed for an appeal is ongoing, and also whilst pending the outcome of such an appeal.

In this instance, the internal works (appearing to essentially be complete at the time of the LPA's site visit) in themselves do not inherently require planning permission. It is the change of use which inherently requires planning permission. A change of use from a dwellinghouse (Use Class C3) to a HMO of up to 6 occupiers (use Class C4) does not require planning permission. A change of use to a HMO for 7 or more occupiers (Use Class Sui Generis) does require planning permission. It is the LPA's understanding that currently 3 bedrooms in the property are occupied (including the loft bedroom), and there is therefore no breach of planning control at this time.

The outcome of this application would not affect the ability of a HMO for up to 6 occupiers from continuing to operate at the site.

There are no Article 4 Directions relevant to this site. In any case, Article 4 Directions simply require an application for planning permission for certain development. Such an application is already required for this development.

Consultation/ Publicity

LPAs are required to undertake a formal period of public consultation prior to determining a planning application. This is prescribed in Article 15 of the Development Management Procedure Order (as amended). For an application of this type/ scale the requirements are this be publicised:

'(a) by site display in at least one place on or near the land to which the application relates for not less than 21 days; or

(b) by serving the notice on any adjoining owner or occupier.'

Third party consultation/ publicity requirements per (b) above have been fulfilled. The latest versions of submission documents relevant to the application are available to view on the Council website.

2. The Principle of Development

The NPPF establishes the need for the planning system to achieve sustainable development and it breaks down sustainable development into three key constituents

which are; economic, social and environmental dimensions (paragraphs 7 and 8). The NPPF also sets out a presumption in favour of sustainable development (paragraph 11). In broad terms, this means that the application should be approved providing that it is in accordance with the development plan and other policies within the NPPF, unless material considerations or adverse impacts indicate otherwise (paragraph 11). The presumption in favour of sustainable development is also set out in Policy DS1 the Borough Plan Review which should be seen as a golden thread running through plan making and decision taking.

Policy DS2 of the Borough Plan Review sets out the hierarchy and roles for each settlement in the Borough with Nuneaton having the primary role for employment, housing, town centre, leisure and service provision. New development within settlement boundaries will be acceptable subject to there being a positive impact on amenity, the surrounding environment and local infrastructure.

NBBC Licensing/ Private Sector Housing advise there are currently no licensed HMOs in Glebe Road. It is not considered that this development would result in an over intensification of HMOs or comparable uses in the locality.

The application relates to a single additional bedroom at an existing HMO. The existing HMO does not require planning permission. Overall, the principle of development is considered to be acceptable and in accordance with the Borough Plan Review, subject to all other planning matters being adequately addressed.

3. Impact on Residential Amenity

General considerations

Policy BE3 of the Borough Plan Review state that all development proposals must contribute to local distinctiveness and character and one of the key characteristics to review is residential amenity. All development proposals must contribute to local distinctiveness and character by reflecting the positive attributes of the neighbouring area, respecting the sensitivity to change of the generic character types within each urban character area. Key characteristics to review include:

- Current use of buildings
- Ownership/ tenure
- Street layout
- Patterns of development
- Residential amenity
- Plot size and arrangement
- Built form

Paragraph 135f of the NPPF is also relevant and sets out the need for planning to deliver a high standard of amenity for all existing and future occupants of buildings.

The site already functions as an existing HMO. The scheme would result in a change of use as outlined above, albeit this change of use only entails a single additional bedroom in comparison to what can be achieved without requiring planning permission. As set out above, the outcome of this application would not impact the ability of a HMO for up to 6 occupiers from continuing to operate at the site. There is no indication the current ownership would change, although clearly the occupiers would change. There would be no changes to the street layout, plot size/ arrangement, or pattern of development. The only change to the built form would be the provision of an outdoor cycle store adjacent to the boundary between Nos. 2 and 4 Glebe Road. Impacts on amenity are considered below.

Light

There are considered to be no meaningful impacts on light to neighbouring occupiers given the only external change is a cycle store. This store at 2.1m in height and 4m in length is not considered to result in any overbearing impacts. Paragraph 11.9 in the 2020 SPD notes near the boundary of an adjoining usable rear private amenity space a proposed single storey extension shall be less than 4m long (albeit this is not an extension). The store would have a similar impact on light to the existing 1.8m fencing it is adjacent to. In addition, the store is situated to the north of No. 4, which mitigates potential impacts on light.

