



**SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL**

## Planning Committee

11 July 2024



### S24/0386

Proposal	Proposed change of use from Class C3 (dwellinghouse) to Class C2 (residential care home)
Location:	The Croft, 65 Main Street, Woolsthorpe By Belvoir, NG32 1LX
Applicant:	Mr Joe Rafter – Footsteps to Futures
Agent:	Mr Fabian Blair
Application Type:	Full Planning Application
Reason for Referral to Committee:	Called in by Councillor Leadenham due to the development creating a dominant and oppressive environment, the design is out of keeping with the character of the area, and excessive noise or odour pollution
Key Issues:	<ul style="list-style-type: none"> <li>• Highways impacts</li> <li>• Character and Appearance of the area</li> <li>• Impact of neighbours residential amenities</li> </ul>
Technical Documents:	Business Plan Community Impact Policy

#### Report Author

Hannah Nouch, Development Management Planner



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**Corporate Priority:**

**Growth**

**Decision type:**

**Regulatory**

**Wards:**

**Belvoir**

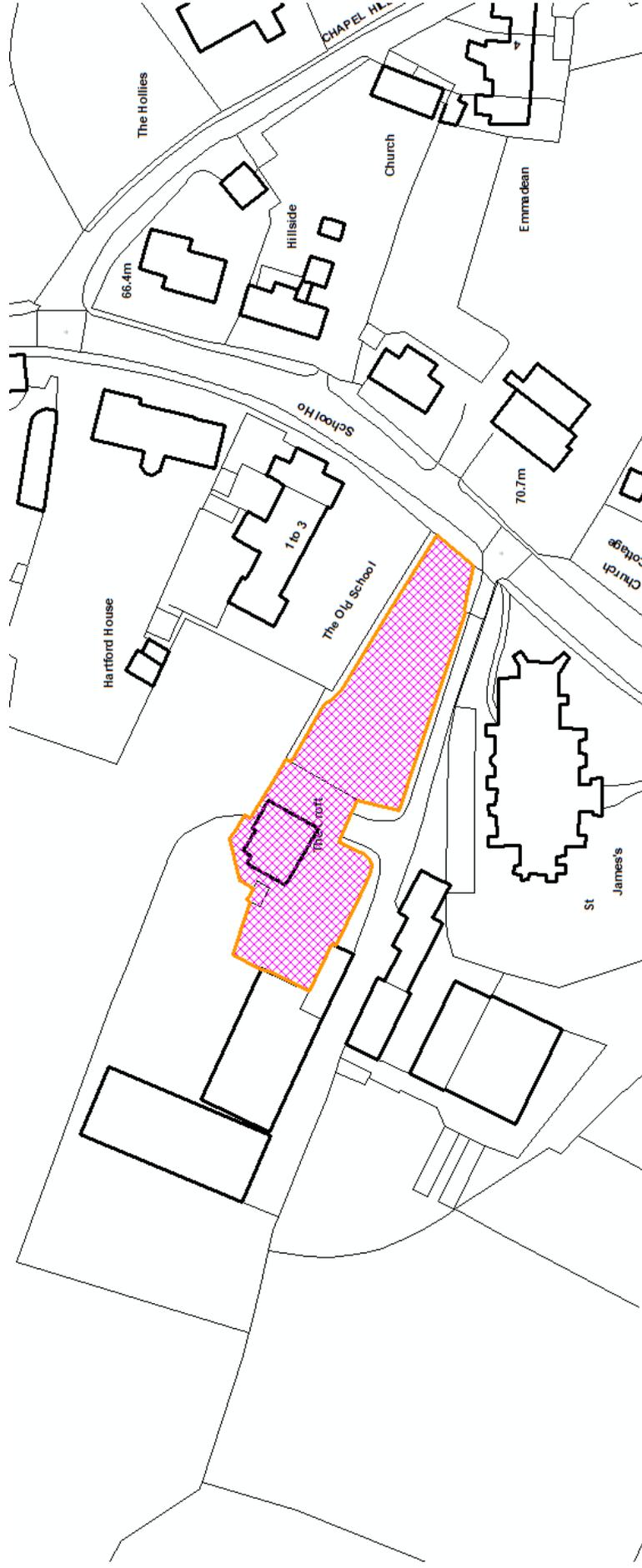
**Reviewed by:**

Adam Murray – Principal Development Management Planner

2 July 2024

#### Recommendation (s) to the decision maker (s)

To authorise the Assistant Director – Planning to GRANT planning permission, subject to conditions



