

Planning Committee



SOUTH
KESTEVEN
DISTRICT
COUNCIL

Thursday, 8 May 2025 at 1.00 pm
Council Chamber - Council Offices,
St. Peter's Hill, Grantham. NG31 6PZ

Committee Members: Councillor Charmaine Morgan (Chairman)
Councillor Penny Milnes (Vice-Chairman)

Councillor David Bellamy, Councillor Harrish Bisnauthsing, Councillor Pam Byrd,
Councillor Helen Crawford, Councillor Patsy Ellis, Councillor Paul Fellows,
Councillor Tim Harrison, Councillor Gloria Johnson, Councillor Vanessa Smith,
Councillor Sarah Trotter and Councillor Paul Wood

Agenda Supplement

- 4.1 Application S25/0203** (Pages 3 - 8)
- Proposal:** Change of use from Use Class C3 Residential Dwelling House to Use Class C2 Children's Care Home
- Location:** 9A School Lane, Colsterworth, Lincolnshire NG33 5NW
- Recommendation:** To authorise the Assistant Director – Planning & Growth to GRANT planning permission, subject to conditions

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Additional Information Report

This report sets out additional information in relation to planning applications for consideration at the Planning Committee on 8th May 2025 that was received after the Agenda was published.

Agenda Item 1

S25/0203

Proposal: Change of use from Use Class C3 (Dwellinghouse) to Use Class C2 (flexible use under Part 3, Class V of GPDO) as a childrens care home.

Site Address: 9A School Lane, Colsterworth, Lincolnshire NG33 5NW

Summary of Information Received:

- Representation email and PDF document dated 30th April 2025 Objection to the proposal

Representations

Email and PDF document dated 30th April 2025

Summary:

The email confirmed the member of the public's ongoing objection to the proposed development, and has been summarised below:

- Unsuitable location for a children's home.
- Planning application form - lacks transparency, contains factual errors and omissions, and did not meet legal publicity requirements.
- Fails to consider the cumulative impact on biodiversity and local amenity.
- Site is prone to flooding, poses safety risks
- Location does not meet the requirements for access to essential services.
- Development will disrupt the local community and spoil the sanctity of the area.

The PDF document has been summarised below:

- Application form – proposed changes to the site e.g. fencing, lighting, CCTV not on application form. Cumulative effect of proposed changes. No ecological survey. Concerns with Transport Note inaccuracies for turning, and access to site.
- Publicity requirements – site notice, neighbour notification, local newspaper advertisement.
- Suitability of Location – reference to Children’s Home Regulations 2015. Dangerous site location. Unsuitable for local amenity.
- Latest Ofsted report

The PDF has been appended for reference.

Officer Comment – The comments have been considered and have been raised by other members of the public on the application. The comments have been responded to within the Committee Report. The additional representation does not raise any new material considerations, and all matters have been addressed adequately within the main report. As such, the recommendation remains as set out within the main report.

VIA Email: planning@southkesteven.gov.uk

CC: ben.green@southkesteven.gov.uk; david.bellamy@southkesteven.gov.uk

FAO Venezia Ross-Gilmore,

LETTER OF OBJECTION: Apropos Planning Application S25/0203 | Change of use from Use Class C3 (Dwellinghouse) to Use Class C2 (flexible use under Part 3, Class V of GPDO) as a children's care home | 9A School Lane, Colsterworth, Lincolnshire NG33 5NW.

Dear Venezia,

To preface, I am currently living at 9 School Lane (the original schoolhouse), having grown up there with my parents over some 30 years. This property boundaries 9A, the later addition to the original schoolhouse, both of which were separated into personal residences in 1975 when the new village school was built on Back Lane. These properties hold a significant amount of local and historical importance and are a key part of the local amenity. Having reviewed the application, I urge the Council to consider the completeness, intent and transparency of the application and overall suitability based on the below:

1. The Application Contains Factual Errors and Omissions

The applicant states on page 4 that the property is 1600m², the applicant later states that the 'development' is under 25m² and therefore subject to the de minimis exemption (development below the threshold). The de minimis exemption is being used here with no apparent consideration for the cumulative impact this site will have, not just on biodiversity.

