



Appeal Decisions

Site visit made on 10 March 2026

by **D Hartley BA (Hons) MTP MBA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 13 MARCH 2026

Appeal A Ref: APP/J0540/C/24/3352409

Taigh Aisling, 14 Rectory Lane, Glinton, Peterborough, PE6 7LR

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Mr S Collins of Kisimul School Holdings Limited against an enforcement notice issued by Peterborough City Council.
 - The notice was issued on 20 September 2024.
 - The breach of planning control as alleged in the notice is without planning permission, the material change of use of the property from a dwellinghouse (Class C3) to a residential care home (Class C2).
 - The requirements of the notice are to a) cease the use of the property as a residential care home (Class C2) and revert to its lawful use as a dwellinghouse (Class C3), and b) remove any fixtures, fittings, and alterations associated with the use of the property as a residential care home.
 - The period for compliance with the requirements is six months from the date the notice takes effect.
 - The appeal is proceeding on the grounds set out in section 174(2)(a) and (g) of the Town and Country Planning Act 1990 (as amended). Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act.
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Appeal B Ref: APP/J0540/W/24/3352403

Taigh Aisling, 14 Rectory Lane, Glinton, Peterborough, PE6 7LR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr S Collins of Kisimul School Holdings Limited against the decision of Peterborough City Council.
 - The application Ref is 23/01712/FUL.
 - The development proposed is change of use from dwellinghouse (C3) to residential care home (C2) - retrospective.
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Decisions

Appeal A Ref: APP/J0540/C/24/3352409

1. It is directed that the enforcement notice is varied by (i) the deletion of the words "*Cease the use of the property as a residential care home (Class C2) and revert to its lawful use as a dwellinghouse (Class C3)*" in paragraph 5a, and their substitution with the words "*Cease the use of the property as a residential care home (Class C2)*", and (ii) the deletion of the words "*The steps outlined in paragraph 5 must be taken within 6 months from the date this notice takes effect*" in paragraph 6, and their substitution with the words "*The steps outlined in paragraph 5 must be taken within 12 months from the date this notice takes effect*". Subject to the variations, the appeal is dismissed, the enforcement notice is upheld, and planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

Appeal B Ref: APP/J0540/W/24/3352403

2. The appeal is dismissed.

The Notice

3. The Notice requires in section 5a) to cease the use of the property as a residential care home (Class C2) and revert to its lawful use as a dwellinghouse (Class C3). While it may be the case that the last lawful use of the property was a dwellinghouse, it is only necessary for a requirement to remedy the breach of planning control. In this regard, the requirement to '*revert to its lawful use as a dwellinghouse*' is not necessary. I shall therefore vary requirement 5a) and in doing so no injustice would be caused to any of the main parties.

Preliminary Matters

4. As part of the appeal, the appellant has submitted a plan (009A) which was not considered by the Council when it refused planning permission (Appeal B) or which reflected the position on the ground when the notice was issued (Appeal A).
5. An appeal should not be used to evolve a development proposal. The plan shows additional car parking spaces, the widening of the southern access, revised fence lines, new bin store locations and what is said to be altered visibility splays. This plan has not been the subject of formal public consultation (including site and press notices given that the site falls within a conservation area) and detailed comments have not been made by the local planning authority (including its conservation officer) or the Highway Authority.
6. In respect of Appeal B, the amended plan constitutes a fundamental change to the development which was the subject of the Council's reason for refusal of planning permission. It would not be procedurally fair to accept the plan for the purpose of determining the s.78 appeal. In respect of Appeal A, it is necessary that I consider the development which is the subject of the breach of planning control, i.e., that which was in place when the notice was issued. I have not therefore accepted the amended plan for the purposes of determining Appeal A or Appeal B.
7. A draft National Planning Policy Framework 'Plan-making and national decision-making policies' was issued by the Government for consultation on 16 December 2025 (Consultation Draft Framework). I afford the Consultation Draft Framework limited weight as a material planning consideration. This is relative to the published National Planning Policy Framework 2024 (the Framework) to which I afford full weight as a material planning consideration. It is in this context that it has not been necessary to invite comments from the main parties about the Consultation Draft Framework. Any such comments would not have made a difference to the outcome of the ground (a) appeal (Appeal A) or the appeal made under section 78 of the Act (Appeal B).

