

PLANNING COMMITTEE ADDENDUM

12 January 2023

Item 5: LDP/22/01313, 52 PENKETT ROAD, LISCARD, WALLASEY, CH45 7QW

Neighbour Representations

Further representation from an occupier of a neighbouring property received on 9th January 2023 confirming the objections raised by petitioners and also setting out reasons why the resident considers that the proposed use would result in a material change of use of the land. The representation can be summarised as follows:
The petitioners have three main objections;

- 1) the detrimental impact on the neighbouring households (particularly the Gay family residing at 52 Penkett Road).
- 2) the proposed change of use does represent a 'material' change from a domestic dwelling to a commercial institution.
- 3) the excessive number of residential institutions already on Penkett Road.

Seven considerations that Planning officers of other Planning Authorities have taken into account in assess whether a change of use from C3 Dwelling House to C2 Care Home does represent a material changes of use:

- 1) Staffing component is very significant and the presence of staff results in the use appearing as an institutional one.
- 2) Staff sleeping at the premises and attendance of care/ support staff would generate more noise, activity and disturbance than usual compared to occupation by a single family.
- 3) high level of care is indicative of a residential institution rather than care appropriate at a dwelling.
- 4) The proposed use cannot fall within use class C4.
- 5) 4 children are not capable of forming a household on the own and require care, and furthermore 4 children with carers would form 2 households.
- 6) Use is considered to fall into use class C2 and there is not permitted change from C3 to C2 and planning permission is therefore required.
- 7) Provision of a room within a house for Era Care would lead to a mixed use (sui generis), and so planning permission is required.

Officer observations

The committee report addresses the objections raised by petitioners and no new issues are raised here in that regard.

The seven factors listed in the objection relate to considerations made by other Local Authorities in relation to other cases and Wirral Council has not been furnished with the detail of those applications and is therefore not in apposition to accurately compare how the two proposals may or may not differ. It is however acknowledged that the principal of some of the factors are relevant to this application relating to 52 Penkett Road, as a matter of fact and degree, however these issues are addressed in the committee report. The objection introduces no new material that would lead officers to reconsider the recommendation set out in the report.