Pollution

Paragraph 187 of the NPPF requires (amongst other things) that planning decisions should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability.

The site accommodates an existing similar scale residential unit. Given the existing use, it is considered very unlikely there would be historic contamination discovered requiring any meaningful remediation. NBBC Environmental Health, the technical consultee with expertise on such matters, have raised no concerns with regards to contamination. Given the scale and location of the development, unacceptable future impacts on air quality are considered unlikely (the standard domestic heating provision boiler condition would be able to be imposed). The site is not within the Coal Authorities high risk development zone.

Anti-social behaviour, crime and noise etc

Future occupiers of the site would be exposed to noise etc. from adjacent roads and nearby properties, i.e. the same as the existing site. Future occupiers would be aware of the proximity of the road and nearby properties prior to choosing to live there.

Section 7.6 of the SDC SPD (amongst other matters) notes the change of use from a dwellinghouse to a HMO would not be permitted unless adequate sound insulation can be provided (albeit this is already a HMO).

Based on reasonable use of the site, the types of noise nuisance at the proposed site are considered similar to the existing site. There is some potential for an increase in noise levels given the limited intensification of the site. The technical consultee with expertise on noise, NBBC Environmental Health, has raised no concerns with regards to noise. The agent has advised that the works undertaken in the property have included voluntary upgrades to exceed the requirements of building regulations by providing soundproofing to all party walls which pass sound testing. They advise walls between bedrooms have been constructed using soundbloc plasterboard instead of normal wallboard, improving the sound insulation between bedrooms. In addition to this, the party walls have been lined with additional insulation and thermal insulation which acts as both thermal insulation and soundproofing - to help ensure the building is 'future-proofed'.

Paragraph 57 of the NPPF notes conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. NBBC Environmental Health has not indicated further information is required in relation to

noise, i.e. a noise impact assessment is not required in this instance. It is important to note any noise nuisance complaints (as well as any other environmental health complaints) are still able to be reported separately to planning.

Paragraph 8 of the NPPF sets out key objectives of planning, including the social objective of supporting strong, vibrant and healthy communities. Paragraph 96 of the NPPF states planning decisions should aim to achieve places which promote safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion. Fear of crime or anti-social behaviour are therefore a material consideration in planning decisions, although the weight that can be given is usually limited unless there is significant evidence to show crime/ anti-social behaviour would likely actually occur. There is no robust and specific evidence before the LPA to show such issues would inherently occur at this development. The relevant technical consultee with expertise on crime and anti-social behaviour are Warks Police. Their Crime Prevention Design Advisor has confirmed the Police have no objections to this application. It is noted the site will be subject to additional controls through licensing requirements, although that is wholly separate to planning. NBBC Private Sector Housing/ Licensing were consulted and raised no concerns in their consultation response.

Outdoor space

Section 7.6 of the SDC SPD (amongst other matters) notes the change of use from a dwellinghouse to a HMO will not be permitted unless an area for outside drying or measures for drying clothes can be provided (albeit this site is already a HMO).

Per the SDC SPD, sufficient and useable amenity space to meet the recreation and domestic requirements of occupants should be provided. Amenity space should be provided for passive recreation activities such as reading, active recreational uses such as gardening and domestic uses. There is ample outdoor space at the property (maximum dimensions over 30m in length and 6m in width).

The outdoor rear space is screened by walls and fencing, however this ranges in height from around 1m in height along the northern side boundary to around 1.8m in height along the southern side boundary. It is considered reasonable to impose a condition requiring that screening 1.8m in height in full shall be installed in the interests of privacy.

Room sizes/ internal space

The Nationally Described Space Standards (NDSS) are contained within the SDC SPD and the Policy H4 of the Borough Plan Review.

It should also be noted the NDSS is separate to building regulations, licensing etc. General accessibility of a property is understood to be covered by building regulations Part M. Policy H5 in the Borough Plan Review (accessible and adaptable homes) relates to major residential developments only, and is therefore not applicable.