Key



Application  
Boundary



## **1 Description of Site**

- 1.1 The application site is located along Main Street within the small village of Woolsthorpe by Belvoir. The existing building 'The Croft' is significantly set back from the front boundary of the site, with the access point being an offshoot of a driveway off Main Street. The existing building is a two-storey detached residential dwellinghouse. The site is located within the Woolsthorpe by Belvoir Conservation area, with Grade II listed St James's Church to the south and Grade II Listed 'The Old School' to the northeast.

## **2 Description of proposal**

- 2.1 The proposal relates to a change of use of the existing building from a dwellinghouse (Use Class C3) to a children's residential care home (Use Class C2). The care home would house up to 3 children, each of which would have a caregiver on a 1 to 1 basis, meaning on average there would be 6 people at the property at any given time.

## **3 Relevant History**

- 3.1 S24/0581 – Lawful Development Certificate (Proposed) - Certificate of lawfulness for proposed change of use from Class C3 to Class C2 - Withdrawn

## **4 Policy Considerations**

### **4.1 South Kesteven Local Plan 2011-2016 (Adopted January 2020)**

Policy SP1 – Spatial Strategy

Policy SP2 – Settlement Hierarchy

Policy SP3 – Infill Development

Policy DE1 – Promoting Good Quality Design

Policy SB1 – Sustainable Building

### **4.2 Design Guidelines for Rutland and South Kesteven Supplementary Planning Document (Adopted November 2021)**

### **4.3 National Planning Policy Framework (NPPF)**

NPPF Section 9 – Promoting Sustainable Transport

NPPF Section 12 – Achieving well-designed and beautiful places

NPPF Section 16 – Conserving and enhancing the historic environment

## **5 Representations Received**

### **5.1 SKDC Conservation Officer**

- 5.2 The proposal to change the use of the property will not impact the amenity of the Conservation Area as proposed changes are internal. Overall, I have no concerns with this proposal on heritage grounds.

### **5.3 Lincolnshire County Council Highways**

- 5.4 No Objections

- 5.5 This proposal is for the change of use from Class C3 (dwellinghouse) to Class C2 (residential care home). The vehicular access remains unchanged, the applicant and

justified the parking provided, turning space has been provided within the limits of the site to allow vehicles to enter and leave in a forward gear and therefore, it is considered that this proposal would not result in an unacceptable impact upon highway safety.

5.6 **Environmental Protection**

5.7 Environmental Protection has reviewed the documents in respect of the above application and has no further comment to make.

5.8 **Melton Borough Council**

5.9 Melton Borough Council have no comments to make but would refer you to the considerations of Melton local Plan Policy D1 and EN13 due to the wider context of the site in relation to Belvoir Castle. In addition Melton Borough Council's Cabinet recently approved a planning guidance for Children's Homes and this may be useful to you when determine this application the guidance document can be found here <https://democracy.melton.gov.uk/ielssueDetails.aspx?Id=14755&Opt=3>

5.10 **Crime Prevention Officer**

5.11 Lincolnshire Police do not have any objections to this application.

5.12 **Derbyshire County Council**

5.13 I am writing to you to express my support for Footsteps to Futures prospective move to The Croft. I am the allocated social worker for J who is currently residing in the care of staff at Evergreen. J went to reside at Evergreen in July 2023. The home has provided a high level of care and support for J, they understand and meet his needs on a daily basis and ensure that they communicate with social care regularly and support J to have regular contact with his parents. I recognise that there is a resistance to Evergreen moving to The Croft due to the anti-social behaviour demonstrated by young people who resided at Evergreen.

5.14 In my experience the staff at Evergreen promote positive behaviours they do all that they can to support the young people and try and understand their behaviour and actions. They will ensure that there is a clear daily plan to keep the young people busy and occupied and they work hard to deter any adverse behaviours that the young people may display. I believe the move to The Croft will be beneficial and supportive of the young peoples needs and behaviours. I am sure the staff at Evergreen will support the young people to adjust and feel comfortable in their new surroundings and promote positive change and integration into a new community.