- **Anticipated Changes:** While the initial 'development' may be under 25m², future modifications for safety, security e.g. fencing, safe outdoor activity spaces, lighting and CCTV, disability and accessibility amendments etc
- **Cumulative Effect:** There is no consideration of the cumulative impact of changes such as widening the driveway, installing secure fencing, security lighting, noise pollution, cutting down trees and shrubs, space for commercial refuse, trade effluent/ foul water all which will be necessary etc.
- **Full Disclosure, Intent and Transparency:** The applicant should fully disclose all intended changes, including those planned post-approval. It is obvious to those who have seen the home, that **more changes than are being proposed are needed to ensure the site meets the Children's Homes Regulations 2015 and the Quality Standards– even if the site was in a suitable location.** I assume this is why **no risk assessment has been documented** by the applicant, as the results of any such assessment would highlight requirements for more significant adaptations, meaning an application for flexible use is inappropriate and exceeding the de minimis requirements, accentuating the real impact to the surrounding area and highlighting additional concerns to the public.
- **Piecemeal development** undermines the integrity of the planning regulations, will cause upset and frustrate neighbours and circumvents the biodiversity net gain requirements. Planning policies aim to ensure sustainable, appropriate development and biodiversity protection; this application does not provide adequate information for this to be considered.
- **Biodiversity considerations should apply to all phases of the project**, should be adequately detailed, open and transparent and allow for appropriate consideration of the net effect on biodiversity. The proposed site position contains a variety of mature trees, shrubs, bats, hedgehogs, woodpeckers, owls all of which are part of the local habitat. The applicant has had **no ecological survey conducted** to understand the impact the change in use will have to the important habitats that uses the grounds as

habitat next to the River Witham. I understand that work has already been undertaken to fell trees, cut flora and fauna of the surrounding area to the property, which will also change the local amenity.

- **The applicant states that the site is outside of 20 meters of a river: this is untrue**, the border lies on the River Witham. The land of the proposed site is in a flood zone 2, with an insecure boundary directly bordering a flood zone 3 and has a high probability of flooding and therefore **a flood risk assessment (FRA) should have been conducted as part of the application**. Aside from the flood risk, is the safety risk posed to the children, the application does not contain provisions to enhance the security of the boundary fence line, (which will alter the local amenity and effect biodiversity) nor does it contain proposals for how to access the children with essential services in the event the access road is inaccessible (as it was in January 2025).
- Esland Care, on behalf of the applicant has consulted with i-Transport to conduct a short “Transport Note”, which appears to be a rough desktop activity, as having an actual visual of the proposed site will leave no doubt that **there is not enough turning circle in the driveway even with the minimum proposed volume of vehicles** (which far exceeds the traffic of a C3 property). - The applicant I assume is using a cautious estimate for the number of vehicles travelling to the property site.
- **Access to the property is via a single file driveway where the footpath ends on a single file lane**, at non-peak times this presents a manoeuvrability and safety issue, the risk rising when using the highway at peak times, e.g. staff changeover, this will result in a considerable amount of movement, noise, light pollution and poses a safety risk to the general public. **The application incorrectly states that vehicles would be able to use a forward gear onto the highway**, which is not the case, even assuming that all staff, contractors and visitors parked by the plan, the turning circle in the driveway is too narrow would result in vehicles either reversing up or down the driveway.

2. Publicity Requirements Not Met

On the basis that ‘flexible use’ is inappropriate, the legal requirements for the consultation period in planning applications in Article 15 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 have not been met. Due process has not been followed and publicity requirements not met:

- **Site Notice:** The applicant must display a site notice at the property, visible from the public highway, for at least 21 days. This has not been done.
- **Neighbour Notification:** The local planning authority (LPA) must notify adjoining property owners and occupiers by sending letters to inform them of the application and inviting comments within a specified period (usually 21 days). This has not been done.
- **Local Newspaper Advertisement:** For certain types of applications, the application should be published via a notice in a local newspaper. No notice has been published.

Concerns are that due process was not followed for serving notice of the application. Others, including **the Parish Council have not had proper notice or time to consider the application**, seek information, or wider views of the community.