The NDSS does not contain any specific minimum gross internal area and storage standard for properties of 7 bedrooms or more. Likewise, there are no specific standards for additional living spaces (e.g. dining, kitchen, living spaces etc). The NDSS does include:

- A dwelling with 2 or more bedspaces has at least 1 double (or twin) bedroom. This standard is met.

- In order to provide 1 bedspace, a single bedroom has a floor area of at least 7.5 sq m and is at least 2.15m wide. This standard is met.
- In order to provide 2 bedspaces, a double or twin bedroom has a floor area of at least 11.5 sq m. One double (or twin bedroom) is at least 2.75m wide and every other double (or twin) bedroom is at least 2.55m wide. This standard is met.
- The minimum floor to ceiling height is 2.3m for at least 75% of the Gross Internal Area. This standard is met.

To create habitable rooms with adequate daylight the SDC SPD notes ceiling heights measured from the floor should be a minimum of 2.5 m. All habitable rooms meet this standard. It is noted that the outermost parts of the loft bedroom would not meet this standard, however as the vast majority of the room does meet this standard this is considered very unlikely to sustain a reason for refusal likely to be upheld at appeal in itself.

All bedrooms feature an ensuite WC/ shower room (a condition requiring windows to be obscurely glazed and non-opening other than parts 1.7m above floor level would be possible). All habitable rooms have at least one window which allows views of the outside environment, albeit the windows in the loft bedroom are situated in a roof slope not a wall. Given the height of the loft windows and the steep slope of the roof, it is considered a lack of windows in the wall is very unlikely to sustain a reason for refusal likely to be upheld at appeal in itself.

Overall, there is some very minor conflict with the SDC SPD in terms of residential amenity. This will need to be considered in the overall planning balance, although none of the identified conflict is considered to give rise to robust reasons for refusal. There is no direct conflict with the Borough Plan Review.

4. Impact on Visual Amenity

Overall, this application is considered to comply with policy BE3 of the Borough Plan Review and the SDC SPD, with regards to visual amenity. There are no external changes visible from any streetscene.

5. Impact on Highway Safety and Parking

Paragraph 115 of the NPPF states that it should be ensured that safe and suitable access to the site can be achieved for all users. Paragraph 116 of NPPF sets out 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 would be severe.

Among other matters, Policy HS2 of the Borough Plan Review requires development to result in acceptable levels of impact on existing highway networks. Proposals should target a minimum 15% modal shift to non-car-based uses by including provisions which promote more sustainable transport options.

There are no specific parking requirements contained within the TDMM SPD for this application type. In any case only one additional bedroom is proposed in comparison to the existing situation, and a sense of proportionality needs to be used in decision making.

Every application is determined on its own merits, but in general planning policy and appeal decisions (for example Appeal Ref: APP/E3715/W/23/3323021 at 39 Park

Road, Rugby) do not place much weight on limited parking provision where a change of use to a large HMO is:

- within or adjacent to a Town Centre,
- close to public transport links,
- if there are only a limited number of additional occupiers or bedrooms.

The SDC SPD states '*Change of Use from a Dwellinghouse to a HMO ... No off-street parking will be required if the property is within or adjacent to a Town Centre.*' The site is less than 100m from the Town Centre boundary as defined by the Borough Plan Review, less than 400m from Nuneaton Train Station, and less than 450m from Nuneaton Bus Station (albeit the site is already a HMO).

The management of the parking permit zone is separate from this planning application; nonetheless the proposed HMO would not change the resident and visitor parking permits allocated to this property (given the site would continue to accommodate one residential unit). It is accepted that any additional demand for on-street parking in unrestricted areas near the site could result in residents taking longer to find a parking space or having to park further away from their homes, particularly on evenings and weekends. It is acknowledged that this can be an inconvenience to residents. However, this is not considered to amount to an unacceptable impact on their living conditions. The LPA should be very mindful that the Highways Authority did not object to the proposal on highway safety or parking grounds, and they are the technical consultee with expertise on such matters.

Moreover, the property is within walking distance of a town centre, bus station and train station. Additionally, on-site cycle storage for 7 spaces would be provided (subject to condition). Therefore, a range of shops and facilities to meet the day-to-day needs of future residents are accessible by walking, cycling and public transport. As such, the property is in a very sustainable location. Therefore, it is likely that a high proportion of future residents would not need access to a car. Future residents would also be aware of the parking constraint at the site prior to choosing to live there.

