

APPLICATION NO	PA/2020/1504
APPLICANT	Absolute Children's Services
DEVELOPMENT	Planning permission for change of use from a dwellinghouse (Class C3) to a children's home (Class C2) for up to four young people
LOCATION	Pennyfields, 35 Washingham Lane, Eastoft, DN17 4PR
PARISH	Eastoft
WARD	Axholme North
CASE OFFICER	Nick Salt
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Member 'call in' (Cllrs John Briggs and Julie Reed – significant public interest)

POLICIES

National Planning Policy Framework: Paragraph 11 states that at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision taking. For decision taking, this means approving proposals that accord with the development plan without delay or where the development plan is absent, silent or out-of-date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the framework taken as a whole or where specific policies in the framework indicate development should be restricted.

Paragraph 47 states that planning law requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise and that the National Planning Policy Framework forms a material consideration.

Paragraph 80 states that significant weight should be placed on the need to support economic growth through the planning system.

Paragraph 91 states that planning decisions should promote opportunities for meetings between members of the community who might not otherwise come into contact with each other, create safe and accessible environments where crime and disorder do not undermine the quality of life or community cohesion, and safe and accessible developments.

Paragraph 92 states that planning decisions should plan positively for the provision of local services to enhance the sustainability of communities and residential environments and ensure that an integrated approach is taken when considering the location of community facilities and services.

Paragraph 124 states that good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people.

North Lincolnshire Core Strategy:

CS1 – Spatial Strategy for North Lincolnshire

CS2 – Delivering More Sustainable Development

CS3 – Development Limits

CS5 – Delivering Quality Design in North Lincolnshire

CS19 – Flood Risk

CS22 – Community Facilities and Services

Housing and Employment Land Allocation DPD:

Inset Map for Eastoft

North Lincolnshire Local Plan:

H16 – Nursing and Rest Homes

T1 – Location of Development

T2 – Access to Development

DS1 – General Requirements

DS3 – Designing Out Crime

DS4 – Changes of Use in Residential Areas

DS16 – Flood Risk

CONSULTATIONS

Environment Agency: No objection to the application as submitted. The proposed change of use is within the ‘more vulnerable’ flood risk classification and the Flood Risk Assessment has identified appropriate means to reduce risk to future occupants.

A condition is recommended requiring accordance with the submitted Flood Risk Assessment.

Highways: No comments or objections.

Drainage Team (Lead Local Flood Authority): No comment or objection.

Waste Management: Provide an informative on bin storage etc.

Environmental Protection: No objection, but recommend a condition restricting the use to a children's home only to control noise.

PARISH COUNCIL

Objects to the application noting the following:

The village has no facilities to offer 8–18 year olds; a playground on the small side serves smaller children. There is a very limited bus service which would enable teenagers to lead an independent life. There is no village shop just a pub. The village hall holds no sessions of interest for children of this age.

The planning mentions a S26 appeal which has no bearing on this new application.

In the past a house became used as a care home in the village and destruction to property and vehicles occurred even though that child was a looked after child. Nearby properties do not wish this home to be granted planning.

PUBLICITY

Site and press notices posted. No comments have been received.

ASSESSMENT

The application site comprises the residential curtilage of a detached dwelling on a relatively large plot to the southern end of Eastoft. The dwelling is a two-and-a-half-storey building with two ancillary outbuildings and gardens to the front and rear. It is bounded by fields to the east and south, with the residential properties of number 37 to the west and number 33 to the north. The site is approximately 0.4 acres.

Planning permission is sought to change the use of this dwelling (C3 use) into a residential care home (C2 use), specifically for a residential children's home for a maximum of four young people, along with up to four carers at any one time. It should be noted that the C2 use being sought is not specific for age groups and covers residential care for children, adults and the elderly. The occupation demographic could change within this use class without the need for further permissions.

The main issues in the determination of this application are:

- **the principle of development and sustainability;**
- **landscape and appearance;**
- **flood risk;**
- **impact upon residential amenity; and**
- **access and parking.**

Principle of development and sustainability

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material

considerations indicate otherwise. In this instance, the development plan consists of the North Lincolnshire Local Plan (NLLP) which was adopted in May 2003 and the North Lincolnshire Core Strategy (NLCS) which was adopted in June 2011. The Interim Planning Policy for Residential Care Homes/Institutions forms local guidance for the assessment of proposals for residential care homes/institutions. Material considerations exist in the form of national planning policy and guidance contained within the National Planning Policy Framework (NPPF) and the suite of documents comprising National Planning Practice Guidance (NPPG).

