

# Planning Committee

23 January 2014

**Reference:**  
**APP/13/01310**

**Area Team:**  
**South Team**

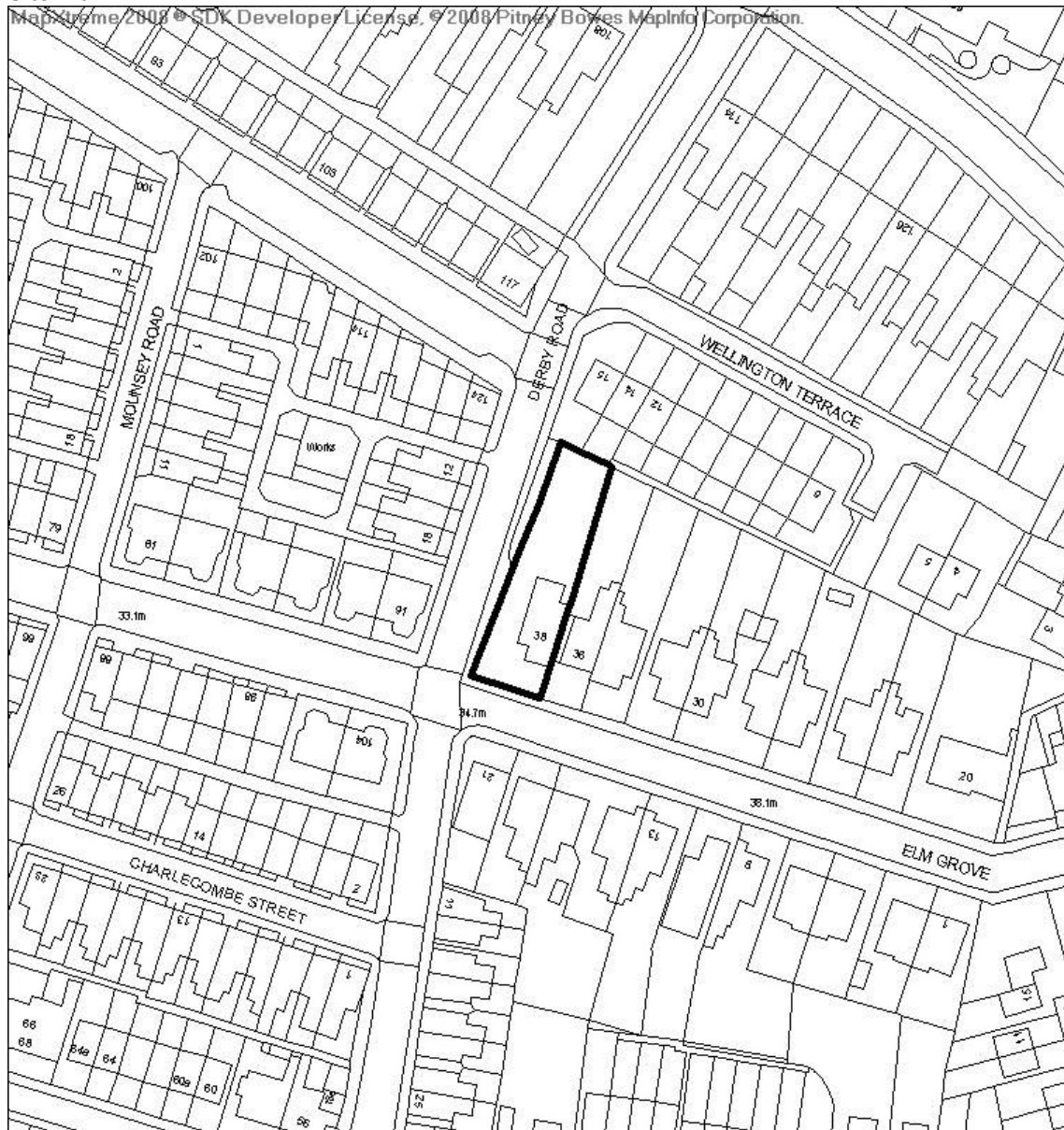
**Case Officer:**  
**Miss A McDougall**

**Ward:**  
**Birkenhead and  
Tranmere**

**Location:** 38 ELM GROVE, TRANMERE, CH42 0LA  
**Proposal:** Change of Use from residential to a children's residential home.  
Provide residential accommodation for children aged 7 – 17 years of age, who display emotional and challenging behaviours (EBD).  
Accommodation for up to five children with 4 support staff sleeping in at the property overnight.

**Applicant:** Mr K Alhubaishi

## Site Plan:



**Development Plan allocation and policies:**

Primarily Residential Area

**Planning History:**

No planning history for this site.

