

# Development Management Delegated Decision Report

B/20/0298



SUMMARY OF APPLICATION			
Application Reference	B/20/0298		
Application Type	Full Planning Permission		
Proposal	Change of use from Vocational Training Centre (Class D1) to Independent School for children with special educational needs (Class D1)		
Location	Bridge House Training Centre, Grantham Road, Boston, PE21 7NL		
Applicant	Bridge House Independent School Ltd		
Agent	Mr Terry Sykes, Terry Sykes (Design & Build)		
Received Date:	14-Aug-2020	Consultation Expiry Date:	29-Sept-2020
Valid Date:	20-Aug-2020	Statutory Expiry Date:	15-Oct-2020
Date of Site Visit:	---	Extension of Time Date:	N/A
Objections received?	No		
5 day notification record:			
Councillors notified	Date	Response received – date	Ok to continue
Recommendation	Approve		
Report by:	Richard Byrne		
Date:	07-10-2020		

## OFFICER REPORT

### SITE AND SURROUNDINGS

The application site is a large, extended detached property on the east side of Grantham Road immediately to the north of Alban Retail Park and south of the South Forty Foot Drain. The building is currently a vocational training centre after having received consent in 2007 and is use as an independent training body for vulnerable children with behavioural problems having been referred to Bridge House by the LEA.

### DETAILS OF PROPOSAL

Planning permission is sought for the change in use to an independent school for children with special educational needs.

The building was previously used as a training centre for older children, however, due to a change in Legislation the use now must satisfy other standards for the building, accommodation, health and safety together with the wellbeing of the pupils. It was then



considered, which would also align with the County Council education strategy, that the use be changed to provide a full educational offering similar to an independent school.

In planning terms this would not result in a major shift in operation but is mainly in name. The original planning consent did however restrict the use of the land to an individual (previous owner) as to protect retail units in the town centre.

With all this in mind it was considered more appropriate by the applicant to apply for a change of use rather than a variation to the original permission (i.e. s.73) to ensure the correct permission is in place.

The proposed use therefore comprises:

- Staffing ration 15-20 per day;
- Approximately 25 pupils per day (able to accommodate up to 50);
- Pupils age range 11-18;
- Staff hours Monday to Friday 0800 – 1700 with individuals staying on until 1900 hours marking and planning etc);
- Pupils between 0830 hours – 1445 Hours with possible additional tutoring after school;

The use would be contained within the existing buildings and land. No further work is proposed.

## **RELEVANT HISTORY**

B/09/0247 - Extension to existing vocational training centre. Granted 7 September 2009.

B/07/0366 - Change of use from Office to Vocational Training Centre (Class D1). Granted 15 August 2007.

Other applications relate to the siting of cabins within the site and a proposal for residential development.

## **RELEVANT DEVELOPMENT PLAN POLICIES AND DOCUMENTS**

The South East Lincolnshire Local Plan 2011-2036 (SELLP) was adopted by Boston Borough Council and South Holland District Council on the 8 March 2019 and forms the Local Plan which is used for the determination of planning applications. The relevant SELLP policies are:

**SELLP Policy 1** sets out a hierarchy of settlements and states that development will be permitted within the settlement boundaries of these respective settlements providing the proposed development supports the designated role of the settlement in which it is to be executed. In respect of an open countryside location SELLP Policy 1 will permit development providing it is necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environment benefits.

**SELLP Policy 2** states that proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met. These include

size, scale, layout, density and impact on the amenity, acceptable access and resulting vehicle generation levels, effect on trees, character and appearance of the area and the relationship to existing development and land uses as well as the quality of its design and its orientation.

**SELLP Policy 28** seeks to provide an overall net gain in biodiversity protecting the biodiversity value of land, buildings and trees, maximise opportunities to enhance natural habitats and species and incorporate beneficial biodiversity conservation features and will provide new habitat and help wildlife.

**SELLP Policy 30** will not permit development which would lead to an unacceptable adverse impact on people, buildings, land, air and water by way of a deterioration of air quality, land quality/condition and surface/groundwater quality; an increase of fumes, odour, noise, vibration and adverse light levels;

**SELLP Policy 31** requires all development proposals to demonstrate that the consequences of current climate change has been addressed, minimised and mitigated by a high quality design, integration of flood mitigation measures, maintaining water efficiency, reducing the need for travel and promote/enhance green infrastructure resulting in an overall net gain for biodiversity.