The application site is located within the development limit for Eastoft as shown in the HELA DPD. The application site is within flood zone 2/3 as identified by the North Lincolnshire Strategic Flood Risk Assessment – flood risk will be considered later in this report.

The North Lincolnshire Settlement Survey (2019 revision) ranks Eastoft 35th out of the 76 settlements scored within the survey. Eastoft provides four key facilities and services and is less than 4.83 Kilometres from the larger settlement of Crowle, where there is a range of key services and facilities. There is a residential nursing home for elderly people in Crowle, but none currently in Eastoft.

The Interim Planning Policy for Residential Care Homes/Institutions criterion a) requires that conversions of residential properties to residential care homes/institutions or the erection of new ones will only be permitted provided that they are located in sustainable locations with good access to key facilities such as shops, schools, health, leisure and other community facilities. This criterion points towards policies CS1, CS2 and CS22 of the NLCS, and H16 and T1 of the NLLP. These policies together set out the spatial strategy for North Lincolnshire which steer development to the most sustainable locations and indeed H16 specifically indicates that residential care homes should be sited in the larger, more sustainable settlements, which Eastoft is not. However, the scale of the proposal should be taken into account and it should be noted that the existing dwelling could house a similar, or greater number of children as part of a family unit without the need for planning permission. There are currently no plans to physically extend the size of the site dwelling.

The Interim Planning Policy for Residential Care Homes/Institutions continues to discuss through other criteria to require: that satisfactory access, parking and servicing facilities are provided; that the development should be safe and accessible for all; that the development should not result in an adverse impact upon neighbouring residential properties through increased noise and disturbance or have an adverse effect upon the character of the area; should not require substantial alteration or extension; and be served by an appropriate level of amenity space. These matters are assessed in turn below.

The council has recently approved two similar applications: PA/2017/1963 and PA/2019/77. In the case of 2017/1963 in Low Burnham, the scheme was initially refused by the planning committee but subsequently allowed at appeal. Within their appeal decision, the Inspector found that the proposal would represent a sustainable use of the site. The Inspector acknowledged the fact that there were limited facilities and services within that particular village. However, given the scale of operation (similar to that proposed) and the 'fallback' use of the site as a dwelling, which could house a similar number of children, it was concluded that the proposal was a sustainable use of the site. This recent appeal proposal/decision is directly comparable and relevant to the current planning application and is a material consideration that should be given weight in its determination. The current scheme is similar to PA/2019/77, which was approved by the planning committee in June

2019. This scheme was for a home for five children at a site on the outskirts of Castlethorpe.

It is considered that the proposal site in Eastoft is marginally more sustainable in terms of its settlement boundary location and access to services, than the above. Overall, the proposal is considered to be sustainable and acceptable in principle as per the aforementioned policies.

Landscape and appearance

Policies DS1 and CS5 are both concerned with visual amenity and that proposals should be sympathetic in design, scale and materials.

Policy H16 relates specifically to nursing and rest homes and related uses, and is therefore of importance to this application for the expansion of such a facility. Part (ii) requires such development to have no adverse effects upon the character of the surrounding area, reinforcing the policy themes above.

The site is well screened by hedging and its positioning, set well back from the road and at the edge of the village. The building itself would not be materially altered. Planting and landscaping within the site would be retained for the purposes of sensory gardens for the resident young people and for screening between the site and neighbouring properties.

It is not considered that the proposal would result in any adverse visual impacts.

Flood risk

The site lies within a high-risk flood area identified on the council's Strategic Flood Risk Assessment as being within Flood Zone level 2/3(a). The proposed C2 use is classed as a 'vulnerable use', as is the existing C3 use. A flood risk assessment was therefore required with this application and has been submitted.

The Environment Agency have reviewed the submitted flood risk assessment (FRA) and have concluded that they are satisfied with the measures therein. The FRA measures shall be secured by condition.

Subject to compliance with such a condition, the proposal meets the requirements of Core Strategy policy CS19 and local plan policy DS16 in terms of mitigating flood risk.

Residential amenity

Policy DS1 is partly concerned with ensuring that development (including changes of use) does not unduly impact on neighbouring amenity in terms of noise, smell, fumes, dust or other nuisance and notes that no pollution of water, air or land should result which poses a danger or creates detrimental environmental conditions.