5.15 **Woolsthorpe By Belvoir Parish Council**

5.16 The Woolsthorpe by Belvoir Parish Council wishes to raise certain concerns with regard to Planning Application S24/0386. These suggestions are made on behalf of residents of the Village who have by various means made their views clear to the Council; this is therefore a collective summary of many points of view.

Of prime concern to us is the wellbeing and mental health of our Parishioners, many of whom are elderly and vulnerable and an increasing number are of school age as several children's home have opened and are in the stages of opening in the village.

The Parish Council was made aware of the application to change the use of The Croft on Main Street in Woolsthorpe on the 6th March 2024 and since then we have spoken to residents informally and received emails from them stating their objections to the proposal.

Since then, the Parish Council has met to formulate our response and we have come to the opinion that having 3 children's homes within our village and 4 within our parish is beyond saturation point. If permission was granted for the Croft to be converted into a children's home, we would have 3 children's homes within 180 meters of each other, a total of 4 within our small parish and as a small village this is simply not sustainable.

The children's home that intends, subject to planning permission, to move into The Croft has previously been in Redmile and through a concerted effort of residents, their Parish Council and the District Council, along with input from the MP, has been forced to move from that location to Woolsthorpe. This is due to acts of vandalism, noise complaints and antisocial behaviour, which has alienated residents to such an extent that it simply was not reasonable for the children's home to remain.

The village itself is not equipped for another children's home to be sited within it. The playground is in need of renovation, but this is being held back by the lease from the site's owner being up for renewal and only a short lease being offered, thereby limiting the options for the PC to develop and renew some of the equipment. With that exception, there are no facilities for outdoor recreation for children with the needs that these children's homes cater for.

It must also be mentioned that the provision of another children's home will not create any substantial jobs in our village as staff will be transferred from Redmile and not recruited within our village. Whilst the current homes have employed a villager as a handyman, this doesn't constitute an economic benefit to the village and doesn't outweigh the negative impacts that this will have.

In summary, the Parish Council are against the creation of another children's home in our village on the grounds that we already have two within 180 meters of the proposed site and this addition would bring the total to 4, which far exceeds what is acceptable. Had this application been for another village with the same amount of existing children's homes in Melton District Council's jurisdiction, it would by their own admission be in excess of what is acceptable to them as a District Council. The provision of yet another children's home is considered by the Parish Council to constitute a further over saturation of children's homes in an already oversaturated environment, in a village that simply does not have the amenities to cater for them. Therefore, the Parish Council cannot support this planning application.

## **6 Representations as a Result of Publicity**

6.1 This application has been advertised in accordance with the Council's Statement of Community Involvement and 6 letters of representation have been received. The points raised can be summarised as follows:

1. No information submitted on the type of boundary treatments for the site – with safety concerns for occupiers due to neighbouring sites
2. Melton Borough Council have stated that in their opinion no more than one children's care home should be allowed in any village
3. Experience has been that children's care homes bring with them a threat of disturbance which affects the character of the area and residents' amenities

4. Home is being relocated from Redmile due to antisocial behaviour
5. Adjoining site hosts piggeries with asbestos, concerns about access to these by children