**SELLP Policy 32** shall seek that developments contribute to: the creation of socially-cohesive and inclusive communities; reducing health inequalities; and improving the community's health and well-being. The redevelopment or change of use of an existing community facility will be permitted if an assessment has been undertaken which clearly shows that the facility is: surplus to requirements; or not economically viable; or unfit for purpose; and in the case of recreational open space, does not make an important contribution in amenity, visual or nature conservation terms. The criterion continues by requiring a demonstration that the loss resulting from the proposed redevelopment or change of use will be replaced by equivalent or better provision (in terms of quantity and quality) in a suitable nearby location; or (in the case of sports facilities or recreational open space) the redevelopment or change of use is for alternative sports or recreational provision, the need for which clearly outweighs the loss.

**SELLP Policy 36** requires all new development, including change of use, provide vehicle and cycle parking, in accordance with the minimum Parking Standards as set out in Appendix 6, unless there are mitigating circumstances which demonstrate that a lower standard of provision is sustainable.

#### **OTHER RELEVANT DOCUMENTS / LEGISLATION / GUIDANCE:**

At the heart of the National Planning Policy Framework (2019) is a presumption in favour of sustainable development. The following sections are relevant to this scheme:

1. Introduction
2. Achieving sustainable development
4. Decision-making
5. Delivering a sufficient supply of homes

9. Promoting sustainable transport
11. Making effective use of land
12. Achieving well-designed places
14. Meeting the challenge of climate change, flooding and coastal change
15. Conserving and enhancing the natural environment

## **National Planning Practice Guidance (PPG)**

### **CONSULTATION RESPONSES:**

#### **Black sluice IDB**

TBC

#### **Environmental Health** – received 26 August 2020

- No objection go the proposal.

#### **Highway Authority** – received 24 August 2020

- Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed change of use would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the highway network and therefore does not wish to object to this planning application.

### **THIRD PARTY REPRESENTATIONS RECEIVED:**

No representations have been received.

### **EVALUATION:**

The main considerations in the determination of this application are as follows:

- Principle of proposed change of use;
- Impact on residential amenity;
- Impact on highway safety; and,
- Flood risk.

#### **Principle of proposed change of use**

The application site is within the settlement boundary and is not otherwise allocated. The site is well connected to the local transport network and is juxtaposed between areas of employment, residential and retail.

Notwithstanding the current use, the proposed use would contribute towards creating/maintaining a socially-cohesive and inclusive community through an enhanced educational offering that is supported by the aims and aspirations of the Country Council as lead Education Authority. As such the proposed use would support SELLP Policy 32.

It is therefore considered the proposed land use change to an independent school is acceptable in principle.

## Impact on residential amenity

Taking into account the commercial land uses and the proposed opening hours it is considered unlikely the proposed use would have a harmful effect on the level of amenity.

## Impact on highway safety

The proposed use would occupy a building that benefits from an established means of access and off street parking provision that has served the existing training use. The general comings and goings of pupils, staff and visitors would be similar in nature to the existing situation. As such it is considered the proposed use would not have an adverse effect on highway safety. Given the absence of an objection from the Highway Authority this would support this view.

## Flood risk

There are no alterations to the building and the proposed use is dissimilar with the current use in terms of flood risk vulnerability.

The applicant is aware of the risk of flooding and the mitigation measures required to make pupils, staff and visitors safe. The applicant intends to update the existing emergency plan and the details with the Environment Agency flood warning system.

It is therefore considered the risk of flooding has been given due consideration and satisfies SELLP Policy 2 and 4.

## **CONCLUSION:**

For all the reasons contained within this report it is considered the proposed development would therefore comply with the South East Lincolnshire Local Plan and is recommended accordingly.

## **RECOMMENDATION:**

Approve.

CONDITIONS / REASONS	
Pre-commencement conditions?	None.
Agreed with applicant/agent - Date:	N/A
1	The development hereby permitted shall be begun before the expiration of four years from the date of this permission.  <b>Reason:</b> Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.
2	The development hereby permitted shall not be carried out except in complete accordance with the following details shown on the submitted plan:  Location Plan received 14 August 2020; and, Site Plan received 14 August 2020.

	<p><b>Reason:</b> To ensure the development is undertaken in accordance with the approved details and to comply with Policies 1, 2 and 32 of the South East Lincolnshire Local Plan (2011-2036).</p>
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#### **INFORMATIVES / NOTES TO BE INCLUDED ON/WITH DECISION NOTICE**

##### STATEMENT OF PROACTIVE WORKING:

In determining this application, the authority has taken account of the guidance in paragraph 38 of the National Planning Policy Framework 2019 in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the Borough.