Ground (a) appeal and the deemed planning application and the s.78 appeal

Main Issues

8. The appeal made on ground (a) of section 174(2) of the Act (Appeal A) is that planning permission ought to be granted in respect of the breach of planning control alleged in the notice. The reasons for refusal of planning permission in respect of the appeal made under section 78 of the Act (Appeal B) are essentially

the same as the reasons for issuing the notice. There is a slight difference between the two developments in so far that Appeal A relates to use of the property by five adults in care and with 18 staff and 2 managers working shift patterns, and Appeal B is for up to six adults in care with 24 staff and 2 managers working shift patterns.

9. I shall deal with the ground (a) appeal and section 78 appeal together noting that there are slight differences between the two developments. The main issues for both appeals are i) whether the developments have sufficient on-site car parking space and the effect of any on-street car parking, manoeuvring or movement on Rectory Lane in respect of highway and pedestrian safety, and (ii) the effect of the developments on the living conditions of the occupiers of surrounding residential properties in respect of noise and disturbance.

Site, proposal, history and land use principle

10. The appeal property is located at the end of Rectory Lane and within the village of Glinton. It is about six miles north of Peterborough. The lane serves several dwellinghouses as well as a chemist, primary school and cemetery. Rectory Lane is narrow in parts and includes a footpath demarcation by means of a yellow painted line within the highway. Car parking on Rectory Lane is restricted between 0800 and 0900 hours and 15.00 and 16.00 hours Monday to Friday.
11. Prior to its use as a C2 residential care home, the appeal property was in use as a detached C3 dwellinghouse. Appeal A relates to the use of the property for the care of five adults and Appeal B relates to the use of the property for the care of six adults, all of which have autistic spectrum disorders. The evidence is that the property has been internally reconfigured and incorporates a total of six en-suite bedrooms. There are associated car parking areas to the north and south of the appeal building. The evidence is that the car parking area to the south was not in existence when the property was used as a C3 dwellinghouse.
12. The property is staffed on a shift basis by non-residential staff. For Appeal B, daytime shifts comprise six members of staff plus a manager, with three staff on site overnight. The appellant's design and access statement for Appeal B states that the facility would employ a total of 24 people spread across two daily shifts, three teams of six on daytime rotations and two teams of three rotating overnight, together with the use of managers. For Appeal A, the evidence is that when the notice was issued, the property included five residents with eighteen staff and the use of managers.
13. For both appeals, the evidence is that the facility operates 24 hours a day. The day shift pattern for staff is 0800-21.00 hours and the night shift pattern for staff is 20.30-08.00 hours. There are two staff teams during the day and two staff teams during the night. There is a car parking area to the north of the appeal property (within its grounds) alongside bin storage, and a car parking area to the south of the appeal property (within its grounds). The evidence is that the latter is also used for the parking of a minibus.
14. There is no dispute between the main parties that the use of the property as a use class C2 residential care home is acceptable in the land use principle. I do not disagree with this common ground position when the respective developments are considered against Policy LP8 of the adopted Peterborough Local Plan 2019 (LP).

15. Policy LP8 of the LP is supportive in principle of proposals for accommodation for vulnerable people subject to it meeting an identified need and being supported by Adult Social Care Commissioning; being suitable for the intended occupiers in terms of the standard of facilities, the level of independence and the provision of support and/or care; being accessible by non-car means to essential services and community facilities as appropriate to the needs of the intended occupiers; and where it does not conflict with any strategic policy of this plan and does not have any fundamental constraint. The evidence is that the site is already registered with the Care Quality Commission and is a suitable facility for those in need of care. There is an evidenced need for the facility, and local facilities and services are accessible by non-car means for the intended occupiers.
16. While the developments are acceptable in land use principle and relative to a consideration of policy LP8 of the LP, there are nonetheless matters in dispute between the main parties about the overall acceptability of the proposal in terms of the identified main issues. Hence, it is necessary for me to reach a finding in terms of whether the residential care home use is acceptable when considered against other policies in the development plan as a whole and other material planning considerations. I deal with such matters below.