The care home would facilitate accommodation for four young people and up to four carers at any one time. There is a potential for increased comings and goings from vehicles due to shift changes and the transportation of residents to schools etc. This is unlikely to be highly dissimilar to a single residential dwelling; it is not considered that there would be any significant changes in character, noise or disturbance to what would be expected from a large family dwelling. As such, it is not considered that the proposed use would have any significant impact on the amenity of nearby residents.

Furthermore, the retention of significant natural screening and fencing, and the large site plot, would reduce potential for impacts on the amenity of neighbouring properties 33 and 37.

The council's Environmental Protection team has reviewed this application and recommend a condition to ensure that the use is for a children's home only. Given the above, and the proposed condition on occupancy levels, it is not considered that such a condition is necessary or reasonable.

Access and parking

Local plan policies T2 and T19 require appropriate access and parking arrangements on development sites. It is likely that some minimal increase in vehicle usage on the site and use of the adjacent highway will result from the change of use. With up to four carers on site at any one time, and visitors for the four resident young people, parking demand and intensity of use is not likely to be significant, however, or out of keeping with the surrounding residential nature of the area.

The site has an existing driveway/lane and access which would be retained, featuring good visibility in both directions. The submitted site plans show ample turning space within the site frontage, along with parking for five vehicles, which would be retained. There are no objections from the Highways authority and the proposals are considered acceptable with regard to access and parking matters.

Conclusion

The wider principle of the development is in keeping with the aims and themes of both national and local policy. The proposal and the site are considered sustainable due to the relatively modest intensity proposed, the size and location of the site and the recent North Lincolnshire decision history referenced in this report. Other material considerations such as flood risk, amenity and highways impacts have been considered, with no significant unacceptable impacts regarded as likely.

RECOMMENDATION Grant permission subject to the following conditions:

1.

The development must be begun before the expiration of three years from the date of this permission.

Reason

To comply with section 91 of the Town and Country Planning Act 1990.

2.

The development hereby permitted shall be carried out in accordance with the following approved plans: 20,119-P-001 Rev C - Location Plan; 20,119-P-001 Rev B - Site Layout; 20,119-P-002 Rev B - Highways layout and 20,119-P-003 Rev B - Proposed plans and elevations.

Reason

For the avoidance of doubt and in the interests of proper planning.

3.

The development shall be carried out in accordance with the approved Flood Risk Assessment (FRA), 21 September 2020, Version 1.0, reference 2566L, and the following mitigation measures detailed within the FRA:

- sleeping to be restricted to first floor and above
- flood resilience measures to be incorporated where practicable at ground floor level.

The mitigation measures shall be fully implemented prior to occupation and shall subsequently remain in place.

Reason

To reduce the risk and impact of flooding to the proposed development and future residents.

4.

No more than four residents under care shall be resident at the site at any one time, unless otherwise approved in writing by the local planning authority.

