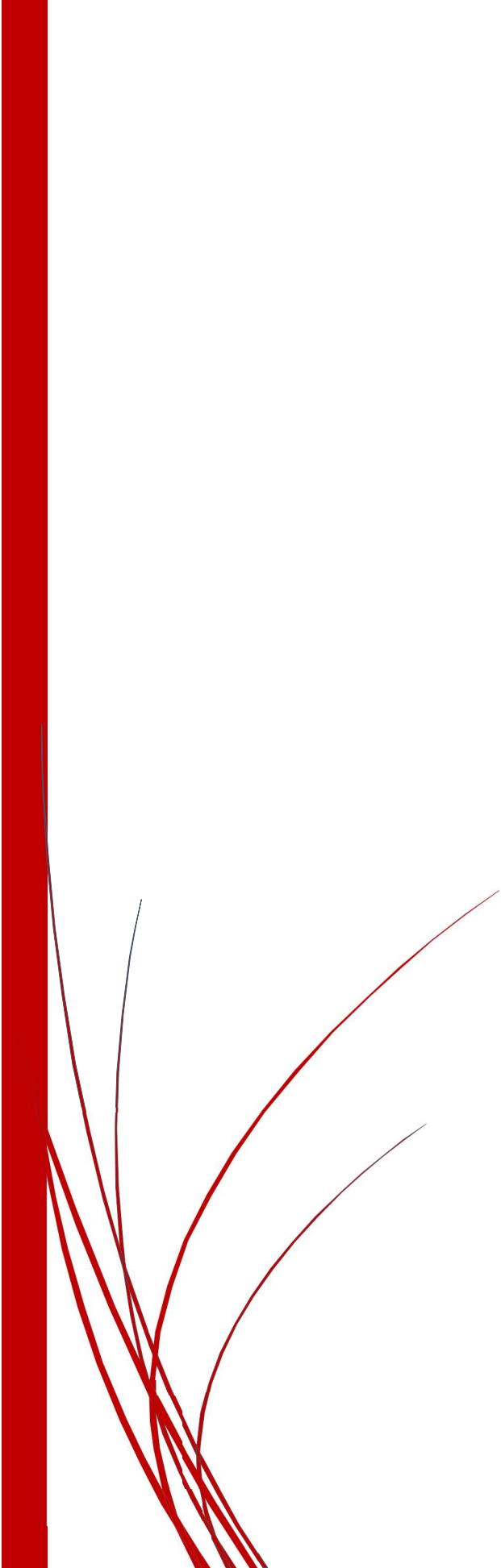




Planning Statement

10 Whiston Lane, Huyton,
L36 1TY

May 2022

Scalia Planning

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1. Introduction

- 1.1. Scalia Planning, the 'Agent', has been instructed by Supporting Futures Ltd, the 'Applicant', to submit a full planning application for the change of use of 10 Whiston Lane, Huyton, L36 1TY, the 'Site'.
- 1.2. The proposed description of development is as follows:
'Change of Use from residential dwelling to care home for up to 3 children.'
- 1.3. This Statement has been prepared to address the planning policy considerations associated with the change of use and all other material considerations as may be relevant to the proposals.
- 1.4. The application package comprises this Statement and the following:
 - Application Forms and Certification;
 - Location Plan;
 - Site Plan; and
 - Existing & Proposed Floor Plans.

2. Site Description and Context

- 2.1. The Site comprises the property at 10 Whiston Lane, Huyton, L36 1TY. The extent of the Site is identified on the accompanying Site Plan and in brief extends to approximately 240 sq m. It is currently developed as a four-bedroom semi-detached house with private amenity areas to the front, side and rear. The Site does not benefit from off road parking however there is currently a dedicated bay for disabled drivers immediately outside the property and unrestricted on street parking along the length of Whiston Lane and surrounding streets.
- 2.2. The Site is located within a primarily residential area of Huyton, with easy access to local bus stops along Huyton Lane, providing access to local facilities and services in the surrounding area, with available bus services facilitating access westwards towards Speake and eastwards towards St Helens. The Site also within walking distance of numerous amenity areas, including King George V Playing Fields and Huyton & Prescot Golf Club.
- 2.3. The Site is in Flood Zone 1 and therefore there is no anticipated risk of flooding from either tidal, fluvial or groundwater sources.

