

<u>APPLICATION NO:</u>	22/00516/COU	<u>CASE OFFICER:</u>	Andrew Hunt
<u>WARD:</u>	St Gabriels	<u>PARISH:</u>	
<u>LOCATION:</u>	60 St Marys Road, Huyton, Knowsley, L36 5ST		
<u>PROPOSAL:</u>	CHANGE OF USE OF DWELLING TO FORM DISABILITY DAY CENTRE		

Site Description

The application site is a large Semi - detached house in a residential area at St Mary's Road, Huyton. The site is opposite and adjacent to St Agnes Church.

Proposal

The proposal is for the change of use of dwelling to form disability day centre.

Consultations

Environmental Health – No Objection.

Highways – No Objection subject to a condition to secure cycle parking.

Communities and Neighbourhoods - The Young Adult Respite Service (YARS) provides a vital service to disabled young adults from across Knowsley. There is significant demand for day and respite care that supports the personal and social development of young adults with a variety of disabilities and YARS currently has 35 young people accessing their day care services with a waiting list of approximately 15 young people. The level of demand has resulted in them outgrowing their current venue and Knowsley Council Stronger Communities team is in full support of this planning application as we are keen to ensure that groups with a proven track record can access the accommodation they need to delivery impact and remain in the borough.

Representations

This application has been publicised by letters sent to 9 neighbours*. There has been 1 letter of support, and 3 objections consisting of the following main points:

** The plans were changed with minor amendments in relation to parking details, however due to the small scale of the changes, no re-consultation with neighbours was required.*

Support

- We had reservations about the future of the use of the building when we saw the sold sign being erected. However, having been contacted directly by YARS to advise us of the proposed changes to 60 St Marys Road, and given assurances about parking and other concerns, we are in full support of the planning application as it is the right of the young people being supported by YARS to have the experience and opportunity provided by the day centre.

Objections

- As someone who works from home I feel that this will become noisy, loud and distracting day to day.
- It will also add to the amount of traffic in the area. This is a residential area and should remain as one.
- Due to drainage issues at the property in question and damage that this property in question has caused us in such a short space of time. We don't believe the drainage system would be able to handle it and would request if this was even to be considered that the Yew Lodge, L36 5TA pump that was broken due to them was fixed and the drainage system corrected as a deciding factor.
- We have concerns around parking, if drivers park on the road to drop off they will block our driveway. There are existing parking restrictions on the road.

Planning History

Numerous planning applications have been approved at the site, the most recent one being to change the use from residential to a HMO and 1 flat. (10/00499/COU – approved 10/11/2010).

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 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

Street Scene

There would be no proposed changes to the elevation as the changes would be internal only. Therefore, there would be no harm to the street scene.

Neighbour 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 involve the provision of activities for young disabled adults. The services would be located within the building and would take place during the hours of 8:30am and 5pm Monday to Friday. It is accepted that the level of activity within the building would exceed what would be expected if the property were used as a house so a scheme of sound insulation is required for the neighbouring property to reduce any noise impacts. A condition will also be attached to restrict opening hours to avoid noise in the evenings and at weekends. This is supported by Environmental Health who have no objections to the proposed development which would comply with Policy CS19.

Highway Safety

NPPF para 111 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 would be severe.

In relation to highway safety, parking is proposed within the site and also an agreement has been reached with St Agnes Church Car Park opposite to use as an overspill if required. This has been confirmed with a supporting letter from the Church submitted with the application. A record of arrivals and departures at the existing facility has been provided which demonstrates that the number of vehicles visiting the site will be approximately 10 for the pick up/drop off which is considered acceptable for the location. Staff travel using a range of modes, and on-site parking is sufficient to cope with the demand. As a result, it is considered that there is sufficient parking provided to serve the use without causing significant harm to highways safety. This is supported by the views of the council's highways department who have no objection subject to a condition to require cycle parking. The cycle details have been provided and are considered acceptable as 3 secure and covered spaces are provided. In relation to on street parking, this would be addressed by highways enforcement action against any vehicles in breach of parking regulations. The proposed development complies with Policy CS7 and the NPPF.

Drainage

In relation to drainage, there is no proposed changes to drainage or any evidence that the use will lead to significantly greater impact on drainage infrastructure. In any case the efficient use and operation of the drains would be a non-planning matter.

Conclusion

The proposal would be acceptable in relation to Street scene, Neighbour amenity and highways and drainage. 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. Cycle Parking Details (1490_02_02 Site Plans) (Received 06/01/23).
- b. Existing and Proposed Site Plans (1490_02_01) (Received 28/11/22).
- c. Travel Patterns (Received 28/11/22).
- d. Existing and Proposed Plans and Elevations (1490_01) (Received 10/10/22).
- e. Design and Access Statement (Received 10/10/22).
- f. Location Plan - (received 15/09/2022)

Reason: For the avoidance of doubt.

3) Sound Insulation

The building shall not be used as a day centre until a scheme of sound insulation to protect the adjoining dwelling from noise has been submitted to and been approved by the local planning authority. The scheme shall be implemented on site prior to first use as a day centre and retained hereafter.

Reason: In order to protect the amenity of neighbours from excessive noise

4) Opening Hours

The premises shall not be used as a day centre outside the hours of 08:30 to 17:00 Monday - Friday.

Reason: In order to prevent late night noise affecting residential amenity.

5) Disability Day Centre

The premises shall be used solely as a Disability Day Centre and for no other purpose.

Reason: In order to prevent potentially inappropriate use at the site without planning permission.

6) Cycle Parking

The building shall not be occupied until the cycle parking details shown in the cycle store plans and elevations document (1490_02_02 Site Plans - submitted 06/01/23) have been implemented on site. The scheme shall be retained as such thereafter.

Reason: To ensure that adequate provision is made for parking cycles and motorcycles on the site and to comply with Policy CS7 of the Core Strategy, adopted January 2016.

Signed Case Officer:

Andrew Hunt

**Signed Authorising
Officer:**

Alan Kilroe

Date:

31 January 2023

Informatives

N/A

Appendix 1 – Site Photographs



