

Officers Report

Planning Application No: WL/2026/00415

PROPOSAL: Planning application for change of use of an existing dwellinghouse (use class C3) into a Children's Home (use class C2).

LOCATION:

34 NURSERY VALE

MORTON

GAINSBOROUGH

DN21 3GE

WARD: SCOTTER AND BLYTON

WARD MEMBER(S): Cllr Lesley Rowlings, Cllr Karen Carless, Cllr Liz Clews

APPLICANT NAME: The Shelton Property Group Limited

TARGET DECISION DATE: 30/06/2026

CASE OFFICER: Owen Toop

Recommended Decision: Recommend approval with conditions

This application has been referred to the Planning Committee as there are outstanding objections from the Parish Council and local residents, who question if this is a sustainable location for the proposed use. The development is proposed within a *'tier 5' settlement where local policy requires that the proposal "must demonstrate that access to a range of services and facilities is possible, taking account of the likely occupants of such accommodation."*

Site Description and Proposal:

The application site is situated on the south-west side of Nursery Vale, within the village of Morton which is north of the town of Gainsborough.

34 Nursery Vale is a detached residential property located in Morton, Gainsborough. Nursery Vale itself is an established residential area which comprises of a range of detached and semi-detached properties that are similar in architectural appearance. The area is a cul-de-sac with pedestrian links to Walkerith Road.

The site contains a private driveway with an associated double garage as well off-street parking. There is also a large rear garden. Boundary treatments include low walling at the frontage, with an open side boundary with the neighbouring property to the north, 32 Nursery Vale.

The application seeks planning permission for a change of use of the existing dwellinghouse (Use Class C3) to a Children's Home (Use Class C2).

Relevant Planning History

None relevant.

Relevant Planning Constraints

The site lies within Flood Zone 1 (low probability of flooding) and a Sand and Gravel Minerals Safeguarding Area.

Representations

Comments have been summarised, full versions of the representations received can be viewed on the Councils website using the following link:
[View and search planning applications | West Lindsey District Council](#)

Chairman/Ward member(s):

No representations received to date.

Morton Parish Council: Objects-

The objection is summarised as follows:

- Impact due to location within Flood Zone 3 (The Design and Access Statement states the site is within Flood Zone 1). Proximity to the River Trent.
- Vulnerability of users (The children are at a higher risk than others in a Flood Zone). Reference to Children Act 1989.
- Does not conform to Policy S23 as site is not located within a settlement of levels 1 to 4 of the Settlement Hierarchy. Inappropriate location due to being within Tier 5, small village. Morton does not form part of the Gainsborough urban area. Amenities are located approximately 2km way.
- Site proves inadequate parking for a commercial use which would spill onto the surrounding highway and hazards to highway safety and amenity. Reference to submitted staffing details which are more than what is expected at a residential dwellinghouse and of the previous foster home, at conflict with Policy S47.

Local residents/ Third Party Representations:

In some cases, multiple representations have been received from the same address. Objections have been received from the following addresses:

- 43 Nursery Vale
- 65 Nursery Vale
- 24 Nursery Vale
- 55 Nursery Vale

- 6 Nursery Vale
- 8 Nursery Vale
- 46 Nursery Vale
- 44 Nursery Vale
- 30 Nursery Vale
- 59 Nursery Vale
- 41 Nursery Vale
- 49 Nursery Vale
- 32 Nursery Vale
- 36 Nursery Vale

And are summarised as being based on the following grounds:

- Parking and Highway Safety
- Concerns with staffing arrangements and staff movements
- Impact on Local Character of the Area
- Impact due to increased noise and disturbance
- Lack of Consultation, from the Applicant and the Local Planning Authority
- Over concentration of Children's Homes in the area
- Conflicts with Morton Neighbourhood Plan and Central Lincolnshire Local Plan
- Impact on village cohesion
- Misleading information submitted with the application with regard to previous foster care use and the proposed information
- Inappropriate location due to lack of transport links and lack of amenities and things to do for the occupiers
- Impact on children from existing crime
- Impact due to increased anti-social behaviour.
- Impact on existing green space
- Impact on existing school infrastructure
- Impact on health infrastructure
- Impact on mental health
- Proximity to river trent and safety concerns for occupiers
- Concerns over the Provider and compliance with relevant legislation.

