



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**

Planning Committee

9 January 2025



S24/1707

Proposal:	Change of use from dwelling (C3) to children's home (C2) for up to 2 young people
Location:	The Lodge, Main Street, Hougham
Applicant:	Anchor Care and Education Limited
Application Type:	Full Planning Application
Reason for Referral to Committee:	Called in by Councillor Paul Wood citing the following considerations: <ul style="list-style-type: none"> • Impact on the character of the village • Noise and disturbance to neighbouring properties • Parking and traffic issues
Key Issues:	<ul style="list-style-type: none"> • Impact on character appearance of the area • Impact on neighbours' residential amenities • Impact on highway safety

Report Author

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Corporate Priority:

Growth

Decision type:

Regulatory

Wards:

Viking

Reviewed by:

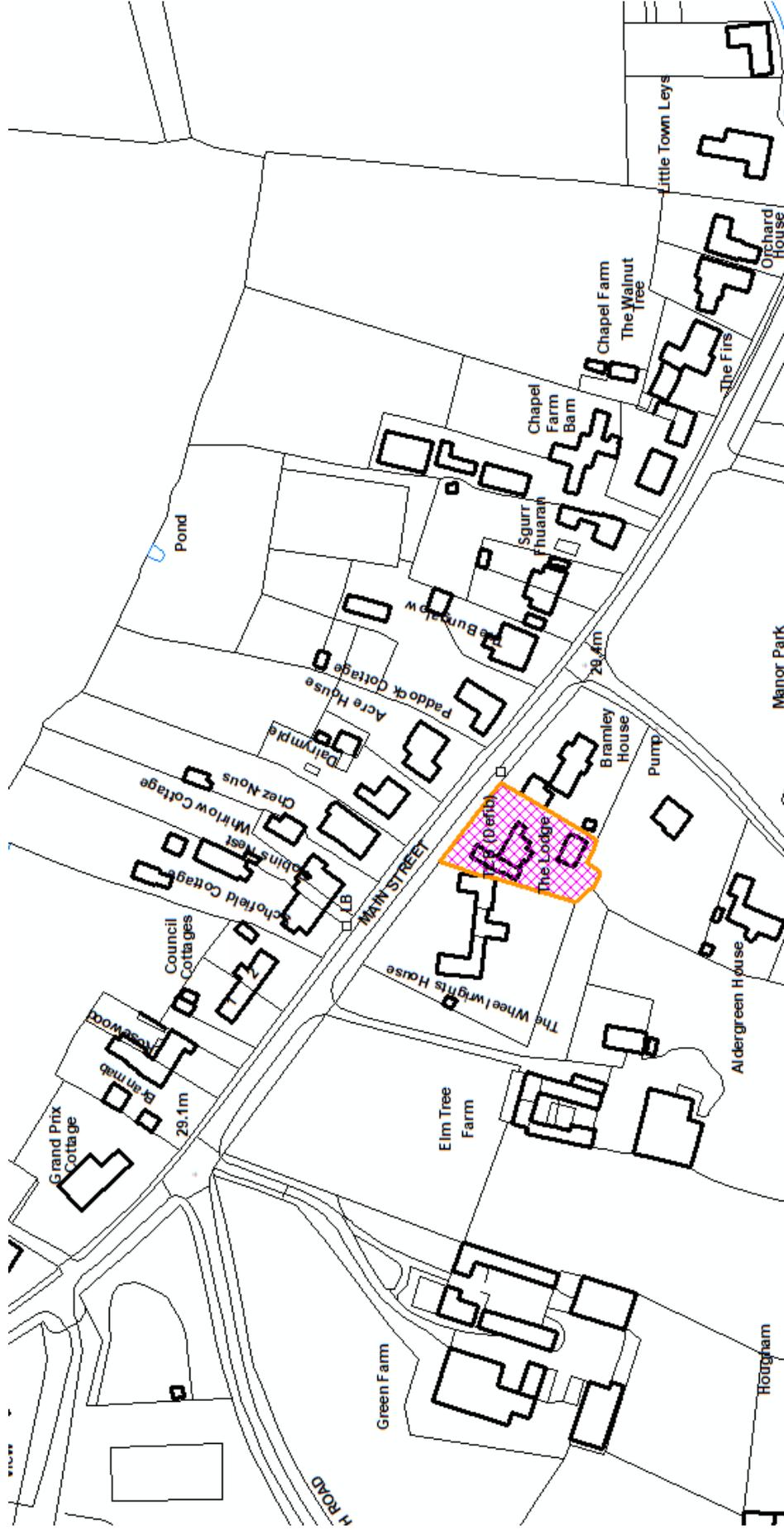
Phil Jordan, Development Management & Enforcement Manager

