

Report of: CHIEF PLANNING OFFICER Derek McKenzie

Report to: PLANNING COMMITTEE **Date of Meeting:** 13th November 2024

Subject: [DC/2024/01661](#)
[205 Strand Road Bootle L20 3HJ](#)

Proposal: Change of use from a dwellinghouse (Class C3) to a children's home for up to 2 children (Class C2)

Applicant: Amelia Care **Agent:** Mrs Ellie Laws
Planning By Design

Ward: Derby Ward **Type:** Full Application

Reason for Committee Determination: Called in by Cllr Robinson

Summary

The proposal seeks planning permission for the change of use from a dwelling house to a children's home to provide care for up to two children aged 8-18.

The main issues to consider are the principle of development, the impact on the living conditions of future occupiers and neighbouring properties, the impact on the character of the area and highways safety. It is not considered that the proposal would significantly harm the character of the area, the living conditions of either the future occupiers or neighbouring residents or highway safety. The proposal complies with the policies set out within the Sefton Local Plan and is recommended for approval subject to conditions and a Section 106 legal agreement.

Recommendation: Approve subject to conditions and Section 106 legal agreement

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Application documents and plans are available at:

<https://pa.sefton.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=SJLR8ZNLWDH00>

Site Location Plan



The Site

The application relates to a three bedroom end terrace dwelling, located on the corner of Strand Road and Cedar Street. The immediate surrounding area is residential in character, and the property is close to Bootle's commercial centre.

History

None

Consultations

Environmental Health Manager

No objection subject to condition

Highways Manager

No objections subject to condition

Neighbour Representations

The application has been called in by Cllr Robinson based on concerns that there is insufficient information.

One letter of objection has been received raising concerns of antisocial behaviour and no guarantee it will be safe to existing neighbours.

One letter of support has also been received for the proposal for the reason that the children will be looked after by staff at all times.

Policy Context

The application site lies within an area designated as Primarily Residential in the Sefton Local Plan which was adopted by the Council in April 2017.

Assessment of the Proposal

1. Introduction

- 1.1 The proposal seeks planning permission for the change of use of the property from a dwellinghouse to a children's home to provide care for up to two children. No external changes are proposed to the building.
- 1.2 The main issues to consider are the principle of development, the impact on the living conditions of neighbouring properties, the impact on the character of the area and highways safety.

2. Principle

- 2.1 The property is located within an existing residential area. Policy HC3 (Residential Development and Primarily Residential Areas) of the Local Plan advises that new residential development will be permitted in Primarily Residential Areas where it is consistent with other relevant Local Plan Policies.
- 2.2 Although classified as a Residential Institution (Use Class C2) use, the use does have similarities to a dwelling, albeit the house could be more intensively used as opposed to a typical family home. It is therefore considered that Policy HC4 (House Extensions, Houses in Multiple Occupation and Flats) of the Local Plan is also relevant. This permits the change of use of a house into multiple occupation where the proposal would not cause significant harm to the character of the area or the living conditions for either the occupiers of the property or for neighbouring properties.
- 2.3 The change of use to a residential institution would be acceptable in land use terms, provided that the proposal complies with other planning policies and material considerations.

3. Living Conditions

- 3.1 It is important to consider the impact of the proposed use on the living conditions of the neighbouring residents as a result of possible noise and disturbance.
- 3.2 The use would provide care for up to two children between the ages of 8 and 18. The Planning Statement submitted as part of the application sets out how the premises would be managed in terms of staff arrangements: this would involve two carers at any time, working on a rota. The rota would work on the basis of six carers operating on a shift pattern of 48 hours on, 96 hours off. Other than change over times, there would be no more than 3 carers on the premises at any one time. There would be one changeover of the overnight care staff each day. Visitors to the home would be closely supervised by support staff and are not expected to result in numbers which would exceed that of a typical household use.

3.3 Only two of the habitable rooms, the front living room and front bedroom (bedroom 1), share a party wall with the adjoining property 207 Strand Road. The Environmental Health Manager has advised that to protect the living conditions of the adjoining residents in No 207 from any potential disturbance, a minimum sound insulation value (DnT,w 57dB) should be demonstrated or achieved for the two rooms sharing a common wall with the attached property. This could be secured by condition. Overall it is considered the use would be unlikely to result in unacceptable levels of noise.

3.4 A legal agreement is recommended to give the option of first refusal to Sefton's Children's Services to house children from Sefton. This would give the option of a greater level of control to the Local Authority, in that the management of the premises and care for the children could be monitored by Sefton Children's Services.