LCC Highways and Lead Local Flood Authority: No objections-

"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 development would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network or increase surface water flood risk and therefore does not wish to object to this planning application.

The development proposals will generate a maximum of 10 vehicle trips per day, the site already has permission for Class C3 (dwelling house/foster home) use and this will generate a comparable amount of trips. It is therefore not be possible to raise an objection to the proposals based on traffic impact,

in accordance with the NPPF. The applicant has demonstrated adequate off street parking to accommodate the proposals. There is no precise definition of "severe" with regards to NPPF Paragraph 116, which advises that "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe." Planning Inspector's decisions regarding severity are specific to the locations of each proposal, but have common considerations: • The highway network is over-capacity, usually for period extending beyond the peak hours • The level of provision of alternative transport modes • Whether the level of queuing on the network causes safety issues In view of these criteria, the Highways and Lead Local Flood Authority does not consider that this proposal would result in a severe impact with regard to NPPF."

Lincolnshire Police:

No objections.

LCC Archaeology:

No archaeological input required

Relevant Planning Policies and Legislation:

Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Here, the Development Plan comprises the provisions of the Central Lincolnshire Local Plan (adopted in April 2023), the Lincolnshire Minerals and Waste Local Plan (adopted June 2016) and Morton Neighbourhood Plan (June 2021)

Development Plan

- *Central Lincolnshire Local Plan 2023*

Relevant policies of the CLLP include:

- S1 The Spatial Strategy and Settlement Hierarchy
- S4 Housing Development in or Adjacent to Villages
- S7 Reducing Energy Consumption –Residential Development
- S20 Resilient and Adaptable Design
- S21 Flood Risk and Water Resources
- S23 Meeting Accommodation Needs
- S47 Accessibility and Transport
- S49 Parking Provision
- S53 Design and Amenity
- S61 Biodiversity Opportunity and Delivering Measurable Net Gains
- S66 Trees, Woodland and Hedgerows

<https://www.n-kesteven.gov.uk/central-lincolnshire/adopted-local-plan-2023>

- *Morton Neighbourhood Plan (NP)*

Relevant policies of the NP include:

MNP1: Sustainable Development Principles

MNP5: Local Character and the Design of New Development

[Neighbourhood planning | West Lindsey District Council](#)

- *Lincolnshire Minerals and Waste Local Plan (LMWLP)*

The site is in a Minerals Safeguarding Area and policy M11 of the Core Strategy applies.

<https://www.lincolnshire.gov.uk/planning/minerals-waste>

National policy & guidance (Material Consideration)

National Planning Policy Framework (NPPF)

The NPPF sets out the Government's planning policies for England and how these should be applied. It is a material consideration in planning decisions. The most recent iteration of the NPPF was published in December 2024.

Paragraph 232 states: *... "existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)."*

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

National Planning Practice Guidance

<https://www.gov.uk/government/collections/planning-practice-guidance>

National Design Guide (2019)

<https://www.gov.uk/government/publications/national-design-guide>

National Model Design Code (2021)

<https://www.gov.uk/government/publications/national-model-design-code>

Other Relevant Documents

'Planning for accommodation for looked after children' – Ministerial Statement
Made on 23.05.2023

[Written statements - Written questions, answers and statements - UK Parliament](#)

Main Considerations

- Principle of development:
- Character and visual appearance
- Residential amenity
- Highway safety and parking provision
- Flood Risk and Drainage
- Minerals
- Energy Efficiency
- Biodiversity Net Gain
- Other Considerations

Assessment:

Principle of the Development:

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

Planning permission is sought for the change of use the dwelling (C3 Use) to a Children's Care Home (C2 Use). The proposal would provide accommodation and care for up to three children. In addition to the children, there would be two full-time staff present at the site during the daytime and the evening on a 24-hour rotating shift pattern with 2 associated bedrooms.