Planning History

- 2.4. There is no relevant planning history according to the Council's public access database.

3. Proposed Use

- 3.1. The Application proposes the change of use of the Site from residential (Class C3) to a residential care home for up to three young people between the ages of 7 and 17 (Class C2). There are no physical works proposed that would require the grant of planning permission.
- 3.2. The Application has been submitted on behalf of Supporting Futures Ltd who are an established, reputable provider of residential care and education for young people with special educational needs and are registered with Ofsted under the Learning Disability category. Supporting Futures Ltd operate a number of residential homes, including for young people diagnosed with Learning Disabilities and Autism Spectrum Conditions across the North West.
- 3.3. Supporting Futures Ltd would operate the property as a residential care home, providing a safe, caring and secure home environment for up to three young people. Autism and Autism Spectrum Conditions cover a wide range of severity, and the home would assist in providing continuous care and support for the individuals in a safe and homely environment.
- 3.4. The home would be the main residence for the young people, with daily care provided on a 1:1 basis for each individual. The young people would attend school and would actively engage in amenity pursuits with the assistance of their carers. Some of the residents may require specialist assistance in areas such as speech and language therapy and educational support, this would normally be provided at school albeit there may be occasions where assistance is provided within the property by visiting specialists, ie out of term time. Such visits would only ever be by prior appointment, arranged with the manager of the home.
- 3.5. The day to day running and management of the facility would be in line with the National Minimum Standards and Regulations as issued by the Secretary of State for Health under the Care Standards Act (2000). A Health and Safety check has already been undertaken in respect of the property which confirms that there are no structural changes or modifications required in order for the building to be compliant with both the Children's Homes Regulations and Ofsted Registration.
- 3.6. There would be one carer present per child at any one time during the day, with two members of staff present during the night. The staff would normally work on a 48-hour rota, with staff changes taking place between 09:45hrs and 10:00hrs (outside of peak hours). Any staff not undertaking a night time shift would normally leave the home by 21.00hrs and either return or be replaced the following morning.

- 3.7. If additional specialists/care assistants referred to in paragraph 3.4 above are required, they would attend the property only during the daytime hours, and any visits from family members and other healthcare professionals would also take place during this time, all being by prior arrangement with the home manager to ensure the safety and comfort of the residents and to minimise any disturbance to their daily routines.

Additional Operational Provisions

- 3.8. The provision of care normally required within the homes operated by the Applicant is on a 1:1 basis. There are sometimes circumstances where a young person would need additional support for a short period of time and as such this Application seeks the ability to allow for 2:1 care for each resident should the need ever arise. This is not a normal scenario but it is a provision that needs to be in place within any conditions imposed on the grant of a permission in order for Ofsted to register a property as suitable for the number of residents proposed. This is referred to as 'crisis care' and is a short term means by which to address a specific difficulty or requirement that one of the residents of a facility may have.
- 3.9. Supporting Futures Ltd do not operate facilities for residents with long term crisis care/2:1 care needs. If a resident needed short term 2:1 care their case would be reviewed regularly, with such care requirements rarely lasting longer than 7 days. If such care is required for longer than 7 days then the operator would be required to review whether the facility was the most appropriate location for the child to reside.
- 3.10. In a scenario where there were two young people in residence at the property and one developed a need for 2:1 care, the Applicant would not introduce a third young person until the period of crisis care had subsided. If, however, there were already three young people in residence and one or more of them developed a need for 2:1 care, an additional adult carer from the residents' dedicated caring staff would be present at the property during the daytime hours. During night-time hours, there would be no additional staff albeit the management and on-site staff would determine whether a 'waking' shift were required. The extra support would always come from within the existing team dedicated to the residents of the property. This provides continuity and emotional security for the residents.
- 3.11. Supporting Futures Ltd has advised that it is extremely rare for the young people to develop a requirement for 2:1 care but they are conscious of the requirement to facilitate for such care as part of the Ofsted registration process and want to ensure that any conditions imposed on the use of the property allow for this.
- 3.12. As events requiring 2:1 care are so rare, the Applicant does not envisage a scenario whereby more than one resident would be in need of such assistance at any one time.

