

<u>APPLICATION NO:</u>	24/00486/FUL	<u>CASE OFFICER:</u>	Lee Osborne
<u>WARD:</u>	Northwood	<u>PARISH:</u>	
<u>LOCATION:</u>	32 Minstead Avenue, Northwood, Kirkby		
<u>PROPOSAL:</u>	CHANGE OF USE FROM DWELLING HOUSE (C3) TO A CHILDREN'S HOME FOR ONE CHILD (C2)		

Site Description

The application site comprises a 3 bedroomed semi-detached house and associated garden curtilage on Minstead Avenue. There is a drive to the front and side of the house, with a wall from the house to the boundary with the neighbouring property approximately 2/3 of the way down the house. The area is residential in character comprising semi-detached and terraced housing. The pavement to the front of the property is wide on this side of the road where a former grass verge has been tarmacked over and some residential parking occurs on the area; on the opposite side of the road there is a grass verge between the footpath and carriageway.

Proposal

This application proposes the change of use from the existing residential dwelling (Use Class C3) to form a children's care home (Class C2). The care home would be for 1 child aged between 7 and 17 with social, emotional, and behavioural issues.

There would be no more than 2 care staff at any time other than shift changeovers and a manager would be present Monday to Friday office hours, typically between 9am and 5pm. There may be weekly visits from the child's Social Worker(s), and health professionals occasionally.

The carers shift patterns would be:

Day 1: 10am - 11pm, sleep

Day 2: 7.30am-11pm, sleep

Day 3: 7.30am-10.30am (handover 10am-10.30am).

1 carer would be sleeping through the night and there would be 1 carer in case a situation arises. There would be 2 carers on each shift with a maximum number of 5 staff on site at handover (including the manager).

Consultations

NA

Representations

This application has been publicised by letters sent to 11 neighbours. No representations have been received.

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that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear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

H5 - Development within Primarily Residential Areas

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

The area is primarily residential, and the proposed use (Class C2) is classed as a “residential institution”. As such the proposed use is acceptable in principle subject to acceptable amenity impacts and policy compliance.

Amenity Considerations

There would be no changes to the fabric of the house and therefore no visual amenity considerations are raised.

The application proposes there would be 1 child, 2 carers and a manager present at any one time at the property. The changeovers of carers would take place every third day at 10.00 – 10.30am, whilst the manager would be present at the premises

Monday to Friday between 9am and 5pm. The child's social worker may call at the property once or twice a week, and health officials would call at the house as required. The level of coming and goings would not be much greater than that associated with a family home if at all (and the property could accommodate more residents than the proposed use and have significant numbers of visitors to them). The level of activity likely to occur as a result of the C2 use would not result in harm to the residential amenity of neighbouring properties or the area in general. 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 1 child to be cared for at the premises and no more, as on the application forms and as laid out in the submitted Planning Statement.

The application complies with Policies CS2 and CS19 of the Core Strategy and Saved Policy H5 of the UDP.

Highways Considerations

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.

There is a wall across the space at the side of the house approximately 2/3 of the way down and built with the house. The accessible part of the space at the side is approximately 2.2m-2.6m wide and as such is not considered a parking space, with parking space at the side of a house should be 2.75m to be considered useable as stated in the Householder Development SPD. There could be up to three cars at the property with 2 carers and a manager, plus additional cars should the social worker or other professionals' attend. However the driveway is suitable for the parking of a small car. There is space within the front garden area for a parking space. There is parking available on the wider pavement area without compromising the usual pavement width, and street parking is not a particular issue in the locality.

A condition requiring the laying out of parking in the front is recommended should planning permission be granted. The proposal would not have an unacceptable impact on highway safety and as such is consistent with Paragraph 115 of the NPPF and Policies C2 and CS19 of the Core Strategy together with Saved Policy H5 of the UDP.

Conclusion

The proposal is acceptable in principle and would not cause unacceptable harm in relation to highway safety, the character of the area, or the amenity of neighbouring properties. The proposal complies with planning policies and is therefore recommended for approval.

Recommendation

That Planning Permission be granted subject to the following condition(s):-

- 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 approved plans and documents listed in Schedule 1.

Reason: For the avoidance of doubt.

- 3) There shall be no more than 1 child residing at the property at any time.

Reason: To prevent detrimental impacts on residential amenity and to comply with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016 and Saved Policy H5 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

- 4) Prior to the C2 Use hereby permitted first coming into use a parking scheme shall be submitted to and agreed in writing for an additional parking space within the front garden area, and the agreed scheme implemented. For the avoidance of doubt the agreed car parking area shall be made of porous materials, or provision shall be made to direct run off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwelling house and indicated as such on the submitted scheme, and the dropped kerb shall be extended if necessary. The agreed area shall be retained as such at all times that the proposed development is in use.

Reason: To ensure that adequate off-street parking is available in accordance with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016 and Saved Policy H5 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
18/09/2024	-	-	LOCATION PLAN
18/09/2024	-	-	EXISTING AND PROPOSED PLANS
18/09/2024	-	-	PLANNING STATEMENT

Signed Case Officer¹: Lee Osborne

Signed Authorising Officer²: Alan Kilroe

Date: 18 November 2024

¹ I confirm that I do not have a personal relationship with the applicant, agent or other interested parties; I also confirm that I do not have a financial interest in the site or the development proposed

² I confirm that I do not have a personal relationship with the applicant, agent or other interested parties; I also confirm that I do not have a financial interest in the site or the development proposed