3. Suitability of Location:

The Childres Home Regulations (2015) require that the location of the home is suitable for achieving the Quality and Purpose Standard of Care. The Lane, Colsterworth and the residential area is not a suitable site – it will have a direct impact on residential amenity. It is unsuitable for residents and the children:

- **Access to Services:** The regulations require that children have access to healthcare, education, and recreational facilities. Colsterworth lacks these essential services, it will likely not meet the health and well-being standard for the children. The distance to necessary services will always require transportation.
- There are no recreational facilities in Colsterworth and nothing within walking distance presenting geographical isolation difficulties. All activities that the children may want to undertake are a car journey away.
- **Community Integration:** The council aims to integrate children's residential homes into the community, promoting acceptance and support from local residents, the responses so far indicate this will not be welcomed or well supported. Furthermore, based on the latest Ofsted report the care home's ability to integrate into the community will be hindered by the challenges it faces in providing consistent management, staff and effective care. This will affect the overall cohesion and harmony into the neighborhood.

Dangerous Site Location:

- The Lane is a steep, single file, no-through narrow road at most points.
- Parking is not possible past the entrance of the Lane which is used as a spillover from a congested, narrow High Street.
- The Lane is a steep incline with poor visibility entering and leaving, due to parking on the high street visibility is poor and it is a gamble when exiting whether there will be oncoming vehicles due to the High Street traffic and the angle blocking visibility. This also poses a risk to pedestrians as the footpath ends here.
- Due to the steep nature of The Lane it is impassable in times of inclement weather. In snow and ice, it is not part of the main gritted network by Highways, and you cannot ascend it or descend it. We have been 'snowed in' for several consecutive days on several occasions which would obviously not suit the regular care requirements needed by the children.
- There is only a small footpath, which ends before the entrance to the site, meaning pedestrians must walk on the highway.
- Many people use the lane to walk dogs, children walk to school, the increased volume of commercial traffic will be a safety issue and spoil the local amenity.
- The site is too far from nearby hospitals and emergency services.

Unsuitable for local amenity:

- The Lane is used by attendees to the Church, especially by mourners who attend the cemetery opposite the proposed site for funerals. The place is one of quiet reflection for many and the noise and general disturbances of the site would spoil the sanctity.
- 9 and 9A School Lane are of local and somewhat historic significance, being the original schoolhouses.
- The noise and light pollution will be a constant upset and nuisance to local residents.
- The property borders a Grade II listed building and will spoil the outlook if industrial changes are made to meet the Care and Safety requirements for the children.
- It may bring undesirables to the village where the children have previously been involved with crime or otherwise.

4. The latest Ofsted report

- The latest Ofsted report is both concerning and contradicts the SKDC Housing Strategy 2020-2024 in their commitment to providing quality housing, emphasising the importance of safe, secure, and well-

managed homes. The Ofsted report points to a lack of accountability, poor leadership and improper management and excessive use of force or restraint against children. This gives rise to:

- **Safety Concerns:** The report highlights incidents of excessive physical intervention and poor management of allegations against staff. These issues raise safety concerns and casts doubt on the proper operation of the home.
- **Lack of Effective Oversight:** The report indicates insufficient oversight and drive to address important issues, which could lead to unresolved problems in its operation effecting the neighbouring community and inadequate care for the children.
- **Management Instability:** The lack of stable leadership and management at the care home will lead to inconsistent care and operational failing. This will affect the overall environment and safety of the area and leading to consistent problems for neighbours and the general public.
- **Community Integration:** The care home's ability to integrate into the community will be hindered by the challenges it faces in providing consistent management, staff and effective care. This will affect the overall cohesion and harmony into the neighborhood.
- **Emotional Impact:** The presence of a care home with children facing significant challenges will evoke emotional responses from neighbours, we don't want to be subject to the noise of traumatic interventions and excessive force being used against a child. This will impact on our own quality of life and our own mental health.
- **Lack of Staff:** The number of vacancies posted by Ellend means agency staff will be contracted, these staff will be unfamiliar with the village, the surroundings and lack the knowledge of any historic, or ongoing issues to ensure problems are tackled consistently where necessary.
- **Training and Application of Care Plans:** Staff do not consistently apply therapeutic guidance, and there are issues with the quality and application of training, which can affect the effectiveness of the care provided.

In summary, while I am sympathetic to the needs of these children, this location is unsuitable for the proposed children's care home. The planning application lacks transparency, contains factual errors and omissions, and fails to consider the cumulative impact on biodiversity and local amenity. The site is prone to flooding, poses safety risks, and does not meet the requirements for access to essential services. The application does not comply with legal publicity requirements, and the proposed development will disrupt the local community and spoil the sanctity of the area. Therefore, I urge the Council to reject this application and consider alternative locations that better meet the needs of the children and the community.