



Appeal Decision

Site visit made on 18 November 2025

by **L Wilson BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 1st December 2025

Appeal Ref: APP/Y2003/W/25/3372967

Grafton House Care Home, 157 Ashby Road, Scunthorpe, North Lincolnshire DN16 2AQ

- 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 Miss Josephine Hughes against the decision of North Lincolnshire Council.
 - The application Ref is PA/2024/181.
 - The development proposed is change of use of building to form Guest House (Use Class C1).
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Decision

1. The appeal is allowed and planning permission is granted for the change of use of building to form Guest House (Use Class C1) at Grafton House Care Home, 157 Ashby Road, Scunthorpe, North Lincolnshire DN16 2AQ in accordance with the terms of the application, Ref PA/2024/181, subject to the conditions set out in the attached schedule.

Applications for costs

2. An application for costs was made by the appellant against the Council. This application is attached as a separate Decision.

Preliminary Matters

3. As part of the appeal, the appellant provided an updated site layout drawing along with proposed floor plans and swept path analysis drawings. I sought clarification from the main parties regarding the drawings. The Council confirmed that they would have no issue with the new evidence being accepted. The drawings do not involve a substantial difference nor a fundamental change to the scheme determined by the Council. Given the nature and extent of change, the updated and additional drawings would not cause unlawful procedural unfairness. I have therefore considered the appeal on the basis of the updated and additional drawings as I consider that this change would not materially alter the nature of the proposal and would therefore not prejudice interested parties.

Main Issue

4. The main issue is the effect of the proposed development on highway safety.

Reasons

5. The site comprises a two-storey vacant building which was formerly used as a care home. It is situated on a corner plot and adjacent to the traffic light controlled junction of the A159 Ashby Road and Lloyds Avenue. Vehicular access to the site

is from Lloyds Avenue. There are double yellow lines across the site's frontage on Ashby Road and across part of the site's frontage on Lloyds Avenue.

6. The immediate surrounding area is characterised by residential properties, a drive-thru and two small retail units. Ashby Road is a relatively busy road. Lloyds Avenue is less busy, but I observed on my site visit that it still had a relatively regular flow of traffic. Local residents have highlighted that the new nearby retail units have increased traffic and congestion in the locality, as well as cause daily highway safety issues, to an already busy junction. Furthermore, they state that it is a very busy junction in a morning and afternoon as busses drop off and pick students up from the nearby colleges adjacent to the site.
7. The drawings submitted with the appeal show a revised layout of the parking spaces as well as proposed floor plans and swept path analysis. The site layout shows 14 parking spaces along with temporary drop off points for deliveries. The layout considered at application stage showed 17 parking spaces. Highways did not object to the proposal, but their consultation response relates to the original site layout and not the drawings submitted with the appeal.
8. There has been a previous appeal on the site also to change the use of the building to a C1 Use. The Inspector found that there would be adequate space for servicing and delivery vehicles, and the proposal would not be prejudicial to highway safety. From the evidence before me, it appears that there have not been any substantial changes in relation to highway matters since that appeal was determined. However, I recognise that the nearby retail units are now operating, and the number of proposed parking spaces is marginally different.
9. The appellant asserts that the proposal meets the Council's parking requirements, and I have no substantive evidence to the contrary. The number of parking spaces would be adequate for the number of bedrooms, and use, proposed. There would also be adequate space to manoeuvre within the site.
10. Moreover, there is unrestricted on-street parking available nearby on Lloyds Avenue. Lloyds Avenue is wide and therefore parking on the highway would not unacceptably affect the free flow of traffic along the road network. The site is also accessible by public transport with bus stops outside the site on Lloyds Avenue and Ashby Road. Thus, the proposal would not cause unacceptable on-street parking pressure. Taking into account the former use of the site, the scale of the development and nearby uses, it would also be possible to safely enter and exit the site, and the proposal would not result in an unacceptable increase in traffic or congestion.
11. For these reasons, the proposed development would have an acceptable effect on highway safety, and would provide adequate and safe parking as well as turning areas within the site. Therefore, it would comply with Policy T19 of the North Lincolnshire Local Plan (2003) (LP) which, amongst other things, requires car parking to be provided to meet the operational needs of the business.
12. Whilst not referred to in the reason for refusal, the Council consider that the proposal would be contrary to Policy T2 of the LP which states that all development should be served by satisfactory access. Given my findings above, the proposed development would not conflict with this policy.