The Manager and Deputy Manager would provide management oversight across the seven-day week and overlap for five days each week, looking at a maximum of 4 members of staff at any given one time.

Consideration should be given to a published Ministerial Statement (23.05.2023) which sets out that Local Planning Authorities should support the provision of new Children's Homes where appropriate to do so.

"The planning system should not be a barrier to providing homes for the most vulnerable children in society. When care is the best choice for a child, it is important that the care system provides stable, loving homes close to children's communities. These need to be the right homes, in the right places with access to good schools and community support."

Morton is defined as a medium village (tier 5) within the settlement hierarchy contained within Policy S1 of the CLLP.

Policy S23 of the CLLP states that:

“Residential care accommodation, which is designed to accommodate those who need some form of on-site assistance, should be located in a settlement in levels 1 to 4 of the Settlement Hierarchy. If a demonstrable need is identified away from these settlements, then the proposal must demonstrate that access to a range of services and facilities is possible, taking account of the likely occupants of such accommodation.”

The site falls outside of tiers 1-4, and the second part of Policy S23 is engaged. Namely, *“the proposal must demonstrate that access to a range of services and facilities is possible, taking account of the likely occupants of such accommodation.”*

The application is accompanied with a Planning Statement addressing this aspect of Policy S23:

“Policy S23 requires consideration of the “likely occupants” of the accommodation. In this case, the home is intended for children aged 7–17 and is not registered for physically disabled children (a separate Ofsted category). Children of this age can safely access local amenities on foot, and staff will accompany them where appropriate. The proximity of Gainsborough ensures access to a full range of services, supporting independence, community integration, and everyday family-like routines.”

Within the Morton Neighbourhood Plan it states that:

‘Morton has a range of community facilities including a primary school (Morton Trentside), a nursery, a public house and two shops, including a small purpose built Co-op. There is a well-used village hall which is host to many different groups/activities and a church. In Gainsborough there are doctor and dental surgeries and a minor injuries unit at the John Coupland Hospital. There are secondary schools and higher education colleges, again nearby in Gainsborough.’

There is a bus stop at Walkerith Road approx. 5 minutes walk (400m) at from the application site away which has an hourly bus service into Gainsborough during the week and at weekends.

Whilst the proposed change of use would be located outside of tiers 1-4 of the settlement hierarchy within Policy S4, given the scale of the operation and the existing use of the site as a dwelling, which could house a similar number of children and that Morton itself has ample public transport provision, a co-op and Premier supermarket stores as well as a Village hall and Primary School, all located a short walk away of the building that is the subject of this application it is considered to be a sustainable use of the site. It is considered that a range of services and facilities is possible, taking into account the intended occupants.

It is therefore considered that the development would accord with Policies S1 and S23 of the Central Lincolnshire Local Plan; MNP1 of the MNP; and the provisions of the NPPF.

Character and Visual Impact

Policy S53 of the CLLP states that: *“all development must achieve high quality sustainable design that contributes positively to local character, landscape and townscape, and supports diversity, equality and access for all. Development must relate well to the site, its local and wider context and existing characteristics.”*

It is noted that a number of objections have been received from the local community and the Morton Parish Council. Concerns have been raised with the nature of the use as impacting the character of the area, which can be defined as residential in nature at this location. The objections refer to the nature of the cul-de-sac and the comings and goings associated with a children’s home.

Visually, there are no external alterations to the property, and the building will continue to have the appearance of a residential dwellinghouse. In terms of the impact on the residential character of the area, this aspect will be covered in the *Residential Amenity* section of this committee report.