**Summary Of Representations and Consultations Received:****REPRESENTATIONS:**

Having regard to the Council Guidance on Publicity for Applications, 21 notifications were sent to adjoining properties. A site notice was also displayed. At the time of writing this report 1 non-qualifying petition of objection and 8 objections have been received, listing the following grounds:

1. Impact onto highway safety
2. Crime and Disturbance
3. Anti-social behaviour
4. Privacy

**CONSULTATIONS:**

Head of Environment & Regulation (Pollution Control Division) - No Objections

**Director's Comments:****REASON FOR REFERRAL**

Councillor Kenny asked for this application to be taken out of delegation due to concerns relating to highway safety, noise and disturbance and the proposal having an adverse impact onto the character of the area.

**INTRODUCTION**

The proposal is for the change of use from a dwelling to a children's residential care home. The property will provide accommodation for 5 children with 4 support staff. A meeting was held with the ward councillors, local residents, the applicant and the local authority on Wednesday 11th December to discuss the proposal.

**PRINCIPLE OF DEVELOPMENT**

The proposed use falls under class C2 of the Use Classes Order, the principle of a residential care home within the designated Primarily Residential Area is acceptable.

**SITE AND SURROUNDINGS**

The building is located on a corner plot, where Elm Grove meets Derby Road, the property is part three-storey and part two-storey and is at the end of a terrace of three large dwellings. The property has a low wall to the front boundary, with an access off the road and the availability of parking to the front of the building, the plot also has a large rear garden.

The immediate area is residential in character and the dwellings are typically large in scale, with Edwardian and Victorian 'Villa' appearance.

**POLICY CONTEXT**

The proposal is for the change of use of an existing dwelling into a residential care home, the proposed development will be assessed against Wirral's Unitary Development Plan Policy HS8, which states; Proposals for the development of new residential care or nursing homes, or the conversion of existing buildings to provide residential care or nursing homes will be permitted, subject to the proposal fulfilling all the following criteria:

- (i) the proposal being of a scale which relates well to surrounding property;
- (ii) the proposal not resulting in an over-concentration of residential care or nursing homes in the area;
- (iii) the proposal not resulting in a private dwelling having a residential care or nursing home on both sides

The National Planning Policy Framework sets out guidance with regards to development within the community. The planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Local planning authorities should create a shared vision with communities of the residential environment and facilities they wish to see. Planning policies and decisions, in turn, should aim to achieve places which promote opportunities for meetings between members of the community who might not otherwise come into contact with each other, including strong neighbourhood centres, which bring together those who work, live and play in the vicinity and safe and accessible environments where crime and disorder and the fear of crime, do not undermine quality of life or community cohesion.

### **APPEARANCE AND AMENITY ISSUES**

The proposal includes the alteration to the internal use of rooms, the plans do not show alterations to the building. The premises will be used as accommodation for up to 5 children between the age of 7 to 17. This type of use is supported within a residential area in order to allow this type of accommodation to be well integrated within the local community.

The provider of care is Safe Base Care, the property will provide accommodation for up to 5 children and 4 support staff. The supporting statement provided by Safe Base Care, sets out the shift patterns for staff and in some cases there may be two staff per child, the children who reside at the property will usually be within the education system and will be at school between 9am and 3pm, in some cases there are community activities at other locations between 6pm and 8pm, bed time for under 15 years olds is 9.30pm and for over 15 year olds it is 10pm. Due to the age as well as need requirements of the residents, the support staff will be available in site 24hours a day.

Concerns have been raised with regard to the use of the site, the company is OFSTED inspected and there are support staff residing within the accommodation. The use is appropriate in this location and the existing building can comfortably accommodate the proposed number of residents and staff. Concerns have been raised with regards to highway issues, however there is provision of, off street parking as well as on street parking along Elm Grove. The use will not have an adverse impact onto the character of the area and is well suited within the residential community.

The proposal can be accommodated within the building and is an appropriate use within this location, the proposal is therefore acceptable having regard to current local and national policies.

### **SEPARATION DISTANCES**

Separation distances do not apply in this instance as this application relates to the change of use of an existing building and there are no alterations to external elevations proposed.

### **HIGHWAY/TRAFFIC IMPLICATIONS**

There are no Highway Implications relating to this proposal.

### **ENVIRONMENTAL/SUSTAINABILITY ISSUES**

There are no Environmental/Sustainability issues relating to these proposals.

### **CONCLUSION**

In land use planning terms, the change of use to C2 is considered to be an appropriate re-use of this building in this location. The proposal is therefore considered acceptable having regard to Wirral's UDP Policy HS8 and the NPPF.

### **Summary of Decision:**

Having regards to the individual merits of this application the decision to grant Planning Permission has been taken having regards to the relevant Policies and Proposals in the Wirral Unitary Development Plan (Adopted February 2000) and all relevant material considerations including national and regional policy advice. In reaching this decision the Local Planning Authority has considered the following:-

The use of the property as C2 is appropriate in this location having regard to Wirral's UDP Policy HS8 and the National Planning Policy Framework.

**Recommended**      **Approve**  
**Decision:**

**Recommended Conditions and Reasons:**

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

**Reason:** To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 16 October 2013.

**Reason:** For the avoidance of doubt and to define the permission.

**Last Comments By:** 04/12/2013 15:09:52  
**Expiry Date:** 11/12/2013