13. The proposal would also comply with paragraph 116 of the National Planning Policy Framework (the Framework) which states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety.

Other Matters

14. Concern has been raised that the building would not function as a guest house, and it would be more suitable as a family home or as an affordable nursing home. Furthermore, residents consider that the building is not suitable for a guest house and question whether there is a need or demand for the proposed use.
15. The proposal is for a guest house, not an HMO as has been suggested. I can only consider the appeal based on the development that has been applied for. Any unauthorised or future development at the appeal site would be a matter for the Council to consider using its planning and enforcement powers as appropriate. The Strategic Housing Co-ordinator has confirmed that the local area has an oversupply of care homes. The application satisfactorily demonstrates that the loss of the community facility is acceptable, as there is no longer a need for the building in any form of community use, and there is an acceptable alternative means of meeting the care home need in Scunthorpe. Thus, sufficient information has been provided to demonstrate that the proposal meets local planning policy.
16. It has been suggested that the development would not bring any positives to the area and will result in an increase in anti-social behaviour, crime, litter, noise and disturbances. The designing out crime officer did not object to the proposal. There is no substantive evidence that the proposal would encourage anti-social behaviour, crime or litter in the area. Furthermore, the use of the building as a care home would have created a degree of noise and disturbance due to the comings and goings of staff and visitors to the site throughout the day and night. The proposal would not be unacceptable in relation to these matters.
17. Residents have highlighted that recently, and in the past, building work has been carried out, and these alterations would not match the plans originally submitted. The appellant asserts that works undertaken at the site primarily relate to fire safety upgrading, and have highlighted that an enforcement investigation found no breaches have occurred. Furthermore, the development would have to be carried out in accordance with the conditioned drawings.
18. Concerns also relate to a range of other matters including drainage, flooding, keyless entry, privacy, health and safety regulations, fire safety, devalue of homes, out of keeping, loss of employment, removal of trees as well as the loss of the garden area. Having regard to the evidence and considering the material planning considerations of the case, I have no reason to conclude that the proposed development would be insufficient or otherwise unacceptable in relation to these matters.
19. The Council did not refuse the planning application on the concerns raised within the other matters. Subject to appropriate planning conditions, there is no credible evidence before me that would lead me to an alternative conclusion to the Council on the other matters raised, or that could justify the dismissal of the appeal on these grounds.

20. A local resident has highlighted that they struggle with visual impairment and highlight concerns with the proposal for people with disabilities. I have had due regard to the Public Sector Equality Duty set out under the Equality Act 2010. I am satisfied that a grant of planning permission would not unacceptably interfere with their rights. It is proportionate in the circumstances to allow the appeal.

Conditions

21. I have assessed the Council's suggested conditions, and those suggested in consultation responses. In light of guidance found in the Planning Practice Guidance, where necessary the wording of the conditions have been amended for clarity and precision.
22. It is necessary to attach a condition specifying the approved plans as this provides certainty. In the interests of highway safety, a condition relating to vehicle parking is necessary.
23. A condition limiting the use class of the building to C1 is necessary to ensure that the accommodation is not used for unauthorised permanent residential occupation. Local residents have suggested a planning condition stating that rooms should not be let as a persons main or only place of residence, which they highlight was previously recommended by the Council's environmental health and public protection department. Condition 3 would adequately address this.
24. The Council's submission sets out informatives for the appellant to be aware of.

Conclusion

25. I realise that this decision will come as a disappointment to those who objected against the proposed development. However, taking everything into account, there is no compelling reason to withhold planning permission in this case. Consequently, having considered the development plan as a whole, the approach in the Framework, and all other relevant material considerations, the appeal succeeds.

L Wilson

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1390.01 (Site Location), 1390.02 Revision B (Site Layout), 1390.04 Revision B (proposed floor plans), and P2964-T-1001 Revision C (swept path analysis).
- 3) The development hereby permitted shall be used only for purposes within Use Class C1.
- 4) The development hereby permitted shall not be brought into use until the vehicle parking, including surface markings, has been completed in accordance with drawing no. 1390.02 Revision B (Site Layout). Once completed, the vehicle parking shall thereafter be kept available at all times for the parking of vehicles.