## **7 Evaluation**

### **7.1 Principle of Development**

- 7.2 The application site in this instance lies within Woolsthorpe by Belvoir one of the smaller villages as defined by policy SP2.
- 7.3 The principle of residential development in this location has already been established with the current use of the building being a residential dwelling on an infill site. Whilst the proposal would be changing the use, it would be remaining within the wider residential use class resulting in a small residential children's care home that would host up to 3 children and 3 caregivers at one point, and as such the principle of development would remain acceptable. The location of the site is considered appropriate as it is situated in an existing residential area, within a smaller village identified as a sustainable settlement, with access to local services and amenities, and this use would be similar in character to the surrounding use.
- 7.4 Furthermore, Policy H4 (Meeting all Housing Needs) states that new housing proposals shall (a) enable older people and the most vulnerable to promote, secure and sustain their independence in a home appropriate to their circumstances, including through the provision of specialist housing across all tenures in sustainable locations. New housing proposals shall take account of the desirability of providing retirement accommodation, extra care and residential care housing and other forms of supported housing.
- 7.5 The proposal would provide an element of specialist housing to benefit the most vulnerable people living in the district. The dwelling is in a sustainable location and would require little alteration to accommodate the change of use. The proposal is therefore considered to be acceptable in principle and in accordance with Policy SD1 (The Principles of Sustainable Development in South Kesteven) and H4 (Meeting all Housing Needs) of the adopted Local Plan subject to assessment against site specific criteria.
- 7.6 The Written Ministerial Statement (WMS) published on 23rd May 2023 set out the Government's commitment to "support the development of accommodation for looked after children, and its delivery through the planning system". The Statement states the planning system should not be a barrier to providing homes for the most vulnerable children in society. The WMS also states that "In two tier authorities, we expect local planning authorities to support these vital developments where appropriate, to ensure that children in need of accommodation are provided for in their communities."
- 7.7 The WMS is included in full at the end of this report in Appendix A.
- 7.8 The WMS puts forward a national need for children's homes, and for those homes to be in the right place within a sustainable community. Woolsthorpe By Belvoir has been identified as a sustainable location for new development within the adopted Local Plan.
- 7.9 The WMS also states "when care is the best choice for a child, it is important that the care system provides stable, loving homes close to children's communities."

- 7.10 The Local Planning Authority does not make the relevant assessment of the children who would be living at the home as part of the decision-making process for a change of use of a property to a children's care home. Rather, it is the Planning System's responsibility to enable these homes to be able to come forward in the correct places so that relevant Children's Social Care Authorities are able to support that function. The site has good access to facilities in a sustainable community and is therefore considered to accord with the key matter of the WMS.
- 7.11 **Impact on the character and appearance of the area**
- 7.12 Policy DE1 (Promoting Good Quality Design) of the adopted Local Plan states (amongst other criteria) that to ensure high quality design is achieved throughout the District, all development proposals will be expected to make a positive contribution to local distinctiveness, vernacular and character of the area. Proposals should reinforce local identity and not have an adverse impact on the streetscene, settlement pattern or the landscape / townscape character of the surrounding area. Proposals should be of an appropriate scale, density, massing, height and material, given the context of the area. Part 12 of the NPPF (Achieving well-designed places) states that good design is a key aspect of sustainable development and new development should be visually attractive as a result of good architecture and appropriate landscaping.
- 7.13 The Local Planning Authority is required to ensure that special regard to preserving the Listed Buildings and their settings in relation to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Act'). No harm should be caused with the historical assets and their surroundings requiring to be preserved or enhanced.
- 7.14 The Local Planning Authority is required to ensure that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area, through the Planning (Listed Buildings and Conservation Areas) Act 1990 at Section 72.
- 7.15 Furthermore, the importance of considering the impact of development on the significance of designated heritage assets is expressed in the National Planning Policy Framework (NPPF). The NPPF advises that development and alterations to designated assets and their settings can cause harm. These policies ensure the protection and enhancement of the historic buildings and environments. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance should be treated favourably.
- 7.16 Policy EN6 (The Historic Environment) states amongst other criteria that the Council will seek to protect and enhance heritage assets and their settings, in keeping with the policies in the National Planning Policy Framework. Proposals will be expected to take into account the Conservation Area Appraisals, where these have been adopted by the Council.
- 7.17 SKDC's Conservation Officer was consulted to due to the heritage constraints and advised the proposal to change the use of the property will not impact the amenity of the Conservation Area as proposed changes are internal. The Officer raised no concerns with this proposal on heritage grounds.
- 7.18 It is not proposed to extend or alter the exterior of the dwelling into the outside amenity space. The use of building for up to three children with their caregivers would not constitute an unacceptable increase and difference in impact levels on the character and

appearance of the area when considering the comings and goings and type of occupation to the existing residential dwelling.

