

# Regulatory Committee

Tuesday 5 September 2023

## Minutes

### Attendance

#### Committee Members

Councillor Jill Simpson-Vince (Chair)  
Councillor John Cooke (Vice-Chair)  
Councillor Jeff Clarke  
Councillor Judy Falp  
Councillor Dave Humphreys  
Councillor Justin Kerridge  
Councillor Chris Mills  
Councillor Adrian Warwick  
Councillor Caroline Phillips  
Councillor Andy Jenns

#### Officers

Helen Barnsley, Senior Democratic Services Officer  
Caroline Gutteridge, Delivery Lead Commercial & Regulatory  
Deborah Moseley, Democratic Services Team Leader  
Georg Urban, Senior Planner  
Scott Tompkins, Director of Environment, Planning & Transport

#### Others Present

Anna Gillings - Agent representing the applicant.  
Andy Mitchell- Press

### 1. General

Councillor Jill Simpson-Vince apologised for the delay in starting the meeting which was due to technical issues.

#### (1) Apologies

Apologies were received from Councillor Jack Kennaugh and Councillor Tim Sinclair.

#### (2) Disclosures of Pecuniary and Non-Pecuniary Interests

Councillor Jeff Clarke declared that he would leave the meeting for item four due to his position at Nuneaton and Bedworth Borough Council.

Councillor Caroline Phillips wished it to be noted that she is a member of Warwickshire County Council's Corporate Parenting Panel – in relation to item four on the agenda.

### **(3) Minutes of the Previous Meeting**

The minutes of the meeting held on Tuesday 1 August 2023 were approved as a true and accurate record.

There were no matters arising.

## **2. Delegated Decisions**

Members noted the delegated decision made by officers since the last meeting, as set out in the report.

## **3. Appointments to External Organisations**

Deborah Moseley, Democratic Services Team Leader, presented the report in relation to the outside appointments as attached in Appendix 1. It was confirmed that if the report was approved by the Committee, then the appointments would take effect immediately.

The Committee was asked to note that the appointment to the West Midlands Combined Authority Overview & Scrutiny was an annual appointment. In addition, the appointment to the post of Director of Warwick Technology Park Management Company 1 and 2 Limited was an officer appointment.

Councillor Judy Falp raised the fact that the Council does not receive any feedback from the appointments to outside bodies and confirmed that it is common practice in another local authority where reports are presented to scrutiny committees. Deb Moseley confirmed that this process is not in place at Warwickshire County Council but that she would take the comments away for review.

The recommendation was proposed by Councillor Jill Simpson-Vince and seconded by Councillor John Cooke. A vote was held and the Committee voted unanimously in favour of the recommendation.

### **Resolved**

That the Regulatory Committee agree and/or confirm the proposed appointments as set out in the appendix to the report.

## **4. Planning Application NBB/23CC002: Change of use of existing dwelling house (Use Class C3a) to a Children's Care Home (Use Class C2) including conversion of the garage to office, external alterations and provision of parking spaces - 18 Staines Close,**

Georg Urban, Senior Planner gave an overview of the report, highlighting the application location and details of the local area. Councillors noted the existing premise and the proposed changes, including two additional parking spaces at the front of the property and the pond in the back garden being filled in. There would also be an additional shower room added and the garage is proposed to be turned into an office.

It was noted that the proposed site is on an established estate within Nuneaton considered to be an acceptable and sustainable location.

It was confirmed to the Committee that in relation to planning policy H1, the proposed application will not adversely affect environmental assets in the area. It was confirmed that there had been no objection from the county ecologist.

It was noted that the application confirms to the need for the housing in the area, due to the responsibility of Warwickshire County Council to care for looked after children within the county. Currently, children in care are sometimes placed outside of Warwickshire. Provision has also been created in Stratford and Leamington but is lacking in the north of the county.

The Committee noted that one response in objection to the application was in relation to the site being an inappropriate location but no clear reason given by objectors as to why the location is inappropriate.

In response to the objection in relation to the design and appearance of the application site, the Committee was informed that design considered to be acceptable and in keeping with the area.

In response to the objection in relation to the fear of crime, the Committee was informed that National Planning Policy Framework guidance states that fear of crime can be considered as a material planning consideration only if there is evidence of previous crime in the area. The police have confirmed that this is not the case in the proposed area.

