

Agenda



Knowsley Council

Tuesday, 1 October 2024

To: The Chairperson and
Members of the Planning Committee

Dear Councillor

A Meeting of the **PLANNING COMMITTEE** will be held on **Thursday, 10th October, 2024**, in the Council Chamber, Municipal Buildings, Huyton at **6.00pm**.

If you have any queries regarding this meeting, please contact Keith Glover on telephone number 0151 443-3502.

Yours faithfully

Chief Executive

Please Note:-

1. *(Please Note: Access to the Council Chamber is limited and members of the public or press wishing to attend in person are strongly advised to register in advance by emailing committees@knowsley.gov.uk or telephoning (0151) 443 2679. Attendees will be required to show photographic identification and will be subject to [security checks](#). Please note that meetings will also be live streamed. The live stream can be accessed from the following link - <https://knowsley.public-i.tv/core/portal/home>.)*
2. *If you have submitted a representation in respect of any of the planning applications that are included on the agenda for determination at this meeting, and wish to speak at the meeting, there is a procedure to be followed which can be accessed via the link below:-*

<https://www.knowsley.gov.uk/residents/building-and-planning/make-a-planning-application/speaking-at-planning-committee>

Membership of the Planning Committee

Councillors

S Donnelly	(Chairperson)
Mrs D Arnall	Ms J Harvey
Mrs C Bannon	Ms J Lilly
D J Baum	Mrs J E Lonergan
H Bell	K W McGlashan
T Brennan	G J Morgan
M Burke	Mrs S Powell
T Byron	I Smith
A J Flute	K Taylor
R Gaffney	Ms A Wright
G Golding	

(Note: The Agenda and Reports are circulated to all other Members of the Council for information only.)

A G E N D A

PART I

APOLOGIES

1. DECLARATIONS OF INTEREST

2. MINUTES

To receive as a correct record the minutes of the meeting of the Committee held on 11th July 2024.

(Pages 1 - 2)

3. APPLICATIONS FOR PLANNING PERMISSION

To consider the reports of the Executive Director (Regeneration and Economic Development) in respect of the following applications for planning permission.

(Please note that:-

- (i) Background Papers to the planning applications referred to in this agenda comprise the following: -
 - 1. The planning application as submitted or subsequently revised including all forms and plans, etc.
 - 2. The application case sheet, inspection report, photographs, etc.
 - 3. An Ordnance Survey sheet extract showing the application site and the surrounding area.
 - 4. Standard planning conditions as adopted by the Council.
 - 5. Relevant policies from the Unitary Development Plan as appropriate.
 - 6. Copies of all statutory and non-statutory consultations and related correspondence except where they are strictly confidential.
 - 7. The relevant planning history of the application site.

Specific documents, which have been used as a background paper for a particular planning application, and which are not included in the above, are detailed as appropriate at the end of the individual report concerned. Please contact the planning services team (0151 443 2381 or via email at Dcsubmissions@knowsley.gov.uk) to arrange inspection of these files and documents; and

- (ii) Details of the contact officer is contained in the individual report and additional information/some background papers can be found on the [Public Access](#) site via the link shown beneath each planning application below).

- (a) **24/00334/FUL - REMOVAL OF RESTRICTIONS ASSOCIATED WITH PREVIOUS PLANNING APPLICATION (12/00297/COU - CHANGE OF USE FROM RESIDENTIAL FLATS TO SUPPORTED ACCOMODATION (USE CLASS C2) FOR UP TO A MAXIMUM OF SIX CHILDREN UP TO THE AGE OF EIGHTEEN) TO ENABLE A GENERAL C2 USE (RESIDENTIAL INSTITUTION) - 16 NORTH PARK ROAD, KIRKBY PARK, KIRKBY, KNOWSLEY, L32 2AS**

Additional information in relation to this item can be obtained on Public Access via the following link:-

<https://planapp.knowsley.gov.uk/online-applications>

and entering 24/00334/FUL in the search box

(Pages 3 - 16)

- (b) **21/00744/FUL - RE-DEVELOPMENT OF GOLF COURSE - KIRKBY GOLF COURSE, INGOE LANE, FIELD LANE ESTATE, KNOWSLEY, L32 4SS**

Additional information in relation to this item can be obtained on Public Access via the following link:-

<https://planapp.knowsley.gov.uk/online-applications>

and entering 21/00744/FUL in the search box

(Pages 17 - 68)