Concerns have also been raised with regards to a cumulative impact of children’s homes in the area. It is acknowledged that previous applications have been received in the village of Morton. Whilst the over-supply of children’s homes within a particular area may have the potential to unduly impact on the character of an area, it is not considered that this would be the case within Nursery Vale should permission be granted.

Having given consideration to the above, the proposal would accord with Policy S53 of the CLLP and the provisions of the NPPF in this regard.

Residential Amenity

Policy S53 of the Central Lincolnshire Local Plan states that: *“all development must not result in harm to people’s amenity either within the proposed development or neighbouring it through overlooking, overshadowing, loss of light or increase in artificial light or glare.”*

Policy MNP5 of the Morton Neighbourhood Plan states that: *“development should recognise and complement the local character of the area, respect the existing form and grain of development.”*

Residential properties and their gardens are located immediately adjacent to the north and south. To the east are also residential properties across the street, and to the west are open fields. It is noted that objections have been received from neighbouring residents on a number of grounds, which are

listed above. As noted, local policy requires an assessment into the impact of neighbouring residential amenity.

The proposed development would not see any physical changes to the existing property externally as mentioned and so there would therefore not be any physical impacts from development on the neighbouring properties residential amenities in relation to massing, overshadowing or overlooking. The potential impacts to the neighbours therefore arise from the proposed use of the property.

In this regard, the proposed development would be residential in nature. Three children would be at the property with 2 full time staff. The application details the following proposed layout with regard to bedrooms:



Proposed First Floor Layout

The proposed use would see the existing 5 bedroom dwelling used in a very similar way to its current use as a dwelling house other than the minor internal changes aforementioned. It is perfectly reasonable, in planning terms, to expect a 5 bedroom house to be occupied by the number of children and adults specified in this application. There would be a material difference to the existing situation as the adults would not be residents and would change on a shift pattern. However, these comings and goings are unlikely to be significant

and not materially different to those expected at any typical residential property in relation to the usual daily routine of school runs, sports clubs and trips to shops etc. which would take place. This is also considered to apply to use of the garden space by the children in that it would be no different from a family unit using their garden and as such this would not pose any additional impact on the residential amenities of the neighbouring properties.

As it is considered that the proposed use and occupancy levels would be similar to that of a use as a typical family home the proposed use therefore would not be considered an over-intensification of the existing use, nor excessive in nature.

There is also no substantiated evidence to suggest that the proposal would give rise to any 'anti-social' forms of behaviour, and the home would be expected to be subject to Ofsted regulations.

Based upon the above assessment, and having taken the public representations into account, it is considered that the proposal would not unacceptably harm the living conditions of neighbouring occupiers and would therefore accord with Policy S53 of the CLLP, and the provisions of the NPPF.

Highways, Access and Parking

Local Plan Policy S47 and S49 requires well designed, safe and convenient access for all, and that appropriate vehicle parking is made for development users. Policy S49 sets car parking standards for different types of development. It is proposed to change the use of the dwelling to a Children's Home for up to 3 children and 2 staff living at the dwelling all times. It is noted that objections highlight highway safety, amenity, traffic and parking as serious concerns.

As a point of clarification, the applicant has provided additional information with regard to staffing arrangements, as follows:

"The home will operate with a staffing ratio of two staff members to three children. The Manager and Deputy Manager provide management oversight across the seven-day week and overlap for five days each week, looking at a maximum of 4 members of staff.

The Manager and Deputy Manager are not additional members of staff routinely present at the home alongside the care team. Where the Deputy Manager undertakes a sleep-in shift, they would form part of the care staffing provision rather than being an additional member of staff.

Care staff work shifts of 24 hours or longer, including a sleep-in element, to provide continuity and consistency of care for the children. As a result, staffing changes and shift handovers are kept to a minimum.