## **Questions**

Councillor Adrian Warwick asked, in relation to the changes at the front of the house if there were any plans for plants/screening to keep the look of a residential property. Georg Urban confirmed that there is a requirement for an ecological enhancement scheme for the property and that officers can add a requirement for the planting at the front of the property to be replaced as appropriate and in keeping with the other properties, It was noted that it would be preferable to keep as much of the original vegetation as possible. Caroline Gutteridge, Delivery Lead Commercial & Regulatory, confirmed that additional proposals for the front of the property could be added to Condition Six of the application.

Councillor Dave Humphreys requested confirmation that the home would be for Warwickshire children in care. It was confirmed that the proposal was to accommodate and meet the need of children in care in Warwickshire but that it could not be guaranteed that children from outside the county would never be housed there.

## **Public Speaking**

Mr. R.V. Scrine stated that the meeting was the first opportunity he has had to properly meet with councillors face to face in relation to the proposal and that any consultation up until this point had been patronising and disgraceful.

Mr. Scrine provide the Committee with details of past experiences he and his family have had with challenging and anti-social behaviours previously and stated that they should not be expected to live next door to a similar situation. Mr. Scrine stated that the council was living in fantasy to expect

that the proposed application would result in a “normal” family home and that undoubtedly, the council will expect the neighbours to be responsible for monitoring the home and reporting the issues.

Emma Patchwell, agent representing the application spoke to confirm that the application is in response to a need to uphold Warwickshire County Council’s duty to provide accommodation for children in care and that the home would be for 13–17-year-olds.

It was confirmed that application does not depend in anyway or require the local residents to support it in anyway. It will be difficult to distinguish the difference to any other home in the area other than the coming and going of carers. It is a vital development to provide much-needed accommodation for children in care.

## **Debate**

Councillor Jill Simpson-Vince stated that it was important to note that just because the application is a Warwickshire County Council application does not mean it will be treated anymore fairly by the Committee. In fact, the Committee has a history of being incredibly firm with their own applications.

Councillor Adrian Warwick raised concerns in relation to the possibility that the property would look like a care home; stating that it needs to look like a residential property. Councillor Warwick confirmed that he would like to see an enhancement of the condition in relation to the appearance at the front of the property.

In addition, Councillor Warwick added that it is clear that officers could have engaged in a much better way with the local residents. That is something that must be looked into for future applications.

Councillor John Cooke stated that this is not the first time he has experience of applications such as the one presented today. When they were first proposed they were also challenged but once the applications were approved, not one single complaint was made. Councillor Cooke continued that often there is the fear of the worse rather than the consideration that it will all work out for the best. It is essential that the children are given the change to grow up in a family setting. It is a planning matter – and there is no reason for it not to be approved. Councillor Cooke proposed the matter, with the addition as discussed by Councillor Warwick.

Councillor Dave Humphries stated that with personal experience of care homes, he understands this from a different point of view. Words are easy, but actions are difficult. Councillor Humphreys continued that he would want to see that there is a real investment in the children that are placed there and asked for confirmation that everything in place to provide support not only to the children but also the neighbours such as Mr Scrine?

Councillor Chris Mills added that he would also perhaps feel the same as the neighbours, adding that, as Councillor Humphries said, the council must make sure that there is support in place for the neighbours as well as the children.

Councillor Judy Falp stated that she was sorry that the neighbours have had to wait until this meeting today to be able to raise concerns, adding that a planning meeting is not the place for the

concerns highlighted by Mr. Scrine and that they should have been addressed beforehand. There is no evidence to suggest there are any planning reasons to refuse this application.

Following the proposed from Councillor John Cooke, Councillor Justin Kerridge seconded the proposal. Councillor Jill Simpson-Vince confirmed that she would review the additions to Condition Six as discussed which the Committee agreed to.

A vote was held and the Committee voted unanimously in favour of the recommendation.

### **Resolved**

That the Regulatory Committee authorises the grant of planning permission for the change of use of an existing dwelling house (Use Class C3a) to a children's care home (Use Class C2), including the conversion of the property's garage to an office, external alterations and the provision of parking spaces, subject to the conditions and for the reasons contained within Appendix B of the report of the Strategic Director for Communities.

## **5. Reports Containing Exempt or Confidential Information**

### **Resolved**

That the motion to exclude the public from the remainder of the meeting be approved.

## **6. Exempt Minutes of the Previous Meeting**

The exempt minutes of the meeting held on Tuesday 1 August 2023 were approved as a true and accurate record.

There were no matters arising.