- (c) **23/02677/FUL - ERECTION OF 88 NO. AFFORDABLE RESIDENTIAL DWELLINGS AND ASSOCIATED INFRASTRUCTURE - LAND AT CARR LANE, PRESCOT, KNOWSLEY**

Additional information in relation to this item can be obtained on Public Access via the following link:-

<https://planapp.knowsley.gov.uk/online-applications>

and entering 23/02677/FUL in the search box

(Pages 69 - 106)

- (d) **23/02847/FUL - CREATION OF 3G ARTIFICIAL PITCH WITH PERMITTER FENCING, BALL STOP NETTING, FLOODLIGHTING, HARDSTANDING, STORAGE CONTAINER, CAR PARK, ACCESS IMPROVEMENTS TO LINCOMBE ROAD AND ASSOCIATED WORKS - JUBILEE PARK, DINAS LANE, ROBY**

Additional information in relation to this item can be obtained on Public Access via the following link:-

<https://planapp.knowsley.gov.uk/online-applications>

and entering 23/02847/FUL in the search box

(Pages 107 - 150)

4. DELEGATED PLANNING DECISIONS

To consider the report of the Head of Planning.

(Pages 151 - 170)

5. TOWN AND COUNTRY PLANNING ACT 1990 - APPEAL DECISIONS

The Head of Planning and Building Control to report on the appeal decision taken by the Planning Inspectorate in respect of 95 Arncliffe Road, Halewood, Knowsley, L25 9QE.

(Pages 171 - 176)

6. ANY OTHER ITEM(S) WHICH THE CHAIRPERSON DEEMS TO BE OF AN URGENT NATURE

APPLICATION NO: 24/00334/FUL

APPLICANT: Lytham Care Ltd

WARD AFFECTED: Whitefield

DEVELOPMENT:

REMOVAL OF RESTRICTIONS ASSOCIATED WITH PREVIOUS PLANNING APPLICATION (12/00297/COU - CHANGE OF USE FROM RESIDENTIAL FLATS TO SUPPORTED ACCOMODATION (USE CLASS C2) FOR UP TO A MAXIMUM OF SIX CHILDREN UP TO THE AGE OF EIGHTEEN) TO ENABLE A GENERAL C2 USE (RESIDENTIAL INSTITUTION)

LOCATION OF SITE:

16 North Park Road, Kirkby Park, Kirkby, Knowsley, L32 2AS

DEVELOPMENT PLAN ALLOCATION:

Primarily Residential Area
North Park Road Conservation Area

REPRESENTATIONS:

36 objections from individual residents were received to the neighbour consultation along with 23 letters of support.

RECOMMENDATION:

That Members delegate authority to the Head of Planning & Building Control to grant planning permission subject to the conditions set out in the attached schedule.

CASE OFFICER:

Andrew Hunt (0151) - 443 2204

SUMMARY:

The property has a lawful use as a children's care home providing supported accommodation for up to 6 children which was granted planning permission under ref: 12/00297/COU. This application proposes to remove a condition which limited the site to supported accommodation for up to 6 children up to 18, to enable a general C2 Use.

The relevant key issues are:

- The principle of development

- Impact on amenity
- Highway safety
- Crime and anti-social behaviour

1. SITE AND SURROUNDINGS

- 1.1 The application site is a large, detached care home accessed from North Park Road. The site is an irregular square shape, it has a large front and side garden and a smaller rear garden. There is a large hardstanding area at the front of the property and tall trees along the western boundary of the site.
- 1.2 The surrounding area is residential in nature and there are other dwellings to the north, east, west and south of the site. North Park Road is a relatively minor road and is connected to Glovers Brow which is one of the main routes through Kirkby from south to north.
- 1.3 There is a bus stop around 190 metres away from the site on Mill Lane, which is around 3 minutes away on foot from the property and a train station (Kirkby Train Station) located 450 metres away from the property which is around 6 minutes on foot.
- 1.4 The site is currently vacant having been unoccupied since 2021.