Appropriateness of Use

- 3.13. The proposed development would not cause undue noise or disturbance that might affect neighbouring residential amenity as the facility would operate akin to a

traditional family home. If it were adults residing within the property with exactly the same care needs as the potential future young people there would be no requirement for a change of use as they would be considered to be living as a single household. However, as the Application relates to provision for young people, who case law has indicated are unable to form and live as a single household due to their age, then it is necessary to classify the facility as a residential care home.

- 3.14. There is no evidence to suggest that the establishment of an appropriately registered and managed care home for young people would impact on neighbouring or future resident amenity, if anything it would potentially enhance the amenity of both. There is no provision within the Council's adopted policy (considered in detail at Section 4) that would be prejudiced by the proposed use. A facility operating as proposed would not lead to increased levels of noise or disturbance, would not result in increased propensity for overlooking, nor would it increase the propensity for impacts on air quality or access to community facilities.
- 3.15. There is no activity associated with the proposals that may be noticeable within the area that would not be out of character in respect of the use of the property as a traditional four-bedroom family home in a residential area. The Site is within a highly sustainable location in terms of accessibility by a range of means of transport and the Applicant encourages staff to use alternative options to the private car, including the use of public transport, which would be perfectly reasonable considering the accessibility of the Site. The Applicant also encourages car sharing and cycling, both of which are realistic options when having regard to the shift patterns of staff working together in dedicated teams over a regular 48 hour timeframe.

4. Planning Policy Considerations

- 4.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 4.2. In accordance with the guidance set out in the National Planning Policy Framework (NPPF), the Town & Country Planning Act 1990 (as amended) and the Planning & Compulsory Purchase Act 2004) (the 'Acts'), the relevant planning policy is contained within the Knowsley Local Plan Core Strategy adopted January 2016 and the Knowsley Replacement Unitary Development Plan Adopted June 2006 (UDP), with applicable policies Saved for use in the determination of planning applications in 2009 and some later superseded by the adoption of the Core Strategy. It is acknowledged that the UDP is not up to date and the Council has resolved to prepare a Site Allocations and Development Policies document however this process has not yet been progressed.
- 4.3. This section of the Planning Statement summarises the relevant elements of NPPF, key planning policies and supplementary guidance applicable to the proposals.

NPPF

- 4.4. The National Planning Policy Framework was published in 2018 and amended in February 2019 and July 2021. The key paragraphs of relevance to the determination of this planning application include the following:

- Section 2: Paragraph 8 (Achieving Sustainable Development)
- Section 4: Paragraph 47 (Decision Making)
- Section 8: Paragraph 92 (Promoting Healthy and Safe Communities)

Section 2: Paragraph 8 (Achieving Sustainable Development)

- 4.5. The proposed application constitutes a sustainable development. The use encompasses strong social benefits by enabling the young people in the care of the Applicant to live in a home environment, within a well-established residential area, and within easy reach of all the local services and amenities that a home environment should be able to access.
- 4.6. Sustainable development is a cornerstone of Government policy and is always a material consideration in the determination of planning applications. The presumption in favour of sustainable development means that when making decisions, the local authority should approve developments that accord with the adopted Development Plan without delay.

Section 4: Paragraph 47 (Decision Making)

- 4.7. Paragraph 47 notes that planning law requires applications for planning permission be determined in accordance with the development plan, unless material considerations

indicate otherwise, with decisions on applications made as quickly as possible.