3.5 Concern has been raised regarding safety of neighbouring residents. While this is a material consideration, there is no evidence to substantiate such a claim. However should any issues arise they would be managed by legislation or bodies outside of planning as in any other instance of anti social behaviour or crime, such as the police.

3.6 The proposal is therefore considered to comply with Local Plan Policy HC3 (Primarily Residential Areas) and HC4 (House Extensions, Houses in Multiple Occupation and Flats).

4. Character

4.1 Policy EQ2 (Design) of the Local Plan seeks to ensure that proposals respond positively to the character and appearance of the area.

4.2 Given the number of children, the proposal would not result in a significant intensification of use in comparison to the number of occupants that could reside in the property as a single dwelling house. No external changes are proposed to the property and it is not considered that the proposed use would cause harm to the character and appearance of the area. As such the proposal is considered to comply with Policy EQ2 (Design).

5. Highways

5.1 Policy EQ3 (Accessibility) of the Local Plan seeks to ensure that proposals do not cause any harm in terms of highway safety.

5.2 The existing dwelling consists of 3-bedrooms and is an end terrace property. There is no scope for off-street parking. The number of bedrooms is not proposed to increase and trips generated by the proposed change of use will not be significantly different from the existing use.

5.3 The site is in Bootle Town centre which is an accessible location, with several bus stops within acceptable walking distance on Stanley Road and Marsh Lane. Bootle Strand railway station is also within the preferred maximum walking and the recommended maximum cycling distance of the site.

5.4 The Highways Manager has raised no objections to the proposal, as there are no adverse highway safety implications, subject to provision being made for cycle storage in accordance with the Sefton Council Parking Standard set out in Council guidance 'Sustainable Travel and Development' (June 2018). The proposal therefore complies with policy EQ3.

6. Planning Balance and Conclusion

6.1 The proposed use is acceptable in principle within the residential area. A condition can be attached to ensure adequate sound insulation to rooms that share a party wall with the adjoining property.

6.2 In addition to the above, a legal agreement could ensure Sefton's Children's Services are offered first refusal to house children from Sefton within the care home, giving the Local Authority some control in terms of monitoring how the premises are occupied and managed.

6.3 It is concluded that the use of the premises as a care home for 2 children can be accommodated without causing significant harm to the living conditions of the neighbouring residents, character of the area or highway safety. The proposal complies with the relevant Local Plan Policies and is recommended for approval, subject to conditions and a Section 106 legal agreement.

Equality Act Consideration

Section 149(1) of the Equality Act 2010 establishes a duty for the Council as a public authority to have due regard to three identified needs in exercising its functions. These needs are to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- Advance equality of opportunity between people who share a relevant protected characteristic (age, disability, race, gender reassignment, marriage and civil partnership, pregnancy and maternity, religion and belief, sex and sexual orientation) and people who do not share it;
- Foster good relations between people who share a relevant protected characteristic and those who do not share it.

The decision to approve this scheme would comply with the requirements of the Equality Act 2010, that no one with a protected characteristic will be unduly disadvantaged by this development.

Recommendation - Approve subject to conditions and Section 106 legal agreement

Time Limit for Commencement

1) The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: In order that the development is commenced in a timely manner, as set out in Section 91 of the Town and Country Planning Act 1990 (as amended).

Approved Plans

2) The development shall be carried out in accordance with the following approved plans and documents:

- 24.205SR.P03 - Proposed Floor Plan
- 24.205SR.P04 - Proposed Elevations
- 24.205SR.P05 - Location and Block Plan

Reason: For the avoidance of doubt.

Before the Development is Occupied

3) The use hereby approved shall not commence until facilities for the secure storage of cycles have been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority and they shall be retained for the life of the development.

Reason: To ensure that enough cycle parking is provided for the development in the interest of promoting non-car based modes of travel.

4) Prior to first occupation

a) A scheme of sound insulation to protect the adjoining residential dwelling at Number 207 Strand Road from the proposed children's home shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall ensure the front lounge and front bedroom (bedroom 1) that share a party wall with 207 Strand Road achieve a minimum sound insulation value of $D_{nT,w}$ 57dB.

b) The soundproofing shall be carried out in accordance with the scheme approved under (a) and shall be retained for the lifetime of the development.

Reason: To prevent unreasonable noise and disturbance to neighbouring occupants in the interests of residential amenity.