- 7.19 By virtue of the design, scale and materials to be used, the proposal would be in keeping with the host building, streetscene and surrounding context. The development would not cause harm to the setting of the adjacent listed buildings or the Woolsthorpe By Belvoir Conservation Area in accordance with Sections 12 and 16 and Policies DE1 and EN6 of South Kesteven Local Plan.
- 7.20 **Impact on the neighbours' residential amenities**
- 7.21 Policy DE1 (Promoting Good Quality Design) of the adopted Local Plan states (amongst other criteria) that all development proposals will be expected to ensure there is no adverse impact on the amenity of neighbouring users in terms of noise, light pollution, loss of privacy and loss of light and provide sufficient private amenity space, suitable to the type and amount of development proposed. Paragraph 135 of the NPPF states that developments should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 7.22 There are no external changes to the building, with it solely being a change of use. Therefore, the considerations relating to overlooking or overshadowing are not deemed to be issues in this instance as these existing levels would not be exacerbated by the proposed use change.
- 7.23 Concerns were raised in relation to excess noise, however it is deemed that with the number of proposed occupiers and supporting staff, there would not be an unacceptable level of noise or disturbance resulting to the adjacent properties. Nevertheless, the nearest neighbouring property to the south is St Peters Church and the location of the dwelling, set further back than the neighbouring properties from the street frontage, this relationship and use is deemed acceptable in terms of anticipated noise levels.
- 7.24 Whilst the current proposal is not deemed to result in any unacceptable levels of harm by way of impact to neighbouring sites, it is considered the intensification of the number of children occupying the care home would give rise to increased levels of impact and therefore a condition has been attached to limit the number to a maximum of three as proposed.
- 7.25 Taking into account the nature of the proposal, small scale, and adequate separation distances, it is considered that there would be no unacceptable adverse impact on the residential amenities of the occupiers of adjacent properties in accordance with the NPPF Section 12, and Policy DE1 of the Local Plan.
- 7.26 **Highway issues**
- 7.27 Paragraph 115 of the NPPF advises that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
- 7.28 The submission confirms that there would be a total of 3 staff on site at any one point, nevertheless the parking arrangement allows for an additional 3 spaces to assist in the shift change over. A social worker would visit approximately once every 5/6 weeks and therefore a further 2 spaces have been provided to allow for this and any unscheduled

visit by a governing body. Therefore, 8 potential car parking spaces are available if needed for the above circumstances, although it would be highly unlikely all spaces would be needed/in use at any one time.

7.29 Lincolnshire County Council as the Highways Authority raised no objections to the proposal, advising the vehicular access remains unchanged and the applicant has justified the parking provided. Turning space has been provided within the limits of the site to allow vehicles to enter and leave in a forward gear and therefore, it is considered that this proposal would not result in an unacceptable impact upon highway safety.

7.30 The proposal would not impact on access, parking and turning facilities and would not have an unacceptable adverse impact on highway safety in accordance with the NPPF Section 9.

#### 7.31 **Other Matters**

7.32 Within the representations received a comment was made on Melton Borough Council having an opinion that no greater than one care home should be allowed in each village. South Kesteven District Council have not received comments to this effect from Melton Borough Council but can confirm there are no policies that restrict the number of care homes within the SKDC Local Plan.

7.33 The Parish had noted that the care home would not boost the local economy with the provision of staffing, and therefore the negative impacts they perceive would not be outweighed.

#### 7.34 **Crime and Disorder**

7.35 Concern was raised in relation to the potential that the relocation of the care home from a site in Redmile was due to anti-social behaviour and the change of use would result in an increase antisocial behaviour in Woolsthorpe by Belvoir.

7.36 Lincolnshire Police were consulted on the application, and confirmed they raise no objection to the proposal.

7.37 Matters relating to anti-social behaviour would be subject to control through separate procedures of law enforcement, and through the registration and monitoring of children's care homes that is conducted by Ofsted.

In this case, given that the proposed development relates to a change of use, it is Officer's assessment that the design of the development would not result in an increase in crime and / or the fear of crime occurring.

7.38 It is considered that the proposal would not result in any significant crime and disorder implications.

#### 7.39 **Human Rights Implications**

7.40 Articles 6 (Rights to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation. It is considered that no relevant Article of that act will be breached.