Car Parking and Highway/Pedestrian Safety

17. The appeal property is located off Rectory Lane which is a highway maintainable at public expense. It is of variable width with parts only suitable for single lane traffic.
18. Policy LP13 of the LP states that '*planning permission for new development within Use Classes A, B, C and D1 will only be granted if the proposal makes appropriate and deliverable parking provision in accordance with the standards in Appendix C*'. The appendix C standard for a C2 residential care home use is a maximum of one car or van space per full time equivalent staff member, plus one visitor car or van space per 3 beds.
19. Based on the shifts, and the information provided by the appellant, there is a maximum need for nine car parking spaces for a day shift use, and five car parking spaces for an evening shift use. However, this type of assessment does not reasonably consider the fact that the start and finish times for day and evening shifts coincide. Hence, it is reasonable that I conclude that there would be a need for additional car parking spaces at these times. Moreover, the evidence is that there is more than one daytime shift and hence there may be times when there is a need for more than nine car parking spaces in the daytime.
20. In the context of the above, I find that there is an overall deficiency in the number of car parking spaces on the appeal site which would enable all vehicles to enter and leave in forward gear. Even if I just confined my assessment to the overlapping period between a day shift finishing and the nighttime shift starting, there would likely be a need for 12 on-site car parking spaces. There is no evidence to demonstrate that the site would be capable of suitably accommodating this number of car parking spaces. While the appellant states that staff are encouraged to travel to work by non-private car modes and to utilise nearby bus services, there is little information before me to indicate that any such 'encouragement' would likely make a very meaningful difference in the number and frequency of car borne trips to and from the appeal site each day.

21. My concern about insufficient on-site car parking does appear to be a matter which is borne out in terms of the evidence that is before me. Indeed, the evidence includes photographs showing cars parked in a tandem manner (i.e., blocking in other cars) in the southern car parking area. Hence the evidence is that the car parking area has been used in such a way that drivers would have to reverse into Rectory Lane. Given the limited width of Rectory Lane at this point, coupled with the absence of a raised footway, I find that such manoeuvring would lead to unacceptable conflicts with vehicles and pedestrians (including school children and dog walkers) as well as impeding the free movement of people and vehicles along this narrow road.
22. I acknowledge that the relevant car parking standard is set as a 'maximum'. The evidence is that Rectory Lane is well used, that it is very narrow in parts, and that it is used by school children and dog walkers alike. At school drop off and pick up times in particular, the evidence is that the road includes a number of school children. Based on my site visit observations, I find that any additional manoeuvring or the parking of vehicles in Rectory Lane would likely interrupt free movement along it and would be likely to cause difficulties for those pedestrians also sharing the space. In this regard, I find that it is imperative that the appeal developments adhere to the upper end of the maximum level of on-site car parking provision outlined in the car parking standards.
23. I have considered the appellant's car parking survey. The car parking survey results show that for most times the car parking areas are not at or beyond capacity. That said, the car parking survey concludes that *'at the weekend the maximum accumulation is 2 vehicles at the north car park and 7 vehicles at the South Car park'*.
24. Some third parties have cast doubt about the accuracy of the car parking survey data with some saying that employees of the care home were observed parking elsewhere other than on-site during the period of the surveys. For example, the occupier of No. 7 Rectory Lane states that *'the days that were observed were far from typical regarding car park loading and I didn't see any minibuses parked over these three days – this is very unusual – soon after the observer left, the car park was full – see photo below'*.
25. In addition to the above, I note that in the officer report accompanying the s.78 appeal (Appeal A) it says, *'officers share these concerns with regards to the submitted survey. When officers visited the site prior to the parking survey, it was clear that parking within the northern car park was above capacity and vehicles were parking in tandem. Parking to the southern car park was also at capacity and parked in such a way that there would have been no space for the minibus in terms of parking and turning'*. The appellant does not dispute the latter comment. Moreover, it is noteworthy that the occupier of No. 14A Rectory Lane has included a photograph in his representation (page 5) which shows the parking of eight cars and a minibus in the southern car park including tandem parking.
26. Even if it were acceptable or possible to increase car parking space numbers on the land by condition (including the loss of land to the west), in my judgement there would still be a deficiency given the likely need for additional spaces during staff change over times which occur at different periods of the day including at 08.00 am. During these times, I find that the likely unacceptable scenario as shown in the photograph on page 5 of the representation from the occupier of 14A Rectory Lane