In practical terms, the maximum number of staff present at the property at any one time would typically be two care staff, with the possibility of the Manager or Deputy Manager being present for management purposes.

During the five days when the Manager and Deputy Manager overlap, there may occasionally be up to four staff present for short periods, although this would not be the normal operating arrangement.

With regard to inspections and visitors, these would be relatively limited and would not generate significant additional activity at the property. Typical visits would include:

- An Ofsted inspection, generally undertaken approximately once every 12 months, 1 to 2 days.*
- Independent Regulation 44 visits, undertaken monthly, about 3 hours.*
- Twice weekly visits from a therapist to support the children's wellbeing and development, about 6 hours total*
- Social worker visits for individual children, typically around every six weeks, about 2 hours.*
- Occasional visits from healthcare professionals or senior management where required.”*

The traffic movements associated to the use are not expected to be significantly more than that for a single dwelling. It is not considered unreasonable, due to the size of the property, to expect the existing dwelling to be potentially wholly occupied by adults and therefore have the potential to generate trip numbers for more than what is being proposed in planning land use class terms.

The property benefits from an existing access point that will remain unaltered and the property has a double garage and a driveway. The applicant notes (on page 1 of the Design and Access Statement) that the site features ‘*four off-street car parking spaces*’. Appendix 2 of the CLLP sets out parking standards which require 3 car parking spaces for 5-bedroom dwellinghouses.

Whilst the proposal, if approved, would result in the site no longer operating as a 5-bedroom dwellinghouse (Use Class C3), it should be noted that proposed Children’s Home would also include 5 bedrooms (3 for children and 2 for staff). That 4 parking spaces are provided, and given that the site would remain residential in its nature, it is considered that the proposed development would not place any additional pressure on on-street parking in the area than that which would occur at a residential dwelling of this size.

There are also no on street parking restrictions in the area. As such, in the event that parking for the development would spill onto the main highway, this in itself would not be considered an adverse impact to highway amenity or safety.

The Local Highway Authority have considered the proposed development in detail with specific regard to highway safety, traffic, parking and amenity and

raises no objections to the proposed development. Paragraph 116 of the NPPF states that: *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.”*

Having regard to the above highway considerations and comments received, it is considered that there would not be an unacceptable impact on highway safety or amenity, and it is therefore considered that the proposal accords with Local Plan Policies S47 and S49.

Flood Risk and Drainage

As a point of clarification, it should be noted that the site is within Flood Zone 1 as defined by the Environment Agency (EA) Flood Maps for planning. Whilst the comments from the Parish Council are noted, the EA. These are the most up-to-date Flood Maps.

There are therefore no adverse impacts due to the low probability of flooding of the site being in Flood Zone 1, in accordance with Local Policy S21 of the CLLP and MNP1 of the Morton Neighbourhood Plan.

Again, there are no physical alterations to the property, and the foul and surface water drainage would be as it exists currently.

Minerals

The proposal is located within a Mineral Safeguarding Area. However, it is considered to be exempt from the requirements of Policy M11, being a change of use which would not intensify the use of the site with regard to mineral safeguarding.

Energy Efficiency

Policy S13: encourages applicants to consider all opportunities to improve the energy efficiency of that building. The proposal is for the change of use of the dwelling to a children’s care home. It is therefore considered that it would be unreasonable to request changes to the proposal given the nature of what is proposed, and as S13 only encourages applicants to considered improving the energy efficiency of the building, it is not considered to be reasonable or necessary to include conditions in this regard.

Biodiversity Net Gain

Biodiversity Net Gain (BNG) is mandatory on minor developments from 2nd April 2024 under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). It requires that development must deliver a net gain of 10% to ensure that habitats for wildlife are left in a measurably better state than they were before the development.

This is also a requirement of local policy S61 of the CLLP which requires “All qualifying development proposals must deliver at least a 10% measurable biodiversity net gain attributable to the development. The net gain for biodiversity should be calculated using Natural England’s Biodiversity Metric”. However, the statutory legislation takes precedence over the policy in respect of any conflict.

