



Appeal Decision

Site visit made on 14 September 2024

by A. J. Boughton MA (IPSD) Dip.Arch. Dip.(Conservation) RIBA MRTPI
an Inspector appointed by the Secretary of State

Decision date: 14 October 2024

Appeal Ref: APP/E2530/W/24/3343621

Barakat 52 Saltersford Road Grantham Lincolnshire NG31 7HG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Curtis Hambly, Snowdrop Care Ltd against the decision of South Kesteven District Council.
 - The application Ref is S23/2158.
 - The development proposed is change of use of a residential dwellinghouse (Use Class C3) to a childrens care home (Use Class C2).
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Decision

1. The appeal is allowed and planning permission is granted for change of use of a residential dwellinghouse (Use Class C3) to a childrens care home (Use Class C2) at Barakat 52 Saltersford Road Grantham Lincolnshire NG31 7HG in accordance with the terms of the application, Ref S23/2158 and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) 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).
 - 3) Prior to the first occupation of the development hereby approved a detailed scale drawing of existing boundary treatments in plan and elevation at a scale of 1:50 shall be submitted to, and approved in writing by, the local planning authority. This shall be accompanied by a scheme of proposals, where necessary and as far as is reasonable, to mitigate deficiencies of visual or aural privacy between 52 Saltersford Road and neighbouring houses. The approved scheme shall be completed prior to first occupation of the development hereby permitted.
 - 4) Notwithstanding the drawings submitted (Encon Associates Drawings ref: A6636 – 01 to 07 inclusive) a parking scheme for 5 vehicles with sufficient manoeuvring room to allow exit from the site in forward gear for those spaces shall be submitted to, and approved in writing by, the local planning authority. The scheme shall accurately reflect the site dimensions and features at a scale of 1:100 and identify surfacing materials and demarcation of 5 parking spaces, together with

manoeuvring space/waiting area and be completed prior to the first occupation of the development. The parking area shall be retained as approved for the life of the development.

Preliminary Matter

2. The description of development appearing on the application form is neither succinct nor apt to the grant of permission. I have therefore used that which appears on the Council's decision notice which accords with the other documents submitted.

Main Issue

3. The Main Issue is the effect of the proposed development upon pedestrian and highway safety having regard to the provision of parking.

Reasons

4. The appeal site (No.52) is a detached three-bedroom bungalow found within a suburban part of Grantham comprising one and two-storey houses dating from the latter decades of the twentieth century provided with good-sized plots and enclosed fore-gardens that incorporate off-road parking.
5. At the time of my visit Saltersford Road was quiet and lightly-trafficked with very few cars parked on the road and of sufficient width for two cars to pass¹. Located on a corner adjacent to open fields the southerly aspect of the frontage allowed unobstructed visibility for, and of, other vehicles that approach on either limb of the corner in Saltersford Road, where access to No.52 is across a wide open verge.
6. The appellant seeks permission to change the use of No.52 to a care home for three looked-after children involving the continuing presence of three staff in the daytime and two at night in addition to a manager during daytime hours. Visits from professional persons relating to the care provision would also take place from time to time. On that basis the likely peak parking demand would be at shift handover when two or three staff would leave after their replacements had arrived². This would result in up to six cars at the premises for the period of handover³.
7. At the time of my visit the fore-garden of No.52 was hard paved and appeared to have ample space to allow 4 cars to park and manoeuvre each side of a central manoeuvring area. A revised parking plan including swept path diagrams⁴ submitted after the Council's decision suggests that the site could accommodate up to 7 vehicles although the last of these would obstruct the in-out manoeuvring of the other spaces and the sixth vehicle would be 'tandem' such that last arriving car would need to reverse off the site. Plainly leaving the site in a forward gear is preferable in terms of safety, but given the good visibility at the point of egress and the likelihood that extra care taken is taken, such a manoeuvre is not, necessarily, unsafe. However, although the peak requirement for parking assumes an improbably simultaneous confluence of six or seven vehicles, the most likely outcome of such an event would be that,

¹ Although those that were visible from the appeal site were partly on the pavements for reasons unknown.

