

Development Management Delegated Decision Report

B/21/0387



SUMMARY OF APPLICATION			
Application Reference	B/21/0387		
Application Type	Full Planning Permission		
Proposal	Change of use from Manager's office (Class E(g)(i)) to dwelling (Class C3)		
Location	Ash Court, 1 Park Place, 88-89 Sleaford Road, Boston, PE21 8EY		
Applicant	Minstrels Healthcare Ltd, c/o Retirement Villages Group Ltd		
Agent	Miss Hardeep Hunjan, Barton Willmore		
Received Date:	19-Aug-2021	Consultation Expiry Date:	17-Sep-2021
Valid Date:	19-Aug-2021	Statutory Expiry Date:	14-Oct-2021
Date of Site Visit:		Extension of Time Date:	---
Objections received?	No		
5 day notification record:			
Councillors notified	Date	Response received – date	Ok to continue
Recommendation	Approve		
Report by:	Consultant Planning Officer		
Date:	28-Sep-2021		

OFFICER REPORT

SITE AND SURROUNDINGS:

The application site is formed of a former ground floor flat that has been used temporarily as a manager's office during the initial phases of the Covid-19 pandemic to provide enhanced support to residents.

The flat is located within a retirement village comprising 28 flats providing independent living accommodation and two registered care homes. The site provides support for residents (all of whom are aged over 70 and many of whom will be more vulnerable) with shopping, delivery of meals, social and emotional support.

DETAILS OF PROPOSAL:

It is proposed to return the ground floor flat back to the original use as an independent living unit (C3). There are no external physical alterations proposed. No alterations were carried out in order to use the flat as an office under the previous consent.



RELEVANT HISTORY:

B/20/0173 – Change of use from dwelling (Class 3) to Manager's office (Class B1a) –
Approved 13th July 2020

RELEVANT DEVELOPMENT PLAN POLICIES AND DOCUMENTS:

South East Lincolnshire Local Plan (2011-2036)

The following policies contained within the South East Lincolnshire Local Plan (2011-2036) (i.e. SELLP) are relevant to this application:

- Policy 1: Spatial Strategy
- Policy 2: Development Management
- Policy 3: Design of New Development
- Policy 4: Approach to Flood Risk
- Policy 7: Improving South East Lincolnshire's Employment Land Portfolio
- Policy 17: Providing a Mix of Housing
- Policy 36: Vehicle and Cycle Parking

OTHER RELEVANT DOCUMENTS / LEGISLATION / GUIDANCE:

National Planning Policy Framework (2021)

At the heart of the 2021 Framework is a presumption in favour of sustainable development. The following sections are relevant to this scheme:

- Section 2: Achieving sustainable development
- Section 3: Decision making
- Section 8: Promoting healthy and safe communities
- Section 12: Achieving well designed places
- Section 14: Meeting the challenge of climate change, flooding and coastal change

CONSULTATION RESPONSES:

Lincolnshire County Council Highways Authority and Lead Local Flood Risk Authority (13th September 2021) - Does not wish to restrict the grant of permission. For this proposal the access and parking arrangements remain unchanged, therefore, it is considered that the proposals would not result in an unacceptable impact on highway safety.

THIRD PARTY REPRESENTATIONS RECEIVED:

None received.

EVALUATION:

The application seeks the change of use of an office back to the former ground floor flat (C3) use. The key material planning considerations in relation to this proposal are:

- Principle of development
- Loss of employment use

- Residential amenity
- Access, parking and highway safety
- Flood risk

Principle of development

The site is located within the settlement boundary of Boston which is identified under Policy 1 as a sub-regional centre, where development including residential uses will be directed in line with the settlement hierarchy. Policy 17 identifies the need for care home provision to be located in sub-regional or main service centres.

The proposed development would result in the reinstatement of the original use of the building as a ground floor independent dwelling, now that the additional managerial support required at the outset of the pandemic has reverted back to the pre-pandemic situation (in operational terms). The consent permitted under 20/0173 recognised that the office use would provide short term immediate support for the remaining 27 apartments. The reversion to its original use as an independent ground floor flat is therefore acceptable in principle in this case. There are no physical changes proposed to the existing building.

A search of the planning system was carried out to check if there are any restrictive conditions relating to occupancy of the wider site, however no planning history was found beyond the application in 2020. When considering the impact of allowing the unit as an unrestricted C3 unit, it is noted that the wider site is managed as a care home and retirement village in any case. The occupation of the unit will be managed effectively through that management structure. It is not considered that any planning condition relating to occupancy would be reasonable in this instance therefore.

Loss of employment use

There is no loss of employment use, given that the office use was to support the existing retirement village rather than provide an independent additional employment use. The management of the retirement village will continue from the original organisational set up that was in place pre-pandemic. The proposal is therefore considered to be compliant with criteria 1 set out under the loss of employment sites and buildings to non-employment uses section in Policy 7 of the SELLP.

Residential amenity

Policy 2 and 3 of the SELLP seeks to ensure that new development does not have a significant impact on neighbouring land uses, including residential amenity. The original use of the ground floor flat was residential and was designed as part of the wider retirement village scheme. The reversion back to residential use is not considered to have any significant impacts on the amenity of the neighbouring residential properties.

Access, parking and highway safety

Policy 36 and Appendix 6 of the SELLP relate to vehicle and cycle parking standards. The original scheme was designed with sufficient access and parking spaces for the residents and staff of the site. No issues have been raised about the previous parking or levels of highway safety with regard to the original scheme prior to the office use being granted and implemented last year. Given there is no change to the existing situation and that the Highways Authority

have raised no objection, the proposal is not considered to have any significant impacts on access, highway safety or parking.

Flood risk

Policy 4 of the SELLP seeks to ensure that new development is not unnecessarily exposed to flood risk and does not increase the risk of flooding elsewhere. Given that the site is going from a less vulnerable to a more vulnerable use, a flood risk assessment (FRA) has been provided in support of the application.

The FRA identifies the previous established residential use and the temporary nature of the intended office use. It also sets out the flood risk circumstances of the site. It goes on to confirm that no physical alterations were made to use the ground floor flat temporarily as an office and therefore no works have been completed that would have an impact on the flood risk of the site or the surrounding area. The FRA confirms there are already evacuation plans and procedures in place through the management of the wider retirement village and that these have been adhered to throughout and will continue to do so. On this basis, the proposal is considered to comply with the requirements of Policy 4 of the SELLP.

CONCLUSION:

The proposal to revert back from the temporary office use to a ground floor flat in C3 use is considered acceptable. The proposal is not considered to have any significant impacts on residential amenity, access, highway safety, parking or flood risk.

RECOMMENDATION:

Approve

CONDITIONS / REASONS	
Pre-commencement conditions?	None Agreed with applicant/agent - Date: N/A
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 not be carried out except in complete accordance with the following details shown on the submitted plans:</p> <p>Drawing Number: RG-M-01-1 Rev B – received 19 August 2021; and Drawing Number: RG-M-01-2 Rev B – received 19 August 2021.</p> <p>Reason: To ensure that the development is undertaken in accordance with the approved details, in the interests of residential amenity and to comply with Policies 2, 3 and 4 of the South East Lincolnshire Local Plan 2011-2036.</p>

INFORMATIVES / NOTES TO BE INCLUDED ON/WITH DECISION NOTICE
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<u>STATEMENT OF PROACTIVE WORKING:</u>
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In determining this application, the authority has taken account of the guidance in paragraph 38 of the National Planning Policy Framework 2021 in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the Borough.
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