The Biodiversity Gain Requirements (Exemptions) Regulations 2024 set out the exemptions in which the biodiversity gain planning condition would not apply.

The ‘De minimis exemption’ states that development that would not impact a priority habitat or would impact on-site habitat less than the following are considered to be exempt from providing biodiversity net gain: - 25 square metres (5m by 5m) of on-site habitat - 5 metres of on-site linear habitats such as hedgerows.

It is noted that this application is for the change of use of an existing building. Given the nature of the proposal, it is considered that the proposal would be exempt from delivering a biodiversity net gain.

Other Considerations

The public representations highlighting impacts on green infrastructure and educational infrastructure are noted. The proposed development for a Children’s Home of this scale is not considered to cause any adverse impacts in this regard.

In addition, the representation regarding impact on the future occupiers from existing criminal activity is noted. As part of the application, discussions have taken place with Lincolnshire Police with regard to the location of the Children’s Home and known crime incidents. Lincolnshire Police have confirmed that they have no objections to raise in this regard.

It should be noted that the Children’s Home would be located within an established residential area with land uses that operate in a similar residential capacity to what is being proposed. Moreover, the premises and children would have oversight from the on-site staff of the Children’s Home, which is regulated by Ofsted. The proposal is therefore considered to comply with Section 8 of the NPPF.

Conclusion and reason for decision:

The proposed development has been assessed against policies S1 The Spatial Strategy and Settlement Hierarchy, S4 Housing Development in or Adjacent to Villages, S6 Design Principles for Efficient Buildings, S7 Reducing Energy Consumption –Residential Development, S20 Resilient and Adaptable Design S21 Flood Risk and Water Resources, S23 Meeting Accommodation Needs, S47 Accessibility and Transport, S53 Design and Amenity of the

Central Lincolnshire Local Plan 2023 and policies MNP1 and MNP5 of the Morton Neighbourhood Plan and Policy M11 of the Core Strategy.

Furthermore, consideration has been given to guidance contained within the National Planning Policy Framework, National Planning Practice Guidance, National Design Guide and the National Design Code, as well as all other material considerations and representations received. In light of this assessment, it is considered that the proposal is acceptable in principle. It would not harm the character and appearance of the surrounding area, nor unacceptably harm the amenities of the occupiers of neighbouring dwellings or increase the risk of flooding. As such, approval of the application is recommended.

Decision Level: Committee

Recommended Conditions:

Conditions stating the time by which the development must be commenced:

1. The development hereby permitted must be begun before the expiration of three years from the date of this permission.

Reason: To conform with Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

Conditions which apply or require matters to be agreed before the development commenced:

None.

Conditions which apply or are to be observed during the course of the development:

2. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the following drawings and documents:

- Site Plan – Produced on 27th March 2026
- Site Location Plan – Produced on 27th March 2026
- Proposed Floor Plans – Spring Hill House – Uploaded on 3rd May 2026

The works shall be carried out in accordance with the details shown on the approved plans and in any other approved documents forming part of the application.

Reason: To ensure the development proceeds in accordance with the approved plans and to accord with the National Planning Policy Framework and Policy S53 of the Central Lincolnshire Local.

3. On site staffing numbers shall not exceed 2 other than at shift changeover times and arranged visits and the use shall only provide care accommodation for a maximum of 3 children at any one time.

Reason: In order to maximise the sustainability of the development to accord with the National Planning Policy Framework and local policies S23 and S53 of the Central Lincolnshire Local Plan.

Human Rights Implications:

The above objections, considerations and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and family life, his home and his correspondence.

Legal Implications:

Although all planning decisions have the ability to be legally challenged it is considered there are no specific legal implications arising from this report

Prepared by : Owen Toop **Date :** 15/06/2026

Authorising Officer: D Peck . **Date:** 15/06/2026