2. PROPOSAL

- 2.1 This application proposes to alter the use of the existing children's care home (Class C2) to a general C2 (residential institution) use. The proposal would involve the use of the premises as a Residential Family Centre. The purpose of the Residential Family Centre is to assess parents and their children and prepare assessments to be used in a Court of Law, this is early intervention work to try and create a stable family for the children to enable them to stay with their parent's long term
- 2.2 The parents would be aged 18 and over and the children will be aged between 0 and 8 years old. The home would operate a rolling rota, staff will be present in the home 24 hours per day / 7 days per week.
- 2.3 The proposed change would not normally require planning permission as it is within the same use class (C2) as the previous use, however, condition 5 of planning permission 12/00297/COU restricts the use to supported accommodation for autistic children only between the ages of 12 and 18 and for no other use.

3. RELEVANT SITE HISTORY

- 3.1 There is an extensive planning history associated with the site however, only one application is of relevance to this application.
- 3.2 An application for a change of use from flats to supported accommodation was approved for up to 6 children (12/00297/COU - 29.08.2012). This included a condition (5) to restrict the use for supported accommodation for autistic children only between the ages of 12 and 18 and for no other use. Condition 3 also restricted the number of children to no more than 6. This planning permission was implemented and the lawful use of the site so could re-commence at any time.

4. ARTICLE 35 STATEMENT

- 4.1 The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

5. EQUALITIES ACT 2010

- 5.1 In determining this application, the Local Planning Authority has considered the requirements under S149 of the Equalities Act 2010.
- 5.2 Section 149 of the Act sets out a general duty that requires the council to have due regard to the need to:
- eliminate discrimination, harassment and victimisation;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it, and;
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 5.3 In this case, the proposed development is not anticipated to have any potential impact from an equalities perspective.

6. REPRESENTATIONS

6.1 The application was publicised by letters sent to 39 neighbouring properties and one period of consultation has taken place. 36 Objections were received to the consultation and 23 letters in support.

6.2 The points of objection are summarised below:

- Previously this property was deemed inadequate by Ofsted and operations were suspended.
- The area has been subject to violence and anti-social behaviour through the previous use of the property.
- This street is not the appropriate location for such a facility.
- It would be wrong to allow a children's home in this neighbourhood also completely ignoring the fact that this is a well-respected and important area.
- The close proximity to a public house is a concern,
- Parking and traffic is a problem in the area.
- This will affect the character of the area.
- This will reduce our house prices.
- The applicant is motivated by money.
- This attitude of terminating a placement if issues arise is a protective one on the behalf of the company and indicates that the staff group may not be sufficiently capable and able in dealing with possible challenges which could confront staff and management.
- Since voluntary closure of the previous children's home there has been a marked reduction in police presence in the immediate area.
- Residents in the street have a quiet comfortable environment and feel more secure within their local area since the previous homes closure in late 2021

6.3 The points in support are summarised below:

- The current proposal (Residential Family Centre) is completely different to the previous use as a children's care home.
- This is a much-needed investment that will create jobs and bring employment to the area. They are actively trying to recruit in the local area.
- It will bring a historic and attractive building back into use.
- The applicant has engaged with the local community.
- If it helps families stay together and prepared mums and dads for parenthood then it will be a great thing to have on our doorstep.
- This is a service which is being cried out for, and will save local authorities money in the long run and help the local community.

- This will be an asset to the area.
- The unit will play a crucial role in supporting child development by offering specialized care and services for both mothers and babies.
- There were concerns about the company in the past however this is linked to old leadership, things are ran completely differently now. The new leaders have led 5 of the company's children's' homes to an Ofsted rating of good and are keen to repair and restore relations within the local community.
- I work in a family assessment unit in Preston, and I can say that it is a wonderful place to work. My current work helps support vulnerable babies and keeps them from entering the care system at expense to the taxpayer.
- I am a director for the company. From having 8 full time employees across the company back in 2021, we now have a created over 40 full time positions within Knowsley, all of whom are highly trained. We have improved our Ofsted scores following new management in 2021. We are looking for build a better relationship with neighbours than previously.
- It currently has planning permission as a children's home and opening it up as a children's home again is still an option although we don't believe that makes best use of what is a lovely building. The neighbours do not want this, and it can be difficult to manage in a property of this size however opening it up as a children home will still be under consideration if this application is refused.
- The ethos behind Lytham Lodge will be to offer a nurturing and supportive environment to allow parents to demonstrate their parenting capabilities, safety is a priority, and an aggressive behaviour will not be tolerated.

7. CONSULTATIONS

Environmental Health & Consumer Protection (Knowsley Council) –No objection to the proposed removal of restrictions.

Local Highway Authority (Knowsley Council) –No objections to the proposed development. A condition is requested in relation to cycle parking and highway issues are discussed later in the report.