As NBBC's adopted guidance is clear parking provision is not required at developments such as this (and only one additional bedroom is proposed) there are considered to be no parking reasons for refusal likely to be upheld at an appeal.

Overall, this application is considered to comply with Policy HS2 of the Borough Plan Review, as well as the relevant provisions of the aforementioned SPDs, with regards to highway safety and parking provision.

6. Flooding and Drainage

The NPPF requires that consideration is given to the potential impact of flooding on new development whilst also ensuring that flood risk is not increased elsewhere as a result of it (paragraph 181). It also sets out a sequential risk-based approach to the location of development to steer this away from the areas at highest risk. Further guidance is provided on flooding and flood risk in PPG. Borough Plan Review Policy NE4 also deals with managing flood risk.

The site is within Flood Zone 1 (i.e. the lowest risk of flooding). The only external change is an outdoor cycle store which is limited in scale.

Severn Trent have requested conditions on proposed foul and surface water drainage details as part of an approval in their consultation response. However, this

response appears to be a standard template which would be irrelevant to this application. There are no proposed changes to the disposal of foul and surface water in comparison to the existing situation. The LPA could not impose conditions requiring details of proposed changes that do not exist, moreover these would not meet the tests for conditions set out in the NPPF.

Overall, the proposal is considered to be compliant with Policy NE4.

7. Ecology, Biodiversity & Trees

Policy NE3 of the Borough Plan Review refers to biodiversity, to ensure this is conserved, enhanced, restored and where appropriate, created.

This application is exempt from statutory Biodiversity Net Gain, as less than 25 sq m of habitat would be impacted. Appropriately worded informatives relating to protected species etc. would be able to be included on any permission.

There are no trees/ hedges within the site. There are trees adjacent to the site, however the only external works proposed are not in close proximity to these trees (almost certainly outside any root protection areas, and existing built form is in situ in between the tree closest to the proposed cycle store). None of the adjacent trees are likely to merit formal protection.

There is some very limited conflict with Policy NE3 of the Borough Plan Review and the OSGI SPD 2021, due to the limited information provided with regards to adjacent trees and foliage. However, given the limited scale of external works and set back from adjacent trees (and the hypothetical loss of these trees would be unlikely to merit a robust reason for refusal in any case), it is considered determination should not be delayed to insist upon further information in this regard.

8. Waste and Fire Safety

NBBC Waste have not responded to their consultation request. Nonetheless bins would be able to be stored to the rear of the site, and brought kerbside on collection days via a side passage (i.e. there are no meaningful differences with waste storage in comparison to the existing situation).

With regard to fire safety, Warwickshire Fire and Rescue Service have been consulted on the application and raise no objection to the proposal. The development appears to comply with all criteria as per Approved Document B, Volume 1, Requirement B5 – Access and Facilities for the Fire Service, although it is noted this is in part a building regulations document.

9. Planning Balance and Conclusion

In conclusion the NPPF 2024 (Paragraph 11) 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 potential impacts of the proposed development in relation to the principle of the development, visual amenity, residential amenity, highway safety, biodiversity, ecology and trees, flooding and drainage, fire safety and waste have all been considered. As set out, in considering this development, it is important to note this relates to a single additional bedroom at an existing HMO. The existing HMO does not require planning permission. Taking into account the above assessment, on balance it is considered the development would not result in undue conflict with the

adopted development plan, or other policies within the NPPF overall. While there are some very minor considerations which weigh against the proposal, it is not considered that these amount to robust reasons for refusal likely to be upheld at appeal when considering the site/ application contexts. These must be weighed against the benefits of the development, and the presumption in favour of sustainable development. The site is largely already existing; future occupiers would be aware of the constraints of the site prior to choosing to live there. The relatively small scale of this development, especially when considered against the existing built form and use, are not considered to represent an overdeveloped or out of keeping scheme. It is therefore considered the proposed development overall would achieve sustainable development which should consequently be approved subject to conditions. The outcome of this planning application would not grant consent on any separate matters. Non-planning matters are not able to be taken into account in determining this application.

