


**RECORD OF EXERCISE OF DELEGATED AUTHORITY BY OFFICER PURSUANT TO
REGULATION 13 OF THE LOCAL AUTHORITIES (EXECUTIVE ARRANGEMENTS)
(MEETINGS AND ACCESS TO INFORMATION) (ENGLAND) REGULATIONS 2012 &
THE OPENNESS OF LOCAL GOVERNMENT BODIES REGULATIONS 2014**

<u>SUBJECT OF DECISION</u> Certificate of proposed lawful development for building operations and a change of use on land at 138 College Street Nuneaton Warwickshire CV10 7BJ	
<u>DECISION REFERENCE</u> DO/49/2024 (MW)	<u>SOURCE OF AUTHORITY AND REFERENCE</u> (i.e. Committee/Constitution/Minute No. etc. Part 3E.3 a)
<u>DATE OF DECISION</u> 28 th October 2024	<u>DECISION MAKER</u> (Name and Job Title)  Matt Wallbank <u>Assistant Director – Democracy & Governance</u>
<u>RECORD OF THE DECISION</u>	
<p>a) The issue</p> <p>Under section 192 of the Town and Country Planning Act 1990, an applicant can ascertain whether any change of use or operations which are to be carried out in, on, over or under land are lawful. This can be done by applying for a certificate of lawfulness.</p> <p>This application is seeking to ascertain that the proposed building operations outlined in the application are lawful (without the need for a formal planning application) by virtue of Schedule 2, Part 1, Class B of The Town and Country Planning (General Permitted Development) (England) Order 2015 (the “Order”) together with a concurrent change of use from a dwelling house into a house in multiple occupation as permitted by Class L of the Order.</p>	
<p>b) The Decision</p> <p>The Certificate be issued for the proposed building operations and change of use</p>	

REASON FOR THE DECISION

The assessment is a matter of law, fact and degree. The applicants have submitted proposals that satisfy the requirements of the 2015 Order

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED IN MAKING THE DECISION

Reject the application. This was not an option in view of the submitted proposals.

WARD RELEVANCE

Poplar

FINANCIAL AND BUDGET IMPLICATIONS

None

CONSULTATION UNDERTAKEN WITH MEMBERS/OFFICERS

This is a legal determination but is published on the weekly list to all Councillors.

ANY CONFLICT OF INTEREST DECLARED BY ANY MEMBER CONSULTED

None

IN RESPECT OF ANY DECLARED CONFLICT BY A CABINET MEMBER, ANY DISPENSATION GIVEN BY THE HEAD OF PAID SERVICE (Note if the decision is a non-executive decision, no dispensation can be given).

Not applicable

EQUALITIES IMPLICATIONS

None

HUMAN RESOURCES IMPLICATIONS

None

FINANCIAL IMPLICATIONS

None

HEALTH EQUALITIES IMPLICATIONS

None

SECTION 17 CRIME & DISORDER IMPLICATIONS

None

RISK MANAGEMENT IMPLICATIONS

None

SME (SMALL/MEDIUM ENTERPRISES) & LOCAL ECONOMY IMPLICATIONS

None

ENVIRONMENTAL IMPLICATIONS

None

LEGAL IMPLICATIONS

This decision complies with Section 192 of the Town & Country Planning Act 1990

ANY OTHER COMMENTS

None

PLEASE RETURN TO THE MONITORING OFFICER AS SOON AS A DECISION IS MADE OR AS REASONABLY PRACTICABLE THEREAFTER