

<u>APPLICATION NO:</u>	25/00421/COU	<u>CASE OFFICER:</u>	Andrew Hunt
<u>WARD:</u>	Whitefield	<u>PARISH:</u>	N/A
<u>LOCATION:</u>	33 Lingtree Road, Westvale, Kirkby, Knowsley, L32 0RN		
<u>PROPOSAL:</u>	CHANGE OF USE FROM RESIDENTIAL DWELLING (USE CLASS C3) TO A CHILDREN'S HOME FOR UP TO 2 CHILDREN (USE CLASS C2).		

Site Description

The application site is a mid terraced dwelling set on Lingtree Road, Kirkby. The site is surrounded by other dwellings to the north west, south east and south. There is a railway line a short distance to the north west.

Proposal

The proposal is for the change of use from dwelling (Use Class C3) to Children's Care Home (Use Class C2) for a maximum of 2 children.

- There would be a maximum of two children between the ages of 8 and 17.
- There would be a pool of 6 staff at the dwelling plus a manager who would visit the property on an ad hoc basis during 9-5 Monday to Friday.
- In addition to the above there would be 1 x responsible individual (RI) who would visit 1 or 2 times a week.
- There would normally be 2 staff at the property, however there could be 4 staff temporarily during a handover period.
- Staff would work on a rota basis (2 days on 4 days off).
- The purchaser misled the seller and stated it was for a family home when buying the property.
- The children would have with low to moderate learning difficulties and emotional and behavioural difficulties.

Consultations

Children's Services Commissioning - This is from a reputable provider Lytham Care who work closely with Knowsley Council, and already have well established Good Ofsted registered provision in a number of locations. Knowsley regularly place children with Lytham.

Environmental Health - No objection.

Highways - No objection., The proposals is expected to result in only marginal uplift in traffic movements, and no material impact on the local highway network.

Merseyside Police – No objection. There are no concerns from a Designing out Crime perspective regarding this application.

Representations

This application has been publicised by letters sent to 15 neighbours. Two objections have been received to the application consisting of the following main points:

- Concerned about potential crime and anti-social behaviour issues from the proposal as there are existing issues in the area.
- The proposal may impact on elderly and disabled persons.
- Lack of parking and infrastructure to accommodate the proposal.
- This could set a precedent for further conversions.
- There has been noise and disturbance from renovations.

Planning History

25/00358/CLD - CERTIFICATE OF LAWFULNESS FOR RESIDENTIAL DWELLING (USE CLASS C3) TO CHILDRENS CARE HOME (USE CLASS C2) FOR A MAXIMUM OF 2NO. CHILDREN - refused - 04.07.2025

Relevant Policy

Paragraph 11 of the National Planning Policy Framework (NPPF) states that planning decisions should apply a presumption in favour of sustainable development. This means approving development proposals that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

Paragraph 12 of the NPPF clarifies that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan, permission should not normally be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

The development plan in Knowsley comprises the Saved Policies of the Replacement Unitary Development Plan, the Core Strategy Local Plan and the Joint Waste Local Plan. The following policies are relevant to the determination of this application.

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS2 - Development Principles

**SAVED POLICIES - KNOWSLEY REPLACEMENT UNITARY DEVELOPMENT
PLAN (ADOPTED JUNE 2006)**

H5 - Primarily Residential Area

Article 35 Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating with the applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Assessment

Principle of Development

The application site is situated within a Primary Residential Area. The development of the site for C2 use is therefore acceptable in principle as C2 is a residential use.

Amenity

Policy CS19 requires that to maintain a good standard of amenity for all existing and future occupants of land and buildings, development proposals will be required to avoid unacceptable impacts on existing residents, business occupiers, and future occupiers.

The proposal would remain in residential use albeit a C2 use and there would likely be negligible impact on the surrounding neighbours. The ages of the children would be between 8 and 17.

The proposal would not significantly harm the amenity of neighbouring properties in relation to noise and disturbance. There is no evidence that noise and disturbances would be significantly above that of a typical residential dwelling. This is supported by Environmental Health who have no objection to the development.

If planning permission is granted conditions are recommended to limit the maximum number of children to 2 and to ensure that the home is operated in accordance with the application form. On balance and subject to this condition, it is considered that the proposal would not cause unreasonable harm to amenity and, therefore, complies with Policy.

Street Scene

Policy CS19 (Design Quality and Accessibility in New Development) in the Core

Strategy sets out several criteria that developments will be expected to conform to so that they enhance local distinctiveness and the identity and accessibility of new places.

The NPPF identifies that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development.

The proposal would involve no external changes and would not affect the street scene.

Crime and Anti-Social Behaviour

It is considered that there is no evidence that the development would have an unacceptable impact in relation to crime or anti-social behaviour. This is supported by Merseyside Police who have no specific concerns with the application.

Highways

NPPF para 116 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.

In relation to highway safety, there would only be 2 children proposed at the home, and 2 parking spaces provided. The plans have also been amended to show cycle parking which now meets relevant standards. The level of parking is considered sufficient for the proposed use and would not cause significant harm to highway safety. This is supported by the council's highways department who have no objection to the proposal.

Other Considerations

In relation to setting a precedent, each planning application is assessed on its own merits and the proposal would not set a precedent for other future applications. In relation to the conduct of the applicant, this is not a material planning consideration.

Conclusion

The proposal would be acceptable in principle and in relation to neighbour amenity highway safety, streetscene and crime. The application complies with local planning policies and is recommended for approval.

Recommendation

That planning permission be granted subject to the following conditions.

- 1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: In order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2) The development hereby permitted shall be carried out in accordance with the following approved plans and documents :-

- a. Cycle Storage Plan - received (11/08/2025).
- b. Cycle Storage Info - received (11/08/2025).
- c. Floor Plans and Parking Plan received (11/08/2025).
- d. Location Plan - received (08/07/2025).

Reason: For the avoidance of doubt.

- 3) Number of Children

The number of children residing at the property shall not exceed 2.

Reason: To prevent amenity impacts on residents through over intensification of the use.

Signed Case Officer:

Andrew Hunt

**Signed Authorising
Officer:**

Jo Sheridan

Date:

08/09/2025

Informatives

N/A