30 December 2024

Recommendation (s) to the decision maker (s)

To authorise the Assistant Director Planning & Growth to GRANT planning permission subject to conditions

S24/1707 – The Lodge, Main Street, Hougham



Key



Application
Boundary



1 Description of Site

- 1.1 The application site comprises a 5-bedroom detached dwelling situated to the south of Main Street, located centrally within the village of Hougham.
- 1.2 The property is a two-storey detached dwelling constructed of red brick and a clay pantile roof, with a single storey pitched roof projection to the side, and a more recently timber clad, gable ended single storey extension to the side and front on the western side of the dwelling.
- 1.3 The property is set back from the highway and occupies a modest plot of approximately 0.25 acres. The site is bound to the east and west by additional, large detached residential dwellings of varying designs and materiality.
- 1.4 An application for a Lawful Development Certificate for Proposed Use of the dwelling as a children's care home (Application Ref: S24/1185) has previously been refused in September 2024 and is currently subject to a planning appeal. In addition, it is noted that the site is also subject to a current planning application for retrospective permission for the repositioning of an LPG tank to the rear of the dwelling.

2 Description of Proposal

- 2.1 The current application seeks planning permission for the change of use of the dwelling from a private dwelling (Use Class C3) to a children's care home (Use Class C2) for occupation by up to 2 young people.
- 2.2 The proposed care home would operate on a 2:1 ratio of carers to children plus a Registered Manager meaning that there would be up to 7 persons occupying the property at any time (5 staff and 2 young persons). Staff work on shifts between 08:00 and 21:00 or 20:00 and 09:00.

3 Relevant History

<u>Application Ref</u>	<u>Description of Development</u>	<u>Decision</u>
S24/1185	Lawful Development Certificate (Proposed) for use of a private dwelling (Use Class C3) as a children's care home (Use Class C2)	Unlawful Development 04.09.24 Appeal Lodged
S24/1978	Retrospective approval for repositioning of an LPG tank	Pending consideration

4 Policy Considerations

- 4.1 **South Kesteven Local Plan 2011-2036 (Adopted January 2020)**
Policy SD1 – The Principles of Sustainable Development in South Kesteven
Policy SP1 – Spatial Strategy
Policy SP2 – Settlement Hierarchy
Policy SP3 – Infill Development
Policy H4 – Meeting All Housing Needs
Policy DE1 – Promoting Good Quality Design
Policy ID2 – Transport and Strategic Transport Infrastructure
- 4.2 **Design Guidelines for Rutland and South Kesteven Supplementary Planning Document (Adopted November 2021)**
- 4.3 **National Planning Policy Framework (NPPF) (Published December 2024)**

Section 2 – Achieving sustainable development.

Section 4 – Decision-making

Section 5 – Delivering a sufficient supply of homes.

Section 9 – Promoting sustainable transport.

4.4 **South Kesteven Local Plan Review 2021-2041 (Regulation 18 Draft)**

5 Representations Received

5.1 **Hougham Parish Council**

5.1.1 Objection.

5.1.2 Hougham is a relatively isolated village with only neighbouring Marston within reasonable walking or cycling distance. The only school within walking distance is Marston Primary so any children over primary age or who are not registered at the local school would need to use some form of vehicular transport to get to school. The joint population of Hougham and Marston is small enough that it is unlikely that staff would be available locally therefore all staff would have to travel by car to work.

5.1.3 The applicant suggests that Hougham has a regular bus service, this is not the case with the only regular service being the school bus service into Grantham. The business model relies heavily on car transport, both in transporting children to their respective schools and activities and in enabling staff to travel to work.

5.1.4 Whilst this is an existing building, it is our view that the proposed use would undoubtedly compromise the character of the village by introducing a business model of accommodation into an otherwise residential area.

5.1.5 This proposal does not address a perceived local need. It is not clear whether the children would be from South Kesteven or further afield. In fact, the model relies on removing children from otherwise familiar surroundings and the jobs created would be for employees who will need to travel to the workplace.