Children's Services (Knowsley Council) – No objection. The provider is known to the Council's Commissioning team who has communicated their intention to open the provision related to this application. They are a known provider on the Council's Children's Residential frameworks. The Council also has children currently placed with this provider and has a good working relationship with

them. There is a general need for this type of provision, with the Council currently placing outside of the Borough for this service.

Merseyside Police Architectural Liaison Officer – No objection. Crime and anti-social behaviour issues are addressed later in the report.

8. POLICY CONTEXT

- 8.1 Paragraph 11 and 12 of the National Planning Policy Framework (NPPF 2023), an extract from which is set - out below, states that:

“Plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

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 usually 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.”

- 8.2 In this regard, the Knowsley Local Plan: Core Strategy was adopted in January 2016, although certain saved policies of Knowsley Replacement Unitary Development Plan (UDP) remain operational as part of the Statutory Development Plan and are still given weight in reaching a decision under the provisions of paragraph 219 of the latest NPPF. The Joint Merseyside and

Halton Waste Local Plan was adopted in 2013 and is also part of the development plan.

- 8.3 The site is designated as within the Primarily Residential Area and North Park Road Conservation Area. The relevant adopted policies for the assessment of the application are listed below.

Local Plan: Core Strategy (2016)

SD1 - Sustainable development
CS1 – Spatial Strategy for Knowsley
CS2 - Development Principles
CS7 - Transport Networks
CS19 - Design Quality and Accessibility in New Development
CS20 - Managing the Borough's Historic Environment

Knowsley Replacement Unitary Development Plan (Saved Policies, 2009)

H5 - Development within Primarily Residential Areas
ENV2 - Noise and Vibration
DQ5 – Development in Conservation Areas

9. ISSUES AND ASSESSMENT

Principle of the Development

- 9.1 Replacement UDP Saved Policy H5 (Development Within Primarily Residential Areas) states that new development within the Primarily Residential Areas which is for uses appropriate to a residential area will be permitted provided that the development would not:

- Have an unacceptable impact on the amenity of neighbouring occupiers by reason of noise, disturbance, overlooking, visual intrusion smells, fumes, on-street parking or other causes; or
- Adversely affect the character or street scene of the area.

- 9.2 Replacement UDP Saved Policy H5 (Development Within Primarily Residential Areas) states that proposals for residential homes, will be permitted provided that:

“a) There would be no unacceptable increase in the level of noise or disturbance, or loss of privacy, for occupiers of neighbouring property;

- b) Any necessary vehicle parking areas would be adequate to meet the needs of the development, safe and screened and/or landscaped so as to avoid causing loss of visual amenity in the area;*
- c) Bin stores, fire escapes and clothes drying areas would be adequately screened or designed so as to avoid causing loss of visual amenity;*
- d) In the case of proposals to convert existing property, the property would be suitable in terms of its size and character to accommodate the development proposed; and*
- e) In the case of proposals for nursing or residential homes, hostels or Houses in Multiple Occupation, the proposals would not result in:*
 - An existing dwelling having a nursing home, residential home, hostel or HMO on both sides; or*
 - More than 2 adjoining properties being used as a nursing home, residential home, hostel or HMO”.*

- 9.3 The proposed use (Class C2) is classed as a “Residential Institution” therefore, it is considered that such uses are acceptable in principle in this location and are a residential type use. This is subject to the use not having an unacceptable impact on the amenity of neighbours or the character of the area. The existing use Class of the building is also a C2 residential institution so the proposal would be the same use class, albeit with restrictions in place regarding the element of care given
- 9.4 The proposed use would be acceptable in principle, and issues of highway safety and residential amenity are discussed below. Therefore, the principle of the C2 use complies with Local Plan Core Strategy Policy CS19 and Saved UDP Policy H5.

Residential Amenity

- 9.5 In order for the proposal to be acceptable, it is important that it does not have a detrimental impact on the amenities of existing residents. Core Strategy Policies CS2 and CS19 combine to ensure that new development does not significantly injure the amenities of nearby residential neighbours. Saved Policy ENV2 of the Knowsley UDP seeks to ensure that new or existing developments are protected from new or existing noise sources and that, where necessary, effective mitigation measures are secured.
- 9.6 The application proposes that there would be up to 6 families. parents will be aged 18 and over. The children will be aged between 0 and 8 years old. The home will be operating a rolling rota, staff will be present in the home 24 hours

per day / 7 days per week. There would be a maximum of 4 staff at any one time at the premises.