² Morning changeover: Two staff due to be replaced by three staff arriving with manager.

³ On the reasonable basis that additional visitors would not arrive at times of handover.

⁴ Encon Associates Drawings ref: A6636 – 01 to 07 inclusive

given the lack of parking restrictions on Saltersford Road, one or two staff would park there until space on site was available or would wait briefly on the access drive in front of the site, leaving an on-site requirement of five spaces plus waiting or manoeuvring room as detailed on the submitted drawings.

8. Policy ID2 of the South Kesteven Local Plan (SKLP) seeks to ensure the impacts of development proposals are addressed in terms of strategic and local transport infrastructure. Paragraph 115 of the framework makes clear that development should only be refused on highway grounds where there is an unacceptable impact on highway safety OR where the residual cumulative impacts on the highway network would be severe. Whilst it is clear that there would at times be a need for some parking on the highway as the Council suggest,⁵ it is not explained why this would cause concerns as to highway safety, nor is the postulation of severity substantiated. It is significant that Lincolnshire County Council, as Highway Authority have raised no objection to the proposal despite enquiry in December 2023 and again in April 2024.
9. I also note the reference to the introduction of a new footway across the verge related to future development on the adjoining open land. My observations remain, however, that notwithstanding a likely increase in vehicle movements above that of a C3 use, the result would be only a modest amount of on-road parking from time to time. Overall, it does not follow that road users and pedestrians are at greater risk of harm than would arise from the occupation of No.52 as a family home. Consequently I find little conflict with Policy ID2 of the SKLP or with the Framework as before explained.

Other Matters

10. There are a significant number of objections from neighbours to the introduction of a childrens care home in this location. These reflect concerns about behaviour, noise and privacy. Not all of these are matters appropriate to be addressed through the regulatory regime of planning as other regulatory regimes apply to care provision. However, and noting the responses from the appellant to these objections, whilst some of the concerns expressed could arise from ordinary family occupancy, I consider that the use described sufficiently differs from the character of occupancy in the immediate area that measures to review, and where necessary, enhance, boundary treatments would be appropriate to protect the amenity of both occupiers and neighbours.

Conclusion and Conditions

11. National Policy is clear that local planning authorities should assess the size, type and tenure of housing needed for different groups, which would include looked-after children, and reflect this in planning policies and decisions. This position is underlined by the Written Ministerial Statement dated 23 May 2023 'Planning for accommodation for looked-after children'; adding significant weight in favour of the proposal, relevant policy absent.
12. I have considered the impact of the proposal on highway and pedestrian safety and concluded that the proposal would not conflict with the guidance set out in the Framework, nor conflict with the relevant policies of the development plan. I have also concluded, as an 'other matter' that, based on the submissions of neighbours, the nature of the use might impair the privacy and amenity of

⁵ Final Comments by LPA

occupiers and neighbouring users such that a condition to review and, where appropriate, enhance boundary treatments is necessary.

13. In addition to the usual timing condition, a condition restricting the number of occupiers and nature of use is necessary to ensure the basis by which I have reached my decision is maintained. I conclude that 5 parking spaces would be sufficient for both staff and visitor parking on site on the basis that this would accommodate all normal requirements and that some on-street parking is acceptable at times of changeover. Therefore, and to reduce the likelihood of reversing on to the highway it would be appropriate to introduce a condition to detail the parking layout in such a way that parking does not formally set out 'tandem' parking, with spaces appearing on submitted drawings as '6 and 7'⁶ to be left undesignated and retained for usual manoeuvring or waiting/emergency use. A plans condition is not necessary as the proposal is for change of use and further details as to parking and boundary treatment are yet to be approved.
14. Consequently, taking all matters raised into account and for the reasons set out, the appeal succeeds subject to the conditions I have indicated.

Andrew Boughton

INSPECTOR

⁶ As marked on drawings A6636 – 01 to 07