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 proposed development to which this permission relates must not be begun later than the expiration of three years from the date of this permission.
2. The development shall not be carried out other than in accordance with the approved documents contained in the following schedule:

Document Name	Reference	Date Received
Site location plan	24,127-P-001 A	24 th Nov 2025
Proposed site plan	24,127-P-101 C	6 th Jan 2026
Proposed floor plans	24,127-B-411 B	9 th Jan 2026
Proposed section	24,127-B-230 C	9 th Jan 2026

3. No external materials shall be used in the development other than of the same type, texture and colour as those used on the existing site, and those shown on documents listed in the schedule within condition 2, unless otherwise agreed in writing by the Local Planning Authority.
4. The cycle storage, as shown on the proposed site plan ref. 24,127-P-101 C received by the Local Planning Authority on 6th Jan 2026, shall be fully installed prior to occupation of the approved development and retained for the duration of the development, unless otherwise agreed in writing by the Local Planning Authority.
5. The rear outdoor space, as shown on the proposed site plan ref. 24,127-P-101 C received by the Local Planning Authority on 6th Jan 2026, shall have opaque screening to no less than 1.8m above ground level along the site boundary fully installed prior to occupation of the approved development and retained for the duration of the development, unless otherwise agreed in writing by the Local Planning Authority.

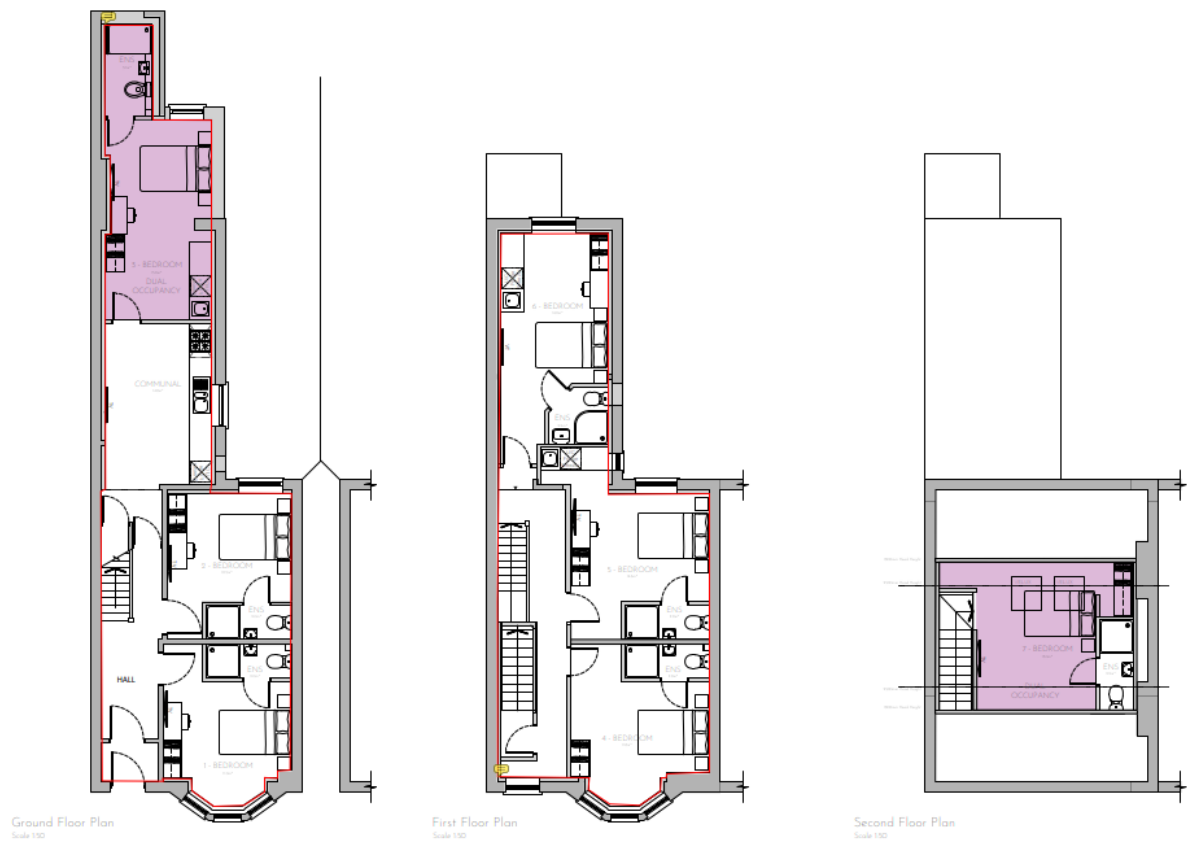
6. For domestic heating provision, all new gas-fired boiler installations shall be low NO_x emission type that meet a minimum standard of less than 40 mg NO_x/kWh.
7. Windows accommodating shower/ WC rooms, as shown on floorplans 24,127-B-411 B received by the Council on 9th Jan 2026, shall have glazing obscured to a level not less than 4. These windows shall also be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the windows are installed. This arrangement shall be retained for the duration of the development.