#### 7.41 **Conclusion**

7.42 Taking the above into account, the proposed change of use would not result in any unacceptable levels of impact to the character and appearance of the area, neighbouring properties residential amenities or highway safety. The proposal is therefore considered to

be in accordance with sections 9, 12 and 16 of the NPPF and policies DE1, EN6, H4, SB1 and SP3 of the SKDC Local Plan.

- 7.43 As such, the application is considered to be in accordance with the adopted Development Plan when taken as a whole, and there are no material considerations in this case to indicate that planning permission should be withheld.

## **8 Recommendation**

- 8.1 To authorise the Assistant Director – Planning to GRANT planning permission subject to conditions.

### **Time Limit for Commencement**

- 1 The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: In order that the development is commenced in a timely manner, as set out in Section 91 of the Town and Country Planning Act 1990 (as amended).

### **Approved Plans**

2 The development hereby permitted shall be carried out in accordance with the following list of approved plans:

- i. Site Plan re. JRTC\_2024\_0\_001 REV 0 received 6 March 2024
- ii. Proposed Car Parking Layout re. JRTC\_2024\_0\_004 REV 0 received 24 April 2024

Unless otherwise required by another condition of this permission.

Reason: To define the permission and for the avoidance of doubt.

### **Before the Development is Occupied**

3 Prior to first occupation of any part of the development hereby permitted, the vehicle parking and turning areas shall have been completed in accordance with approved plan JRTC\_2024\_0\_004 REV 0 and shall not be used for any purpose other than for the parking and turning of private vehicles and motorcycles belonging to the occupants of the property and their visitors. The parking and turning shall be retained thereafter unless otherwise agreed with the Local Planning Authority.

Reason: To ensure that adequate parking provision is provided and retained in order to minimise on street parking and to ensure that vehicles can enter and leave premises in a forward gear in the interests of highway safety.

### **Ongoing conditions**

4 Prior to any works to the boundary treatments commencing, details of a plan indicating the heights, positions, design, materials and type of boundary treatment to be erected shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: To provide a satisfactory appearance to any boundary treatments and by screening rear gardens from public view, in the interests of the privacy and amenity of the occupants of the proposed and neighbouring dwellings and in accordance with Policy DE 1 of the adopted South Kesteven Local Plan.

5 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (or any order revoking and re-enacting that order with or without modification) the premises shall be used only as a children's care home for up to three children and for no other purpose (including any other use falling within Class C2 of the Order).

Reason: To define the permission as other uses within Class C2 would require further assessment.