- would be a likely possibility. The alternative would be the potential for indiscriminate car parking to take place on Rectory Lane and at a time when there are necessary restrictions in place.
27. Given the likely need to reverse onto Rectory Lane, because of the car parks being at full capacity and/or tandem car parking at certain times, I do not find that this would be conducive to the safe use of Rectory Lane by all passing pedestrians, including children.
28. Moreover, given the geometry and width of Rectory Lane, the evidence is that the appellant's minibus must enter and leave the site by overrunning the walking zone, thereby placing pedestrians in danger from conflict. In addition, the appellant does not dispute the comments made by the Highway Authority that commercial refuse vehicles ('Taylor Bins') are used and that there is not sufficient space within the site or at the southern end of Rectory Lane for drivers to *'carry out a safe turning manoeuvre which has resulted in refuse vehicles reversing the entire length of Rectory Lane'*. Such an arrangement is clearly unacceptable and unsafe. It would also cause harm to the free movement of Rectory Lane.
29. In addition to the above, the plans submitted do not provide sufficient accuracy or detail in terms of demonstrating that acceptable visibility splays can be achieved for the accesses. They need to be measured from and along the back edge of the public highway and located on both sides of each access within the red line boundary.
30. While I acknowledge that the property was previously used as a dwellinghouse, the evidence is that the amount and type of traffic (i.e., including a minibus and visiting commercial refuse vehicle) and frequency of movements associated with the development which is the subject of the appeals is materially different. An additional car park has been formed in association with the use of the property as a residential care home. I cannot conclude on the evidence that is before me that the visibility splays are to standard and hence are safe. In my judgement, the evidence is that in relative terms there has been a material increase in the number and frequency of traffic movements in Rectory Lane because of the unauthorised development and, for the above reasons, there is potential for the development to have unacceptable impacts on highway and pedestrian safety including the possibility of accidents occurring. There may not be any evidence of an accident occurring to date, but that does not mean that such an accident may not happen in the future.
31. I accept that there may be times when the car parks are not at capacity. However, the point is that the evidence suggests that there are times when car parking demand is high and the car parks cannot accommodate that demand.
32. For the above reasons, I conclude that the development which is the subject of the two appeals has resulted in an overly intensive residential care home use in this location and that there is a deficiency in suitable on-site car parking and commercial refuse collection service space. The result is the likelihood of unsafe manoeuvring and reversing activity in Rectory Lane in conjunction with unacceptable access arrangements. Overall, I find that unacceptable harm has been caused to highway and pedestrian safety. Therefore, the development which is the subject of the deemed planning application under Appeal A, and the s.78 appeal under Appeal B, do not accord with the highway/pedestrian safety and car

parking requirements of policy LP13 of the LP, and paragraph 116 of the Framework.

33. The Council refers to policy GNP 6 of the Glinton Neighbourhood Plan 2020 (NP), but in respect of this main issue it is of no relevance. Instead, the relevant policy is GNP 7 of the NP which requires '*development proposals to meet parking standards set out in the Local Plan (Policy 13 / Appendix C) as a minimum*'. The wording of this policy is slightly confusing in so far that appendix C of the LP refers to maximum car parking standards. However, to the extent that I have found in this case that the use of the property as a residential care home does not accord with appendix C and Policy 13 of the LP, there is therefore conflict with policy GNP 6 of the NP.

Living Conditions

34. The evidence is that the last lawful use of the property was a C3 dwellinghouse. It is therefore reasonable that I consider the development which is the subject of Appeals A and B against the fact that the appeal property could be used as a family dwellinghouse, i.e., a fallback position.
35. Notwithstanding the above, I do not find that the development which is the subject of the two appeals can be reasonably said to be like use of the property as a C3 dwellinghouse. On the contrary, in this case the evidence is that the use of the property as a residential care home is a much more intensive use in relative terms. There are a considerable number of staff and managers involved in the residential care home business, and the evidence is that there are a material number of associated pedestrian and vehicular comings and goings associated with the staff, resident adults and visitors. The use includes staff change overs during both the day and the evening. Indeed, there are several shift pattern changes that occur during each 24-hour period.
36. It is clearly a matter of judgement in terms of when a use is intensified to such an extent that it starts to have a noticeably adverse impact on the living conditions of the occupiers of surrounding residential properties. In this context, I have also considered third party representations made for both appeals.
37. I note the representation made by the occupier of 14A Rectory Lane who comments that '*commercial waste collection lorries reverse down Rectory lane as early as 5am in the morning on a regular basis with flashing lights and audible reverse sirens, that staff mistakenly parking on our driveway, trying to manoeuvre their vehicles into a tight space between our cars*' and '*just a couple of weeks ago I needed to direct a staff member carefully off our drive as she was concerned about hitting our cars*' and '*staff ringing our doorbell at 8am and 8pm (shift changes)*'. There is nothing to indicate that these events did not occur.
38. I have also considered several other representations made by the occupiers of nearby dwellinghouses. There are a number of reports of anti-social incidents occurring between residents of the care home and neighbours including one care home resident jumping over a fence and into an adjoining garden, the throwing of items over a fence, loud screams, some care home residents escaping given the need to sometimes use the southern car park as another communal space at times when residents need to be segregated, and even an alleged attack on a neighbouring resident. While I cannot be certain from the evidence as to the