5.1.6 The applicant states that the location provides a “calm and peaceful environment”. The site is within the confines of the village with neighbours to each side and a working farm to the rear, sited on the main street through the village which is in near constant use by farm vehicles, heavy plant and machinery.

5.1.7 It is a quiet village with relatively few families with young children. A number of villagers have expressed their concerns about the potential effects on the quality of life in the village by this proposal. Whilst concerns could arise from normal family occupancy, the proposed use differs significantly from the character of the remaining village and there is a far higher potential for noise and disturbance than that which could be expected with normal family occupancy.

5.1.8 The site is limited to accommodate the number of cars proposed with such a necessarily high staffing ratio, which is much higher than that of an equivalent family home.

5.1.9 Whilst we accept that the potential of anti-social behaviour is not a material planning consideration, it is nevertheless a serious matter of concern to those who may be affected.

5.2 **Lincolnshire County Council (Highways & SuDS)**

Consolidated comments

5.2.1 No objection.

5.2.2 The proposal is for the change of use from a dwelling (C3) to children's home (C2) catering for up to 2 young people and the access and parking arrangements remain unchanged. The application has demonstrated that there is enough parking for the proposed staff numbers; therefore, it is considered that the proposals would not result in an unacceptable impact on highways safety.

5.2.3 Additional Information Required – Parking Plan.

5.3 **Lincolnshire County Council (Children's Care Home – Senior Commissioning Officer)**

5.3.1 No comments to make.

6 Representations as a Result of Publicity

6.1 The application has been advertised in accordance with the Council's Statement of Community Involvement and public representations have been received from 39 interested parties, all of whom have raised objections. The representations have raised the following matters:

(1) Principle of development

- a. The proposal is not required to meet a local need for Hougham.
- b. Hougham is not a sustainable location for development.

(2) Impact on the character of the area

- a. The potential for parking on the lawn would be damaging to the area.

(3) Impact on neighbouring amenity

- a. The staff changeover period would result in an increase in noise and light pollution causing harm to neighbouring occupants.

(4) Access and Highways Impacts

- a. Insufficient parking and manoeuvrability on site which would result in on-street parking
- b. Insufficient visibility to allow for vehicles to exit the site safely

(5) Other Matters

- a. Accuracy of the information submitted with the application
- b. Adequacy of the proposed operators
- c. The occupants will have participated in crime, anti-social behaviour or violent activities.
- d. Adequacy of the public consultation on the application – absence of site notices.
- e. The proposed development would not meet Ofsted requirements.
- f. Concern about fire risk
- g. Impact on property values
- h. Concerns about the safety of the children.

7 Evaluation

- 7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise. In this case, the Council adopted the South Kesteven Local Plan 2011-2036 on 30 January 2020, and this forms the Development Plan for the purposes of the current application.
- 7.2 The Local Planning Authority have also adopted a Design Guidelines Supplementary Planning Document (SPD) (Adopted November 2021), and this document is a material consideration in the determination of planning applications.
- 7.3 The policies and provisions set out in the National Planning Policy Framework (NPPF) (“the Framework”) (Published December 2024) are also a relevant material consideration in the determination of planning applications.
- 7.4 It is also appreciated that the Local Planning Authority are also in the process of conducting a Local Plan Review. The Regulation 18 consultation on the draft Plan was carried out between February and April 2024. At this stage, the policies contained within the draft Plan Review can be attributed very little weight in the determination of planning applications. However, the updated evidence base which accompanies the ongoing Plan Review is a material consideration and must be taken into account in the determination of planning applications.
- 7.5 **Principle of Development**
- 7.5.1 It is appreciated that representations received have raised objections on the basis that Hougham is not a sustainable location for a care home.
- 7.5.2 The application dwelling is located within the centre of Hougham, which is defined as a Smaller Village in Policy SP2 of the adopted Local Plan.
- 7.5.3 The principle of residential development within this location has already been established by virtue of the host property being a private residential dwellinghouse. Whilst the proposed development would result in a change of use, it would remain within the residential use class and would result in a small children’s care home accommodating up to 2 young persons and 4 staff members at any time. The host dwelling is a 5-bedroom dwelling and therefore, it is Officer’s assessment that the level of occupancy is no greater than that possible through the current lawful use as a private dwellinghouse. As such, it is Officer’s assessment that the proposed development would be in accordance with Policy SP2 and SP3 of the adopted Local Plan as a matter of principle.
- 7.5.4 Furthermore, representations have also raised objections on the basis that the proposed development is not required to meet an identified local need.
- 7.5.5 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 supporting housing.
- 7.5.6 The Written Ministerial Statement (WMS) published 23 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 identifies that the planning system

should not be a barrier to providing homes for the most vulnerable children in society; and 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”.