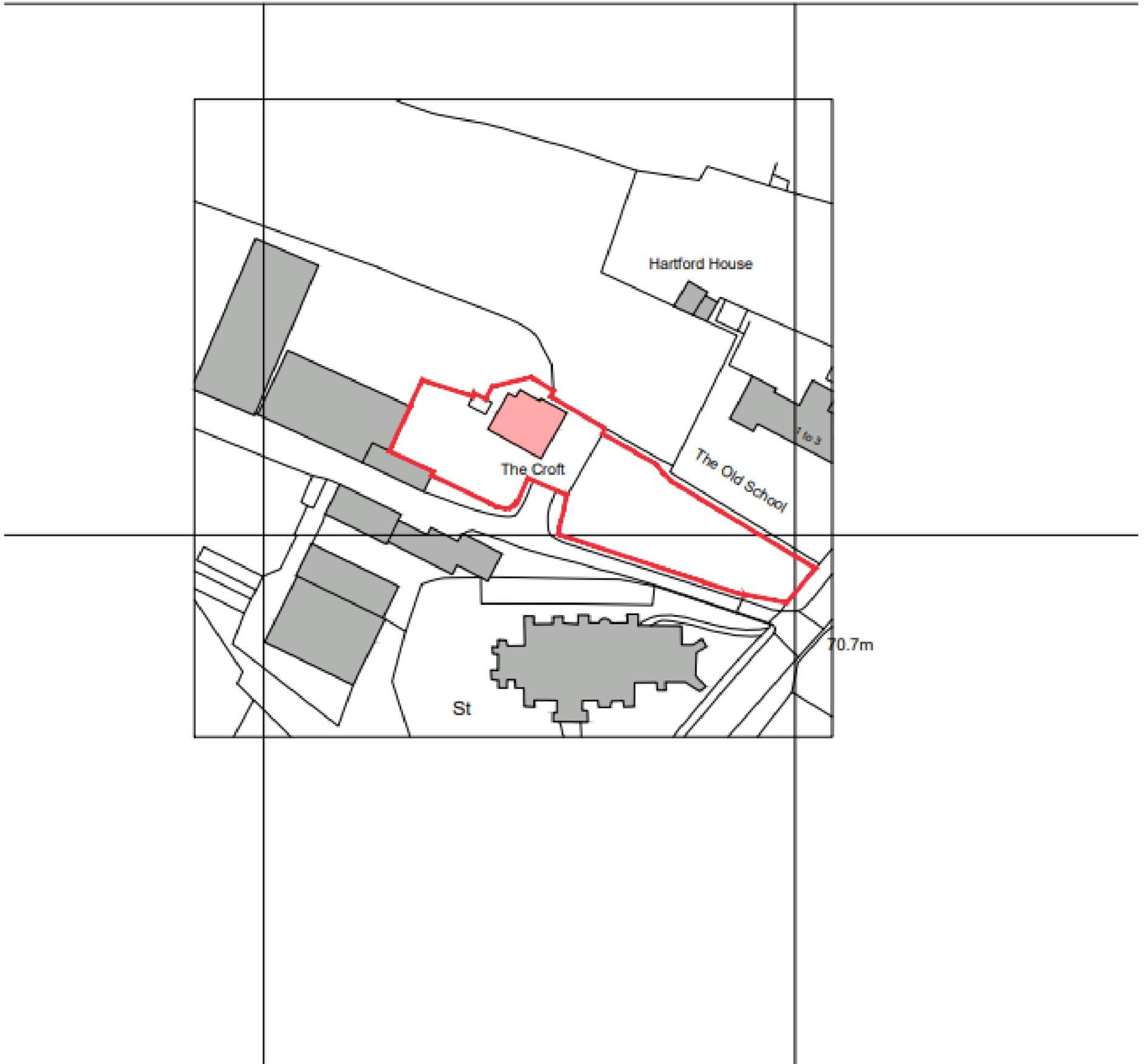
## Appendix A

Written Ministerial Statement 23 May 2024 - [Written statements - Written questions, answers and statements - UK Parliament](#)



