MANCHESTER CITY COUNCIL
Planning
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planning@manchester.gov.uk
PO Box 532 Town Hall
Manchester M60 2LA

Application for a Lawful Development Certificate for a Proposed use or development.
Town and Country Planning Act 1990: Section 192, as amended by section 10 of the Planning and Compensation act 1991.
Town and Country Planning (Development Management Procedure) (England) Order 2015

Publication of applications on planning authority websites.

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

1. Site Address

Number	7
Suffix	
Property name	
Address line 1	Chalford Road
Address line 2	
Address line 3	
Town/city	Manchester
Postcode	M23 2SG

Description of site location must be completed if postcode is not known:

Easting (x)	381206
Northing (y)	387527

Description

2. Applicant Details

Title	Mr
First name	Jason
Surname	Batty
Company name	
Address line 1	7
Address line 2	Chalford Road
Address line 3	
Town/city	Manchester

2. Applicant Details

Country	
Postcode	M23 2SG

Are you an agent acting on behalf of the applicant? ○ Yes ◉ No

Primary number	
Secondary number	
Fax number	
Email address	

3. Agent Details

No Agent details were submitted for this application

4. Description of Proposal

Does the proposal consist of, or include, the carrying out of building or other operations? ○ Yes ◉ No

Does the proposal consist of, or include, a change of use of the land or building(s)? ○ Yes ◉ No

Has the proposal been started? ◉ Yes ○ No

5. Grounds for Application

Information about the existing use(s)

Please explain why you consider the existing or last use of the land is lawful, or why you consider that any existing buildings, which it is proposed to alter or extend are lawful

The proposed use of the property is for a 4-bedroom children's residential home therefore the use of the property will still be a family home. There will be minimal disruption within the community, staff are on a rota which provides with 24-hour care for the children living in the home. Children will go to school, take part in activities, go and see their family, and general things around the home which can be expected of a child. The home will have minimal visitors therefore disruption in the community will be kept to a minimal. Likewise, the children that we are expecting to look after will have behaviors that are manageable by the staff team and therefore police visits, anti-social behavior is kept to a minimal.

Staff are trained in managing the challenging behavior which children present with, and the home will use activities to ensure that the children have good routines and boundaries in place.

Please list the supporting documentary evidence (such as a planning permission) which accompanies this application

Floor Plans
Supporting document

Select the use class that relates to the existing or last use. Please note that following changes to Use Classes on 1 September 2020, the list includes the now revoked Use Classes A1-5, B1, and D1-2 that should not be used in most cases. Also, the list does not include the newly introduced Use Classes E and F1-2. To provide details in relation to these or any 'Sui Generis' use, select 'Other' and specify the use where prompted. See help for more details on Use Classes.	C3 - Dwellinghouses

Information about the proposed use(s)

Select the use class that relates to the proposed use. Please note that following changes to Use Classes on 1 September 2020, the list includes the now revoked Use Classes A1-5, B1, and D1-2 that should not be used in most cases. Also, the list does not include the newly introduced Use Classes E and F1-2. To provide details in relation to these or any 'Sui Generis' use, select 'Other' and specify the use where prompted. See help for more details on Use Classes.	C3 - Dwellinghouses

5. Grounds for Application

Is the proposed operation or use

(•) Permanent ( ) Temporary

Why do you consider that a Lawful Development Certificate should be granted for this proposal?

The Property
4. T and T Rentals are the owners of the property, which is rented to the applicant company, New Hope Adolescent Services Limited, with full permission from the property owner. New Hope Adolescent Services is a new company which is developing its operations in respect of young people of less than 18 years of age. A typical home would be for up to 4 children with carers in residence but changing in accordance with a rota.
5. The current building was erected in the form of a police station and single floored family dwelling but had been converted into the large, detached home (2004) that it is currently in. And some point following its erection of the property has become used as a children's residential care home (September 2011). In approximately 2019 the unit was deregistered returned to its use as a residential dwelling. The applicant has now acquired the property in the form of a rental agreement.
6. Floorplans are supplied which show the layout as it would be intended to be operated. The property is a large 5 bedroomed, detached property, with a large garden to the front, side and rear offering an outdoor space. There is a lounge, a spacious, modern kitchen/dining area, toilet, and office on the ground level. On the second floor, there are 4 young people's bedrooms, 2 of which have on-suite facilities, a staff sleep in room with on-suite facilities and there is a separate young people's bathroom/toilet. Located on the top level is a "chill out" room, with aids to relaxation and moderation of mood, and calm reflection. The room will also be used for key working session, and as a visitor's room. There is also a garage next to the building.

The Application
7. The application is for the use of the property as a home for 4 young persons and carers who will remain on site as part of a rota system for up to 24-hours.
8. Certificate applications are said to be a matter of fact and law. In the case of Certificates for a proposed use, the onus of proof that the use would be lawful is on the applicant and the relevant test is the balance of probability.
9. The factual background of this application is the planning permission for a dwellinghouse in the physical form in which the building currently exists. The subsequent use as a care home is also relevant. The proposed use for four residents and three carers is also relevant.
10. The legal background is contained in the Town & Country Planning (Use Classes) Order (SI 1987 764) and relevant case law as discussed below.
11. Use Classes Order - The relevant use classes are: "C2", Residential Institutions, defined as: "Use for the provision of residential accommodation and care to people in need of care (other than the use within class C3 [dwellinghouse]) use as a nursing home, use as residential school, college or training centre"; and Class C3, Dwelling House defined as: "Use as a dwellinghouse (whether or not as a sole or main residence)- a) by a single person or by people living to

6. Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

(•) Yes ( ) No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

( ) The agent
(•) The applicant
( ) Other person

7. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

(•) Yes ( ) No

If Yes, please complete the following information about the advice you were given (this will help the authority to deal with this application more efficiently):

Officer name:

Title	
First name	
Surname	
Reference	

Date (Must be pre-application submission)

14/10/2021

Details of the pre-application advice received

Advised regarding the use of the property and the correct application to make.

8. Authority Employee/Member

With respect to the Authority, is the applicant and/or agent one of the following:
(a) a member of staff
(b) an elected member
(c) related to a member of staff
(d) related to an elected member

8. Authority Employee/Member

It is an important principle of decision-making that the process is open and transparent.

○ Yes ◉ No

For the purposes of this question, "related to" means related, by birth or otherwise, closely enough that a fair-minded and informed observer, having considered the facts, would conclude that there was bias on the part of the decision-maker in the Local Planning Authority.

Do any of the above statements apply?

9. Interest in the Land

Please state the applicant's interest in the land

- ○ Owner
- ○ Lessee
- ◉ Occupier
- ○ Other

If Lessee or Occupier, please give details of the owner and state whether they have been informed in writing of this application

10. Declaration

I/we hereby apply for a Lawful Development Certificate as described in this form and the accompanying plans/drawings and additional information. I/we confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them. ☑

Date (cannot be pre-application) 18/10/2021