7.5.7 The revised National Planning Policy Framework (published December 2024) further emphasises this requirement by setting out the obligation for the size, type and tenure of housing needed for different groups in the community to be assessed and reflected in planning policies. This includes a need to assess the requirements for looked after children, which is to be evidenced used the local authority’s Children’s Social Care Sufficiency Strategy.

7.5.8 The Lincolnshire County Council Children in Care Sufficiency Strategy 2023-27 (Published September 2023) (**Appendix A**) sets out the following:

- Capacity within children’s homes is an issue, with many homes at capacity or experiencing difficulties with needs matching and recruiting and retaining high quality staff.
- Demand for children’s independent placements as of March 2021 increased by 25% since 2010.
- Children’s Strategic Commissioning have seen a rise in independent placements in place on 31st March 2018 to 31st March 2023 of 126% increase in independent residential children’s home placements.
- Lincolnshire places the majority of children and young people close to “home”.
- As of 31st March 2023, 53% of independent residential care placements were not in Lincolnshire or adjacent counties and this needs to be a real area of focus for market development.

7.5.9 The above information highlights a clear need for additional independent care homes to meet the growing demand for accommodation for children in care within Lincolnshire. The proposed development would provide 1 dwelling capable of accommodating 2 children towards meeting this identified need. This is a significant public benefit that the Case Officer attributes significant weight.

7.5.10 Conditions are proposed to restrict the use and number of occupants to the details described above, to ensure that the proposed development operates in accordance with the manner in which it has been assessed.

7.5.11 Taking all of the above into account, the proposed change of use to form a children’s care home would be in accordance with Policy SP1, SP2, SP3 and H4 of the adopted Local Plan and Section 5 of the National Planning Policy Framework, and therefore is acceptable in principle, subject to material considerations. These matters are discussed in detail below.

7.6 **Impact on the character and appearance of the area**

7.6.1 Representations received on the application have raised objections on the basis that the proposed development would change the character of the village, and also that any parking of vehicles on the front garden of the dwelling would be harmful to the streetscene.

7.6.2 It is not proposed to extend or alter the exterior of the dwelling into the outside amenity space. Whilst it is possible that the areas to the front garden may be changed to hardstanding to enable additional parking, these works could be carried out using permitted

development rights available to the current use of the dwelling as a private dwellinghouse. In this context, it is Officer's assessment that this would not result in any unacceptable adverse impacts on the streetscene.

7.6.3 In respect of the nature of the proposed occupation of the property, and the consequential impact on the character of the area, it is Officer's assessment that the level of occupancy of the property would not exceed that which would reasonably occur through occupation of the dwelling by a single family as a private dwellinghouse.

7.6.4 Nonetheless, it is appreciated, that the nature of the vehicular movements associated with the proposed development would be materially different given that the trip movements would be largely clustered around staff changeover periods at the beginning and end of the day. However, it is the Case Officer's assessment that this difference in vehicular movements would not be sufficient to warrant harm to the overall character and appearance of the area.

7.6.5 Consequently, it is Officer's assessment that the proposed development scheme would not result in any unacceptable adverse impacts on the character and appearance of the area, and therefore would accord with Policy SP3 and DE1 of the Local Plan, and Section 12 of the Framework on these matters.

7.7 **Impact on neighbouring amenity**

7.7.1 Representations received on the application have raised objections on the basis that the increased number of vehicular movements would result in an unacceptable impact on noise and light pollution.

7.7.2 It is Officer's assessment that, whilst there would be an increase in the number of vehicle movements occurring compared to the private occupation of the dwelling, this would not be of such a level to result in any unacceptable adverse impacts in relation to noise and light pollution; particularly, when considering the position of the dwelling adjacent to a neighbouring agricultural land use and the main arterial route running through the village.

