

<u>APPLICATION NO:</u>	25/00278/COU	<u>CASE OFFICER:</u>	Andrew Hunt
<u>WARD:</u>	Whitefield	<u>PARISH:</u>	N/A
<u>LOCATION:</u>	99 Whitefield Drive, Westvale, Kirkby, Knowsley, L32 4SX		
<u>PROPOSAL:</u>	CHANGE OF USE OF RESIDENTIAL DWELLING (USE CLASS C3) TO CHILDRENS CARE HOME (USE CLASS C2) FOR A MAXIMUM OF 2NO. CHILDREN		

Site Description

The application site is a semi detached house set within a rectangular plot situated at Whitefield Drive, Kirkby. There is an outbuilding at the rear of the dwelling and a single storey rear conservatory. The house also has a two storey side extension. The house is surrounded by other dwellings to the north, west, east and south.

Proposal

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

- The children would be from 0 - 17 years old.
- There will be 6 residential staff on a rota with two staff sleeping in at night.
- Rotas will consist of 2 staff members on duty – shifts will commence at 10am with staff staying at the home for 2 days, sleeping in for 2 nights, the shift will end at 10.30.
- Handovers take place every 2nd day at 10.30am, one staff member will hand over to the new shift.
- Team meetings will occur monthly between 10am and 1pm for six staff members.
- The Manager will be present during the week around the hours of 9-5.

Consultations

Children's Services Commissioning - Our current residential care demand is for Ofsted registered, small homes, 1-2 bed, who can cater for the more complex needs of children and young people. We would expect any provider to be Ofsted registered and to work with commissioning to meet the needs of local children.

Environmental Health – No objection.

Highways – No objection, the proposals do not raise concerns in parking demand even with the once-a-month team meeting does not justify a requirement for dedicated off street parking. Overall parking generation is considered comparable to that of a typical four-bedroom dwelling, and therefore not excessive.

Merseyside Police – No objection. The applicant should take into account best practice security by design measures.

Representations

This application has been publicised by letters sent to 8 neighbours. Two objections have been received to the application raising the following main points:

- Not very happy about the idea of a childrens care home over the road from me. The neighbours that are there are lovely people and we would be very sorry to loose them as good neighbours as we are a very close knit community and look out for one another
- Concerned about potential damage to value of my property.
- Age and nature of the residents are unknown. This makes me extremely anxious as I have an elderly parent who will be at home by herself for part of each week as I work part time. I am concerned for her safety and peace of mind, as well as my own.

Planning History

02/00999/FUL - Erection of two storey extension to side of dwelling to form dining room and kitchen with bedroom and en-suite above and conservatory to rear.
Approved - 03.01.2003

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 - 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.

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 0 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 a condition is 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 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 impact on property prices, this is not a material planning consideration and cannot be taken into account. In relation to the whether the existing residents would move out, this is also 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. Site Layout Plan - received (09/07/2025).
- b. Proposed Floor Plans - received (19/05/2025).
- c. Location Plan - received (30/04/2025).

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.

<u>Signed Case Officer:</u>	<u>Andrew Hunt</u>
<u>Signed Authorising Officer:</u>	<u>Jo Sheridan</u>
<u>Date:</u>	<u>10/07/2025</u>

Informatives

1) Highway Works

The applicant is advised that vehicles are already parking informally on the adjacent grass verge, and Knowsley Council has received complaints regarding damage and obstruction in this location. To formalise this use and prevent future highway safety and maintenance issues, the applicant is encouraged to seek approval for the hardening of the verge and installation of a dropped kerb in accordance with the requirements of the Highway Authority.

It is an offence to carry out any works within the public highway without the permission of the Highway Authority. This grant of planning permission does not negate the need for the submission and approval of highway engineering details for inclusion in an agreement under Section 50 Licence of the Highways Act 1980. The applicant is advised to contact nrswa.teamdres@knowsley.gov.uk to discuss the matter further.

It is an offence to carry out any works within the public highway without the permission of the Highway Authority. This permission requires the construction, improvement or alteration of an access to the public highway. Under Section 184 of the Highways Act 1980, the Highway Authority must specify the works to be carried out. Only the Highway Authority or a contractor approved by the Highway Authority can carry out these works. Prior to the commencement of any works, the applicant is advised to contact the Council's Maintenance Contractor Tarmac on 0800 023 2334 or Knowsley.highways@tarmac.com

If Tarmac is appointed to carry the works, the applicant should reference this planning application and copy in the Highways Development Control Team at: HighwayDC@knowsley.gov.uk