Section 8: Paragraph 92 (Promoting Healthy and Safe Communities)

- 4.8. The Application would allow for the provision of a home environment for up to three young people aged 7-17 diagnosed with Learning Difficulties and Autism Spectrum Conditions. They would be able to live and go about their daily lives as part of the community with suitable provisions in place to allow for extra care support should they enter a short period of crisis care need. The application goes to the heart of the objective of promoting healthy and safe communities, communities which are accessible and inclusive for all.

Knowsley Local Plan Core Strategy (January 2016)

- 4.9. The policies relevant to this application comprise the following as contained within the adopted Core Strategy:

- Policy CS16: Specialist and Supported Accommodation

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- 4.10. The supporting text for this policy acknowledges at paragraph 8.12 that there is ‘*an established shortage of housing which is available to meet the needs of those who require specialist or supported accommodation*’, while paragraph 8.14 refers to the nationally recognised need of specific housing requirements for different groups and the role they play in creating mixed and sustainable communities, with paragraph 8.16 confirming that it may ‘*mean adopting a flexible approach to altering ... existing properties*’. The Policy confirms the Council’s commitment to help meet the needs of those who require specialist or supported accommodation, which includes the young people cared for by Supporting Futures.

Knowsley Replacement Unitary Development Plan (June 2006)

- 4.11. The policies relevant to this application comprise the following as contained within the adopted UDP:

- Policy H5: Development Within Primarily Residential Areas
- Policy H7: Provision of Flats, Nursing and Residential Homes, Hostels and Housing In Multiple Occupation (HMOs)

Policy H5: Development Within Primarily Residential Areas

- 4.12. Policy H5 supports appropriate development but seeks to ensure that any development, including change of use, within a primarily residential area would not have a detrimental impact on the amenity of existing or future residents of the area or adversely affect the character and appearance of the area. As the proposed use is very much aligned with a traditional family home there is no reason to presume that there would be any impact on the amenity of neighbouring residents or the surrounding area.

Policy H7: Provision of Flats, Nursing and Residential Homes, Hostels and Housing In Multiple Occupation (HMOs)

- 4.13. Policy H7 reiterates the provisions of H5 in so far as considering such uses acceptable provided there is no detrimental impact on neighbouring amenity, there is adequate parking to meet the needs of the use, there are sufficient bin and service areas, the property is of an appropriate size for the proposed use, and there not being more than 2 such uses adjoining each other or a residential dwelling being located between two such operations. As noted above, the proposed use is very much akin to a traditional family home and would have no greater impact on residential amenity than any other residential use. The Applicant is a registered provider of care and there are no other such facilities, or other known unregistered care facilities, within the immediate area of the Site.

Summary

- 4.14. As demonstrates above, this Application conforms with the provisions and aspirations of NPPF and adopted local plan policy and therefore, in accordance with the advice contained therein, the application should be supported and planning permission granted.

5. Conclusion

- 5.1. The proposed use of the Site is as a home for up to three young people aged 7 – 17 years of age with Learning Disabilities and Autism Spectrum Conditions, to be operated by an established, reputable provider of residential care and education for young people with special educational needs, who are registered with Ofsted under the Learning Disability category.
- 5.2. The proposed use fully complies with the provisions of the adopted local plan and with the aims and objectives of NPPF.
- 5.3. The proposed use would not result in any detrimental harm to the amenity of neighbouring occupiers. If proposed for adults over the age of 18 with the same disabilities there would be no requirement for a change of use. However, as the young people cannot be considered by law to occupy a property as a single household there is a necessity to secure an appropriate change of use to identify the property as a residential care home.
- 5.4. The home would provide a safe and secure environment for the young people to live whilst being provided with 48 hour 1:1 care from suitably trained staff. The home would be managed by the Applicant and would be registered by Ofsted.
- 5.5. Having regard to the above and the balance of material planning considerations, the application accords with the principles of sustainable development and would help to meet a defined need within the community without causing harm or prejudicing the amenity of neighbouring uses. The proposed use is considered appropriate for the Site and we request that planning permission be granted without delay.