frequency of these types of anti-social events, I consider that given the number of comments made about them it is more likely than not that they did occur.

39. While I have every sympathy that those who live in the appeal property are vulnerable adults, I do not doubt that some of the neighbouring residents do have well founded perceived fears and that at times the use of the property as a residential care home use as caused anxiety and distress to the detriment of their living conditions. In this regard, I find that the appeal development is likely to have resulted in some psychological disturbance for some surrounding residents.
40. While I do not doubt that staff do their best to generally keep matters under control, and in accordance with the standards laid down by managers and the company, the evidence indicates that there are times when the use of the property has caused unacceptable harm to the living conditions of residents. On the evidence that is before me, I am not satisfied that some of the issues that the neighbouring residents have had to endure would not happen again. In my judgement, and overall, the property is being used intensively and in a manner that is not suitably compatible with the use of the surrounding area as mainly C3 dwellinghouses.
41. In this case, the appeal property is essentially located within an otherwise peaceful residential cul-de-sac. While it cannot be said that there is no activity in this part of Rectory Lane, it is nonetheless at the end of a cul-de-sac and so it is not as busy as the part of Rectory Lane near to Hill Street. That said, I do acknowledge that there is a footpath link to Glington Play Park and Lincoln Road.
42. Based on my site visit observations and the evidence that is before me, I find that the degree of comings and goings and activity associated with the staff (including managers), residents and visitors to the property (including the use of taxis), and the associated parking and manoeuvring of vehicles, is such that those that live immediately around the property, have to now endure a degree of general noise and disturbance which causes unacceptable harm to their living conditions. The harm is particularly adverse as this is a 24-hour operation and as there are relatively few times, including into the early evening, when the neighbouring residents can have some peace and quiet from the general comings, goings and activity during the daytime.
43. In my judgement, the degree of vehicular, staff and resident comings, goings and activity associated with the use of the property as a residential care home is such that it has caused unacceptable harm to the living conditions of the occupiers of surrounding residential properties. The residential care home use, whether that be for the care of five or six adults, includes an overall intensity that it cannot reasonably be compared with the use of the property as a C3 dwellinghouse. While it may be the case that the appeal property could lawfully be used by a large family occupying it as a C3 dwellinghouse, such a use would not likely include the need to park so many vehicles or involve the number and frequency of trips and activity by so many people throughout the day and into the evening.
44. I therefore conclude that the developments which are the subject of Appeal A and B cause unacceptable harm to surrounding residents from a general noise and disturbance point of view. I also emphasise that given some of the anti-social incidents to date, I can understand why some neighbours have perceived fears about the continued use of the property as a residential care home. I do not doubt that at times the use has caused distress and anxiety to some of the surrounding

residents. In this case, I do not consider that there are any conditions which would suitably mitigate the identified harms to living conditions. Therefore, the developments do not accord with the amenity requirements of policy LP17 of the LP and paragraph 135(f) of the Framework.