7.7.3 In addition, there are no external changes proposed to the building and, therefore, there would be no unacceptable adverse impacts in relation to overlooking or overshadowing

7.8 Taking into account the nature of the proposal it is considered that there would be no unacceptable adverse impact on the residential amenities of the occupiers of adjacent properties in accordance with Policies DE1 and SP3 of the Local Plan and Section 12 of the Framework.

7.9 **Access and Highways Impacts**

7.9.1 Representations received on the application have raised objections on the basis that there is insufficient space on site to accommodate the number of vehicles required for the development, and that there is insufficient visibility to allow vehicles to exit the site safely.

7.9.2 Lincolnshire County Council (as Local Highways Authority) have been consulted on the application and have confirmed that they have no objections. They have confirmed that the applicant has demonstrated that there is sufficient parking space to accommodate the development and have confirmed that they have no concerns in relation to highways safety. Further comments received from LCC Highways have subsequently requested the submission of a parking plan.

7.9.3 The Applicant has submitted a Car Parking Appraisal (BSP Consulting) (December 2024), which identifies sufficient on-site parking for up to 5 vehicles including plans showing the

proposed swept path analysis indicating how these parking places could be accessed and egressed in a forward gear.

7.9.4 Lincolnshire County Council have been consulted on the submitted parking plan, and no further comments have been received.

7.9.5 Taking the above into account, it is Officer's assessment that the proposed development would not result in any unacceptable adverse highways impacts and would provide sufficient off-street parking to accommodate the development proposal. As such, it is Officer's assessment that the application proposals would accord with Policy ID2 of the Local Plan and Section 9 of the Framework.

7.10 **Other Matters**

Public consultation

7.10.1 Representations received have raised concerns about the level of public consultation undertaken on the application citing the absence of a site notice to advertise the proposals and the lack of engagement from the Applicant.

7.10.2 As stated above, the application has been advertised in accordance with the Council's Statement of Community Involvement, as well as the requirements of the Town and Country Planning (Development Management Procedure) Order. Notification of the application has been sent directly to the adjoining properties, as well as the statutory consultees. The nature of the proposed development and the site context does not require a formal site notice to be displayed for the application. There has been a relatively high public engagement with the consultation undertaken, including representations from the Parish Council and 39 public representations. As such, officers are satisfied that appropriate consultation exercise has been undertaken in this instance.

7.10.3 In respect of the lack of public consultation by the Applicant, whilst the National Planning Policy Framework encourages applicants to engage directly with the local community, it would be unreasonable for the Local Planning Authority to refuse an application due to the absence of any consultation, but rather the LPA would need to demonstrate the unacceptable consequences of an absence of consultation.

Adequacy of the submission

7.10.4 Representations have raised concerns about the accuracy of the information submitted as part of the application. In particular, concerns have been raised about the contradictory references to the number of children who will occupy the property.

7.10.5 The application has been assessed by the Case Officer, who is satisfied that there is sufficient information on which to make an informed decision about the proposed development. The concerns about the proposed number of occupants are noted and as stated above, conditions are proposed to ensure that the occupation of the care home is limited to 2 children to ensure that the proposals are operated as assessed.

Suitability of the operator

7.10.6 Representations have raised objections on the basis of the adequacy of the Applicant to operate the proposed care home, citing Ofsted reports for other facilities operated by the Applicant which require improvement.

7.10.7 As Members will be aware, if granted, planning permission would run with the land rather than specific to the applicant and, therefore, it is entirely possible that the proposed care

home would be operated by another provider rather than the current Applicant. Notwithstanding this, the suitability of the operator of the site would be subject to control by Ofsted through separate social care legislation, which also includes a further assessment of the suitability of the site to be a licensed care home.

The proposed development would not meet Ofsted requirements

7.10.8 Public representations have raised objections on the basis that the proposed development would not adhere to Ofsted requirements for licensing of the property as a care home, in particular concerns have been raised in relation to fire safety.

7.10.9 As stated above, the registration and monitoring of care homes is a separate process undertaken by Ofsted, and therefore, is not a matter for consideration as part of the planning application process, which is solely concerned with the change of use of the dwelling.

Anti-social behaviour

7.10.10 Concerns have been raised that occupants of the proposed care home would have participated in crime, anti-social behaviour or violent activities, and would therefore increase the likelihood of such activities occurring in Hougham. Similarly, concerns have also been raised about the safety of the future occupants due to proximity to watercourses, railway lines and agricultural machinery.