Reason

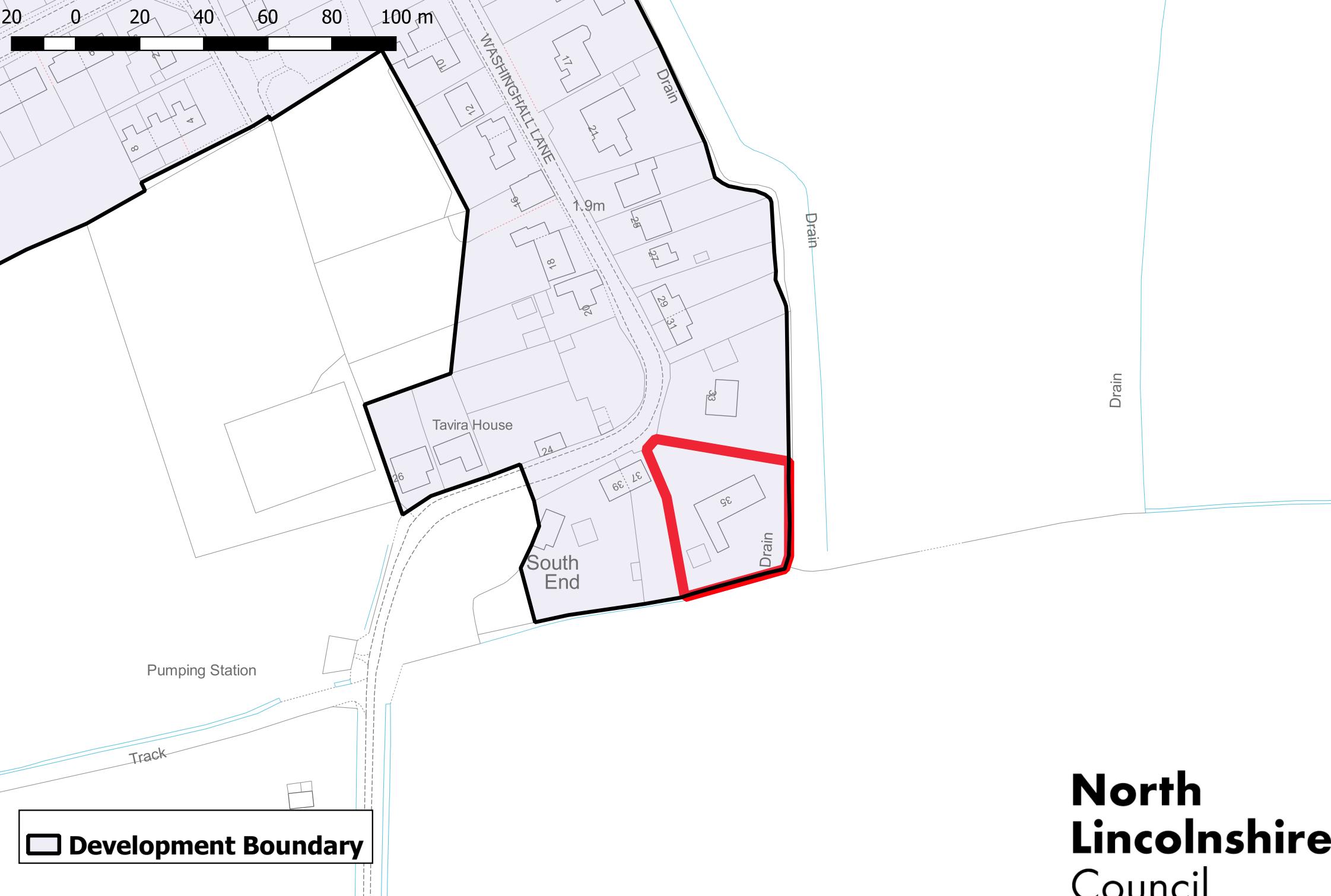
The potential impacts of the development have been assessed on the basis of four resident young people.

Informative 1

Please refer to the response issued from Waste Management dated 29/10/20 for details on refuse collection etc.

Informative 2

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 38 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.