Other Considerations

45. The appellant states that there is a shortage of accommodation suitable for adults with autism in the locality. He states that finding suitable alternative accommodation is *'unlikely to be achievable within the 6-month period specified in the notice'*.
46. The evidence does indicate that there is a need for accommodation for adults with autism in the area/region. Moreover, I acknowledge that there is an employment benefit associated with the continued use of the appeal property as a residential care home.
47. The provision of a home for the care of vulnerable adults, some of which are also in full time education, are matters which weigh in favour of granting planning permission. Given the need and vulnerability associated with the adult residents who are occupying the residential care home, it has been necessary for me to also consider Article 8 of the European Convention on Human Rights as incorporated into the Human Rights Act 1998 (HRA) which states that everyone has a right to respect for private and family life, their home and correspondence. This is a qualified right, whereby interference may be justified in the public interest, but the concept of proportionality is crucial.
48. Furthermore, in exercising my function on behalf of a public authority, I have had due regard to the Public Sector Equality Duty (PSED) contained in the Equality Act 2010, which sets out the need to eliminate unlawful discrimination, harassment, and victimisation and to advance equality of opportunity.
49. I recognise that if planning permission is refused for the residential care home use, and the enforcement notice is upheld, it would, in turn, result in the loss of a home for its occupiers. Furthermore, there would likely to be some disruption for those residents who are still in full time education in so far that they have a settled base. These are important matters which I need weigh in the balance as part of my overall conclusion below.
50. The appeal property falls within the Glington Conservation Area (CA). The appeal developments have not resulted in any significant changes to the external appearance of the property. While there is now a second car parking area which has changed the appearance of the former curtilage of the appeal property, the change is such that I do not find that it is harmed the significance of the character and appearance of the CA when considered as a whole. The evidence suggests that there is additional traffic using Rectory Lane in association with the appeal property when compared to the previous dwellinghouse use, but I do not find that this has had a harmful effect on the significance of the character of the CA. My finding that the appeal developments have preserved the character and appearance of the CA does not alter or outweigh my overall planning balance and conclusion below.

Planning Balance and Conclusion

51. I conclude that use of the appeal property as a residential care home (Appeal A and Appeal B developments) causes unacceptable harm to the occupiers of neighbouring residential properties in terms of general noise and disturbance. I also afford some adverse weight to the perceived fears of residents arising from some of the anti-social activities that have taken place and the associated psychological disturbance impacts. In addition, I have found that there is a deficiency of off-street car parking spaces based on Council's car parking standards. The result is that, on occasion, the use is likely to result in the car parks being beyond capacity and/or the provision of tandem vehicle parking and hence with vehicles reversing onto Rectory Lane. This would lead to associated conflicts with oncoming vehicles and/or pedestrians to the detriment of highway and pedestrian safety.
52. While it is acknowledged that the use provides needed accommodation for vulnerable adults who have a disability, I find that the collective harm that I have identified is of such weight that a refusal of planning permission is a proportionate, legitimate and necessary response that would not violate those persons' rights under Article 8 of the HRA. Moreover, and having regard to the PSED, the identified harms caused from the use of the property as a residential care home outweigh the benefits in terms of eliminating discrimination against persons with the protected characteristic of disability. In this regard, it is necessary and proportionate to dismiss the appeals, albeit that I have decided to extend the compliance period in the notice as per my reasoning below and as part of the consideration of the ground (g) appeal.

Ground (g) appeal (Appeal A)

53. The appeal on ground (g) is made on the basis that the period specified in the notice in accordance with section 173(9) of the Act falls short of what should reasonably be allowed.
54. The compliance period in the notice is six months. The appellant states that more time is needed to find alternative accommodation for the group of vulnerable adults who compromise a close friendship group. I have no reason to doubt that there is no immediately available accommodation in the local area to rehome the existing residents. In my judgement, a period of six months does seem to be very tight even if it were possible to secure an alternative site, including, if necessary, obtaining a planning permission for a residential care home use.
55. The appellant considers that a period of twelve to eighteen months would be more reasonable. On balance, I find that a compliance period of twelve months would strike a reasonable and proportionate balance between bringing the harmful development to an end in the public interest and balancing the specific needs of the residents in the context of HRA article 8 rights and the PSED. A period of twelve months would also help to ensure the continuity of a stable residential base for longer for those adults who are engaged in education. It would also have the potential for existing residents, who have formed friendships and bonds, to stay together albeit in accommodation elsewhere and as distinct from being separately moved to different locations.
56. I shall therefore vary the compliance period to twelve months. To this extent, the ground (g) appeal succeeds.

Overall Conclusions

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57. For the reasons given above, I conclude that the appeal should not succeed. I shall uphold the enforcement notice with variations and refuse to grant planning permission on the application deemed to have been made under section 177(5) of the 1990 Act (as amended).

Appeal B Ref: APP/J0540/W/24/3352403

58. For the reasons given above, the appeal should be dismissed.

D Hartley

INSPECTOR