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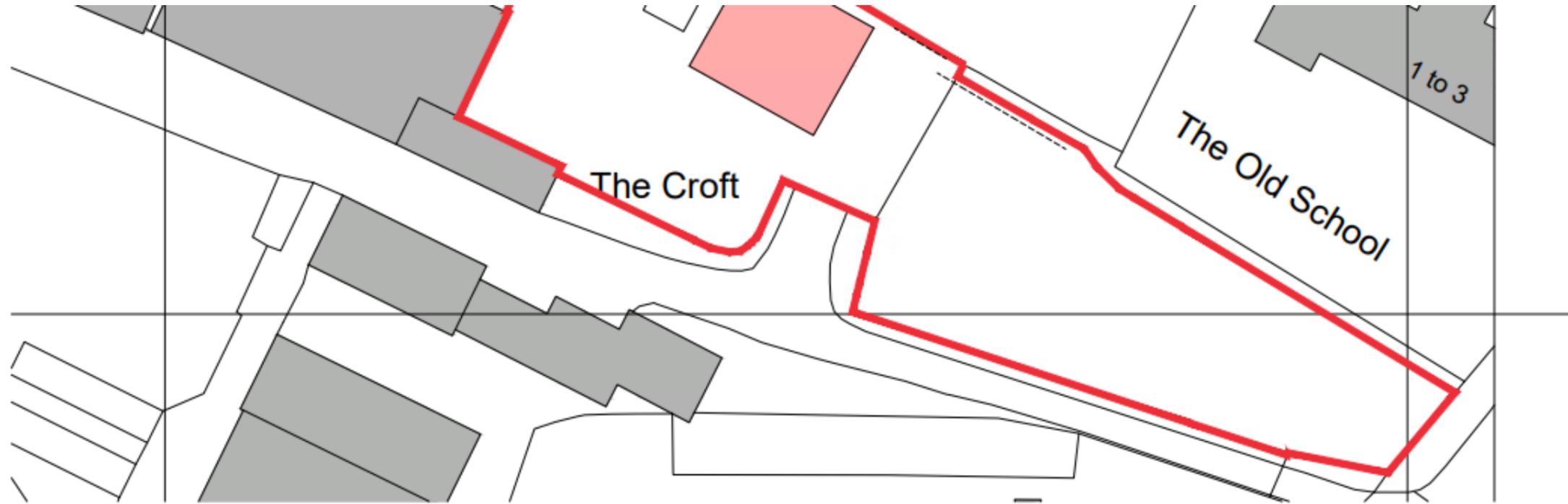
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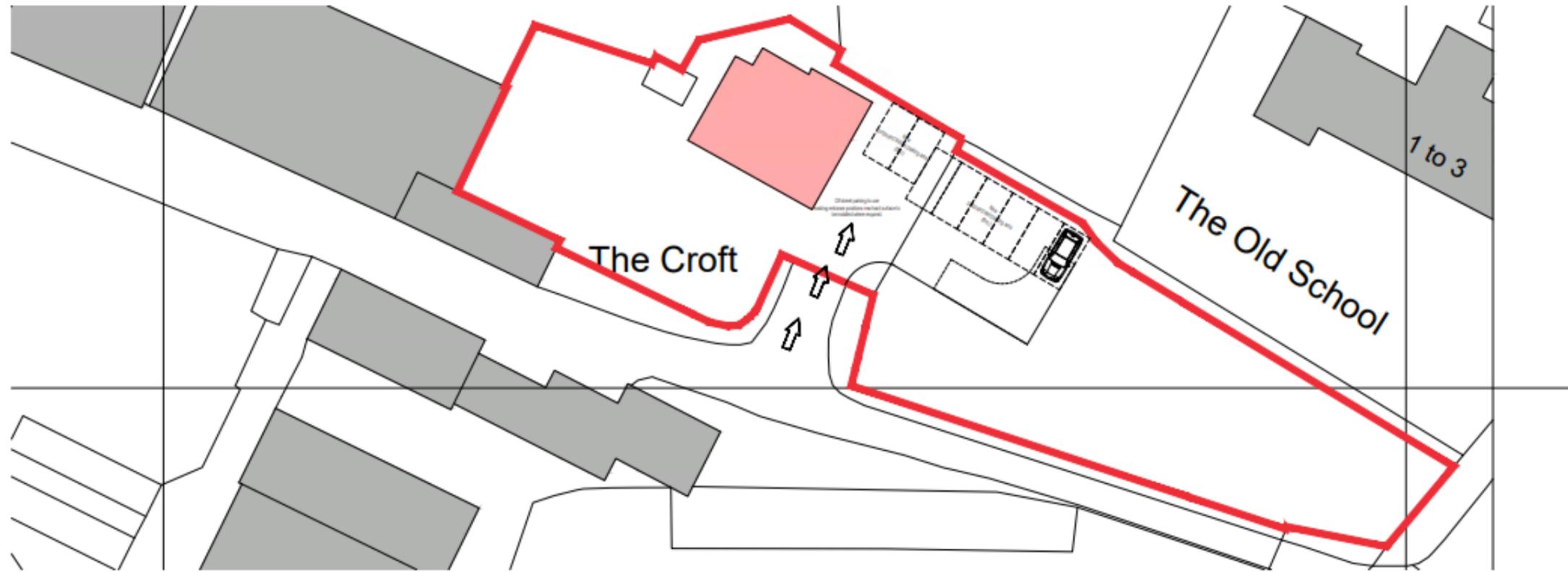
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Existing and Proposed Site Layout Plans



Site Layout | as existing

SCALE 1:200



Site Layout | as proposed

SCALE 1:200



architecture / interiors / landscape / design & build

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project: Existing Floor Layouts of The Croft, Main Street, Woolsthorpe, Grantham,  
Nottinghamshire, NG32 1LX  
For Mr J Rafter of Footsteps to Futures Ltd.

drawing: Proposed Carparking Layout.