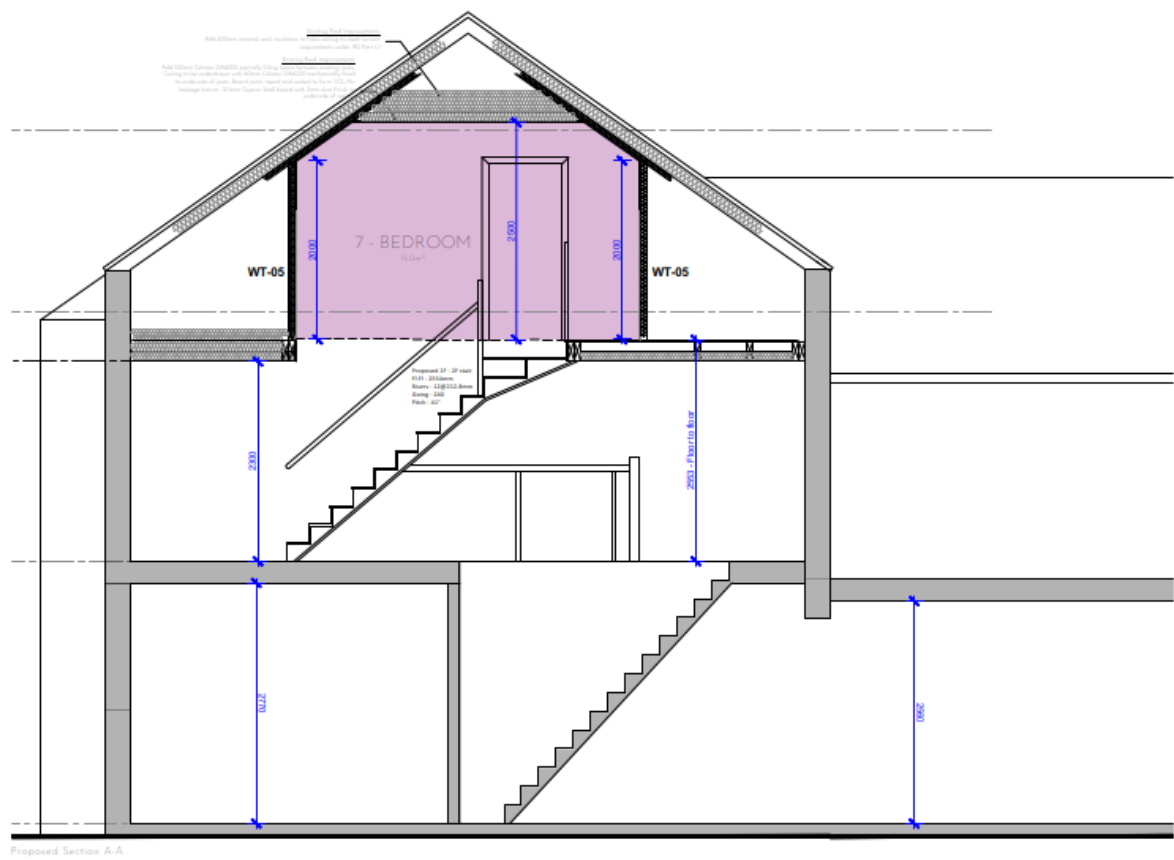
Location Plan



Site Plan



Proposed Floor Plans



Cross Section Drawing

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)