- 9.7 There would be some noise associated with comings and goings from the property in the form of car doors opening and closing, and the noise of engines. However, such noises would be relatively infrequent and is unlikely to take place late at night or early in the morning. This level of coming and goings would not be significantly greater than that associated with the previous use (as a children's care home) which currently still has extant planning permission and could be re-occupied again at any time.
- 9.8 The level of activity likely to occur as a result of the C2 use would therefore not result in significant harm to residential amenity. This is supported by the views of the council's Environmental Health team who have no objection to the proposal. In relation to potential impact on vulnerable neighbours, there is no evidence that the application would cause a materially greater impact than a typical residential use or the previous children's care home use. It should also be noted that dwellinghouses can also be subject to noise issues, anti-social behaviour and disturbance depending on the conduct of the homeowner.
- 9.9 Nevertheless, so that the level of impact is kept to a minimum, it is recommended that, subject to the approval of the application, a condition is attached to the planning permission to permit the number of families to 6 at any one time.
- 9.10 Overall, subject to these conditions, it is considered that the proposals would not cause unreasonable harm to amenity and the application complies with Core Strategy Policy CS19 and UDP Policy ENV2.

Highways

- 9.11 NPPF Paragraph 115 sets out 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.
- 9.12 Core Strategy Policy CS7 (Transport Networks) states that new development will be required to be:
- Located and designed to prioritise accessibility and sustainable modes of travel through a choice of walking, cycling, public transport, and incorporate access for private vehicles.
 - In compliance with adopted cycle, car, disabled and service vehicle parking standards for different types and scales of new development.

- 9.13 The site is located within a sustainable location with excellent bus links. There is a bus stop situated just a 3 minute walk away on Mill Lane that provides bus services. The site is also a 6 minute walk away from Kirkby Train Station to the south.
- 9.14 There is an extensive driveway at the site which is enough to accommodate 4 parking spaces. This would be unchanged as a result of this application. The Highways team have been consulted on the application and have raised no objection to the application.
- 9.15 Four parking spaces are considered sufficient parking (when combined with the site's excellent public transport links), to ensure that there would not be significant harm to highway safety from the proposal. There would not be materially greater impacts than the previous care home use.
- 9.16 Overall, the proposal will not lead to unacceptable impacts on highway safety. Therefore, the application is consistent with NPPF para 115, and Policy CS7 of the Local Plan Core Strategy

Crime and Anti-Social Behaviour

- 9.17 In relation to crime and anti-social behaviour it is acknowledged that the surrounding area sometimes suffers from crime and anti-social behaviour issues. However, there is no evidence that the proposal will worsen existing issues of crime and anti-social behaviour or will be harmful to the welfare of children residing at the property. This is reinforced by the lack of any objection from the Merseyside Police Architectural Liaison officer or from Children's Services.
- 9.18 The proposed use is an assessment centre limited to a small number of families who would be occupying an 8 bedroom residence under controlled conditions. From a policing perspective this is different from the potential issues that a children's home could have where the children could be exposed to external influences, which then could impact on the immediate location.

North Park Road Conservation Area

- 9.19 The site is located within the North Park Road Conservation Area. However, no external changes are proposed to the building. Therefore, there will be no harm to the Conservation Area.

Other Considerations

- 9.20 A number of issues raised in the representations relate to matters than are not material planning considerations and therefore cannot be considered. This includes devaluation of property and the conduct of the applicant.

10. CONCLUSION

- 10.1 The development is acceptable in principle and would not cause unacceptable harm in relation to highway safety, the character of the area, crime and anti – social behaviour or the amenity of neighbouring properties. This is subject to conditions relating to a limit to the number of families that can be cared for at the property.
- 10.2 In conclusion, the proposed development would comply with policies included within the Core Strategy (2016), Knowsley Replacement Unitary Development Plan (saved policies 2009) and National Planning Policy Framework (2023).

11. RECOMMENDATION:

- 11.1 It is recommended that planning permission be granted subject the conditions set out in the attached schedule.

SCHEDULE OF CONDITIONS

1.	Time Limit	Advisory
2.	Plans List	Advisory
3.	Cycle Parking	Pre-Occupation
4.	No more than 6 Children at one time	Ongoing

APPLICATION No: 24/00334/FUL

