

Development Management Delegated Decision Report

B/21/0045



SUMMARY OF APPLICATION

Application Reference	B/21/0045		
Application Type	Full Planning Permission		
Proposal	Change of use from a Child Minding Business (Class Sui Generis) back to a Residential Dwelling (Class C3)		
Location	19, Cleymond Chase, Kirton, Boston PE20 1DP		
Applicant	Mr Darren King		
Agent			
Received Date:	04-Feb-2021	Consultation Expiry Date:	09-Mar-2021
Valid Date:	15-Feb-2021	Statutory Expiry Date:	12-Apr-2021
Date of Site Visit:	08-Apr-2021	Extension of Time Date:	---
Objections received?	None		
5 day notification record:	Not applicable		
Councillors notified	Date	Response received – date	Ok to continue
Recommendation	GRANT Planning Permission		
Report by:	Simon Eldred		
Date:	8 th April 2021		

OFFICER REPORT

SITE AND SURROUNDINGS:

The application site is located on the southern side of Cleymond Chase, Kirton, and contains a two-storey detached building with a gravel-surfaced parking/manoeuvring area to its front, and a garden to its rear (containing outbuildings).

The site has: an area of public open space to its west; an area of grass associated with Kirton Leisure Centre to its south; and dwellings to its north and east.

DETAILS OF PROPOSAL:

It is proposed to change the use of the building from residential dwelling and childminding business to residential dwelling only. The change of use will involve no alterations to the building's external appearance.

RELEVANT HISTORY:



B/17/0118 – full planning permission was granted for change of use from residential dwelling (Class C3) to residential dwelling and childminding business (sui generis) (max no. of 6 children between the ages of 0-4).

RELEVANT DEVELOPMENT PLAN POLICIES AND DOCUMENTS:

The **South East Lincolnshire Local Plan 2011-2036** shows the site as being within Kirton's Settlement Boundary. The relevant policies of the Local Plan are:

- Policy 2: Development Management;
- Policy 3: Design of New Development;
- Policy 4: Approach to Flood Risk; and
- Policy 36: Vehicle and Cycle Parking.

OTHER RELEVANT DOCUMENTS / LEGISLATION / GUIDANCE:

National Planning Policy Framework (2019)

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

- Section 4: Decision-making;
- Section 12: Achieving well-designed places; and
- Section 14: Meeting the challenge of climate change, flooding and coastal change.

CONSULTATION RESPONSES:

Lincolnshire County Council (the Local Highway and Lead Local Flood Authority) indicates that, since access and parking arrangements remain unchanged, the proposals would not result in an unacceptable impact upon highway safety. Consequently, it concludes that the proposed development is acceptable and concludes that it does not wish to object.

Kirton Parish Council indicates that it has no objections.

THIRD PARTY REPRESENTATIONS RECEIVED:

No third party representations have been received.

EVALUATION:

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that determination must be made in accordance with the Plan unless material considerations indicate otherwise. The key considerations in regard to this application are:

- impacts on the character and appearance of the area;
- impacts on neighbours' amenity;
- flood risk; and
- parking provision.

Impact on the character of the area

Policy 2 of the Local Plan indicates that development will be permitted which will not have harmful impacts upon the character and appearance of the area.

The proposed change of use does not involve any alteration to the building's external appearance, and involves its reversion to residential use (in line with the use of the majority of neighbouring properties). In these circumstances, it is considered that the proposal will have no adverse impacts upon the area's character or appearance, and that it therefore meets these requirements of Policy 2.

Neighbours' amenity

Policies 2 and 3 of the Local Plan require the amenity of neighbouring land users to be protected.

It is considered that the reversion of the building to residential use will have no adverse impacts upon neighbouring land users, and that the proposal therefore meets these requirements of Policies 2 and 3.

Flood risk

Policy 4 of the Local Plan seeks to ensure that new development is not unnecessarily exposed to flood risk, and does not increase flood risk elsewhere.

The application is accompanied by a completed 'Householder and other minor extensions in Flood Zones 2 and 3' form, which identifies that existing floor levels and flood proofing measures will be unchanged. It is therefore considered that the proposal meets the requirements of Policy 4.

Parking provision

Policy 36 indicates that all new development should provide vehicle and cycle parking in accordance with minimum standards set out in Appendix 6. The Appendix indicates that 3 car parking spaces and 1 cycle parking spaces should be provided within the curtilage of each dwelling with four or more bedrooms, such as 19 Cleymond Chase.

The application form identifies that six car parking spaces are currently available within the application site, and that the proposed change of use will not affect this number. The site visit confirmed that there is sufficient space at the building's front to accommodate at least three cars, and that secure cycle parking is available in the rear garden. It is therefore considered that the proposal meets the requirements of Policy 36.

CONCLUSION:

The proposal:

- will have no unacceptably adverse impacts on the character and appearance of the area;
- will have no unacceptably adverse impacts on neighbours' amenity;
- is acceptable in flood risk terms;
- includes adequate provision for the parking of cars and bicycles; and

- meets the requirements of the relevant Policies of the South East Lincolnshire Local Plan 2011-2036

RECOMMENDATION:

GRANT Planning Permission subject to the following conditions and reasons:-

CONDITIONS / REASONS	
Pre-commencement conditions?	Agreed with applicant/agent - Date:
1	<p>The development hereby permitted shall be begun before the expiration of four years from the date of this permission.</p> <p>Reason: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
2	<p>The development hereby permitted shall be carried out in strict accordance with the application received 04-Feb-2021 and in accordance with the associated plan referenced:</p> <ul style="list-style-type: none"> • Drwg No. 2 – Floor Plans After Closure of Childminding Business. <p>Reason: To ensure that the development is undertaken in accordance with the approved details, in the interest of residential amenity and to comply with Policies 2, 3, 4 and 36 of the South East Lincolnshire Local Plan (2011-2036).</p>

INFORMATIVES / NOTES TO BE INCLUDED ON/WITH DECISION NOTICE
<p><u>STATEMENT OF PROACTIVE WORKING:</u></p> <p>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.</p>