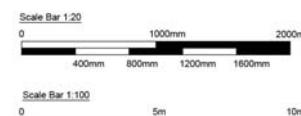
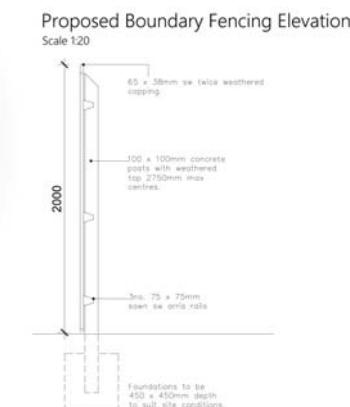
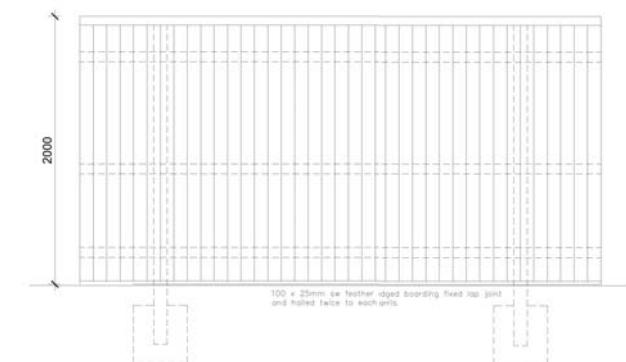
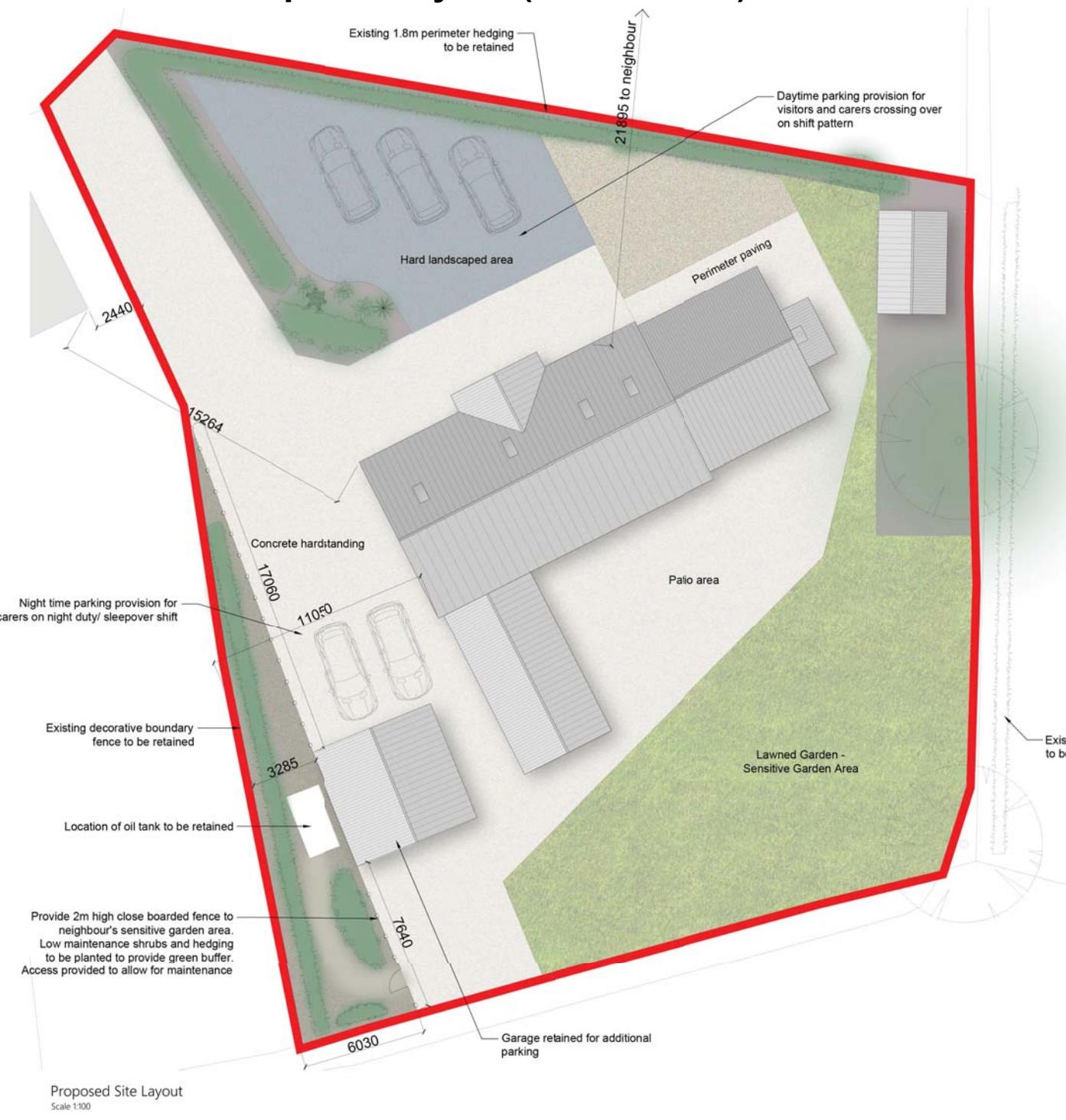
PA/2020/1504

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**North
Lincolnshire
Council**

PA/2020/1504 Proposed layout (not to scale)

new revision date



Planning Application	
	Wilson Architects Ltd Speckhouse, Ripon Road, Lincoln LN6 2QG 01522 817329 www.wilsonarchitects.co.uk Approved Drawings No 100000 AR Registration No 000000000000 arb
	Marrons Planning Two Colton Square, Leicester, LE1 1OH 0116 255 4559
CLIENT	Steve Deeks
PROJECT	35 Washinghall Lane, Eastoft, DN17 4PR
TITLE	Proposed Site Layout/ Neighbouring Amenity Plan
SCALE	1:100 @ A1 DRAWN BY AW
DRAWING NUMBER	20,119-P-101
REV	B