

<u>APPLICATION NO:</u>	23/02763/FUL	<u>CASE OFFICER:</u>	Andrew Hunt
<u>WARD:</u>	Halewood South	<u>PARISH:</u>	
<u>LOCATION:</u>	11 Baileys Lane, Halewood, Knowsley, L26 2XB		
<u>PROPOSAL:</u>	CHANGE OF USE FROM DWELLING (USE CLASS C3) TO CARE HOME (USE CLASS C2).		

Site Description

The application site is a detached dwelling situated on the edge of a residential area. There is a restaurant to the north along with several other shops in the parade, a bus stop to the north west and residential properties to the west, east and south. The site fronts onto Bailey's Lane which is a busy road running through Halewood.

Proposal

The proposal is for the change of use from dwelling (Use Class C3) to Care Home (Use Class C2).

Consultations

Environmental Health – No Objection.

Highways - The proposed development is identical to a lapsed consent (19/00366/COU). The scheme would result in a theoretical minimal intensification of use compared to a residential occupancy. On this basis, no objection is offered.

Merseyside Police - Merseyside Police don't have any comments to make on this consultation.

Representations

This application has been publicised by letters sent to 13 neighbours. No representations have been received.

Planning History

A similar application was approved at the site in 2019 From C3 to C2 (19/00366/COU – approved 1/11/2019).

An application was approved last year next door at 9 for a change of use and rear extension. (21/00864/FUL – approved 16/06/2022).

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that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear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

CS19 - Design Quality and Accessibility in New Development

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

EC3 - Primarily Residential Area

Article 35 Statement

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.

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. The principle of

development has also been established in the previous application (19/00366/COU) which is a material consideration that attracts significant weight.

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 not significantly harm the amenity of neighbouring properties in relation to noise and disturbance. This is supported by Environmental Health who have no objection to the development. The proposal would be no different in relation to amenity as the previous application.

If planning permission is granted conditions are recommended to limit the maximum number of children to 3 and to ensure that the home is operated in accordance with the detailed Planning Statement. On balance and subject to these conditions, 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 or comments to make on the application.

Conclusion

The proposal would be acceptable in principle and in relation to Neighbour amenity and 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. Location Plan and existing site plan - 01 – Rev S1 received (02/11/2023)
- b. Proposed Site Plan – 100 01- Rev P1 - received (02/11/2023)
- c. Proposed Floor Plan and Elevations - 100 02 - Rev P1 (02/11/2023)
- d. Planning Statement - (02/11/2023)

Reason: For the avoidance of doubt.

- 3) Number of Children

The number of children residing at the property shall not exceed 3.

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

Signed Case Officer: Andrew Hunt

Signed Authorising Officer: Alan Kilroe

Date: 2nd January 2024

Informatives

N/A