7.10.11 Matters relating to anti-social behaviour would be subject to control through separate procedures of law enforcement, as they would for the current occupation of the dwelling as a private dwellinghouse. Nonetheless, further control is provided by the Ofsted registration process.

7.10.12 It is Officer's assessment that the proposed change of use would not result in any unacceptable adverse impacts in relation to crime or the fear of crime occurring.

Impact on property values

7.10.13 Public representations have raised objections on the basis that the proposed change of use would increase the likelihood of criminal activity occurring and thus result in a reduction in property values.

7.10.14 The impact of a development proposal on private property values is not a material planning consideration and cannot be given weight in the determination of the current application.

8 Crime and Disorder

8.1 It is concluded that the proposals would not result in any significant crime and disorder implications.

9 Human Rights Implications

9.1 Article 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 concluded that no relevant Article of the Act will be breached in making this decision.

10 Planning Balance and Conclusions

10.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

- 10.2 The current application seeks planning permission for the change of use of a dwelling (Use Class C3) to a children's care home (Use Class C2) for occupation by up to 2 young persons. The proposed development would contribute towards the identified need for the provision of additional independent institutions within Lincolnshire, as evidenced in the Lincolnshire County Council Children in Care Sufficiency Strategy 2023-27 (Published September 2023). This is a significant public benefit, which the Case Officer attributes significant weight.
- 10.3 Furthermore, it is the Case Officer's assessment that the proposed change of use would not result in any unacceptable adverse impacts on the character of the area, neighbouring amenity or highways safety.
- 10.4 As such, it is Officer's assessment that the application would accord with the adopted Development Plan as a whole, and there are no material considerations in this case to indicate that planning permission should be withheld.

11 Recommendation

- 11.1 To authorise the Assistant Director – Planning & Growth to GRANT planning permission, subject to conditions.

Schedule of Condition(s)

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 permission is commenced in a timely manner, as set out in Section 91 of the Town and Country Planning Act 1990 (as amended).

Approved Plans

Approved Plans

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

- Site Location Plan (received 2nd October 2024)

Unless otherwise required by another condition of this permission.

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

Ongoing Conditions

Use of the Property

- 3) 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 two children and for no other purpose (including any other use falling within Class C2 of the Order).

Reason: To ensure that the development operates as assessed.

Indicative Parking Plan



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KEY PLAN			
Construction Files	Information/Consulting Files	Design/Architectural Files	
In addition to the legends normally associated with the type of works detailed on this drawing take note of the above. It is assumed that all works on this drawing will be carried out by a competent contractor working, where appropriate, to an appropriate method statement.			
SAFETY HEALTH AND ENVIRONMENTAL INFORMATION BOX			
P02	Parking provision rearranged	TS	12/24 JAD 12/24 MWR 12/24
P01	HM Issue	TS	12/24 JAD 12/24 MWR 12/24
COMMENT DRAWN BY DATE CHECKED BY DATE APPROVED BY DATE			
SCALE @ A3	ISSUING OFFICE	PROJECT NUMBER	
1:500	NOTTINGHAM	24-0614	
CLIENT APPROVAL			
A - APPROVED			
B - APPROVED WITH COMMENTS			
C - DO NOT USE			
STATUS	PURPOSE OF ISSUE		
S1	PRELIMINARY		
• CIVIL • STRUCTURAL • TRANSPORTATION • GEOTECHNICAL • ENVIRONMENTAL			
			
12 Oxford Street Nottingham, NG1 1EG Tel: 0145 412 4000 email: info@bsp-consulting.co.uk Also offices in Derby, Leicester and Sheffield			
PROJECT			
THE_LODGE_MAIN_STREET_ HOUGHAM_LINCOLNSHIRE			
TITLE			
INDICATIVE_ CAR_PARKING_ARRANGEMENTS			
CLIENT			
ANCHOR_CARE_AND_EDUCATION			
PROJECT ORIGINATOR	FUNCTIONAL SPATIAL FORM	DISCIPLINE NUMBER	REV
LMSH-BSP-XX-XX-D-S-0001			P02

Existing Floor and Block Plan



Kinkore House School
22 & 24 School Lane, Boston
Block Plan / Floor Plans (Existing)
Change of use of dwellings to educational use
Scale: 1:1000 A2
Drawing No: MSP2080 002

Scale 1:1000

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