GSS24155 - 327 North Road, Manchester, M11 4NY

This statement has been produced in Support of an Application for a Lawful Development Certificate at 327 North Road, Manchester, M11 4NY.

Introduction

This statement is submitted in support of an application for a Lawful Development Certificate for the proposed use of the property at 327 North Road, Manchester, M11 4NY. The application seeks to confirm that the proposed use from an existing Class C2 Residential Care Home to a Class C2 Supported Living Accommodation for vulnerable adults (specifically those with Learning Disabilities and Autism) does not constitute a 'material change of use' requiring planning permission.

This application follows pre-application communication with Manchester City Council (reference: GSS24155, emails exchanged between Gold Sketch Studios and Ian Jarvis, Planner, at Manchester City Council, between March 24, 2025, and June 2, 2025). The pre-application advice concluded that, based on the information provided, the proposed use would be treated as Class C2, for which planning permission is not required.

Site and Surroundings

The application site, 327 North Road, Manchester, M11 4NY, is an established property that has historically operated as a Class C2 Residential Care Home. The property has been vacant for several years.

The surrounding area comprises a mix of residential and other uses.

Existing Lawful Use

The lawful existing use of the property is as a Class C2 (Residential Institutions) care home for vulnerable adults. This has been confirmed through pre-application discussions with Manchester City Council. The previous operation provided accommodation for up to 27 adults, with individual bedrooms and shared communal facilities (kitchen, WCs, bathing facilities). Care was provided by live-in staff on a 24/7 basis.

Proposed Use – Detailed Description

The proposed use is for Supported Living Accommodation for vulnerable adults with a diagnosis of autism and/or learning disability. Key aspects of the proposed use are as follows:

- Target Occupants: Adults (over 18) with Learning Disabilities and Autism requiring care and support.
- Number of Tenants: The proposed scheme will accommodate a maximum of 9 tenants, a reduction from the previous capacity of 27.
- Accommodation Layout: The internal layout will be reconfigured to provide 9 individual self-contained apartments. Each apartment will include en-suite facilities.
- Communal Facilities: In addition to the self-contained units, the proposed plans clearly demonstrate the provision of significant communal spaces. These include:
    - Shared activity rooms on each floor.
    - Dedicated staff areas in the basement, including offices, storage, locker rooms, and a quiet room.
    - An additional staff office on the ground floor.
- Care and Support Arrangements:
    - Carers will be on-site 24/7, with a minimum of 3 to 4 staff members present during both day and evening hours.
    - Care will be provided by live-in staff on rotation.
    - Tenants will have individual tenancy agreements for their self-contained areas, whilst benefiting from access to additional communal facilities and continuous on-site care and support from the dedicated care team.
    - The support provider intending to operate the building has the support of the Adult Social Care Commissioners within Manchester City Council
- CQC Redesignation: The building's registration with the Care Quality Commission (CQC) will be redesignated from "Residential Care" to "Supported Living." It is important to note that while the CQC designation changes, the fundamental nature of the accommodation as a place where care is provided remains central to the definition of Class C2.

Planning Classifications and the Lawful Development Test

The Town and Country Planning (Use Classes) Order 1987 (as amended) defines various use classes. Class C2 (Residential Institutions) includes:

- "Residential care homes, hospitals, nursing homes, boarding schools, residential colleges and training centres".

The key test for a Lawful Development Certificate for a proposed use is whether the proposed change would constitute a 'material change of use' in planning terms. A material change of use is one which has a significant impact on the character of the land or building, or on the amenity of the area.

In this instance, the core argument is that the proposed use fundamentally remains within the scope of Class C2 due to the continuous provision of care and support.

Arguments for Class C2 Retention

- **Provision of Care**: The defining characteristic of Class C2 is the provision of care. The proposed Supported Living model explicitly includes 24/7 on-site care and support from a dedicated team of staff (minimum 3-4 staff at all times), directly addressing the needs of vulnerable adults with learning disabilities and autism. This is a fundamental element of the service provided.
- **Purpose of Accommodation**: The accommodation is specifically designed and operated for individuals who require ongoing care and support, rather than independent living. The self-contained nature of the apartments is to provide a degree of independence while still being within a supported environment where care is readily available.
- **Staff Presence and Facilities**: The detailed plans illustrate significant provision for staff, including dedicated offices, locker rooms, storage, and quiet rooms, underscoring the substantial and constant staff presence required to deliver the care. The staff-to-resident ratio, particularly with 3-4 staff for 9 residents, indicates a high level of care provision.
- **Communal Spaces**: The retention and provision of shared activity rooms on each floor further reinforce the institutional and communal aspect of the care setting, differentiating it from typical residential dwellings (Class C3).
- **Pre-Application Confirmation**: The pre-application advice from Manchester City Council explicitly confirmed that, having viewed the submitted plans, including communal and staff areas and indicated staff presence, they would treat the proposed use as Class C2. This demonstrates the Local Planning Authority's existing interpretation of the proposal within the C2 use class.

Differentiation from Class C3(b)

Initial pre-application discussions explored the possibility of the proposed use falling under Class C3(b) (small groups of up to 6 people living together as a single household and receiving care). However, through the provision of detailed plans and clarification on the scale of operation, continuous staff presence, and the significant communal and

staff facilities, it was established that the proposed use goes beyond the characteristics typically associated with C3(b). The scheme is designed for 9 tenants with a substantial care team, indicating a more institutional setting aligned with C2.

Conclusion

Based on the detailed information provided within the accompanying drawings, including the extensive provision of communal and staff areas, the confirmed level of 24/7 on-site staff presence (minimum 3-4 staff), and the explicit purpose of providing continuous care and support to vulnerable adults with learning disabilities and autism, it is robustly demonstrated that the proposed use at 327 North Road, Manchester, M11 4NY, falls squarely within the definition of **Class C2 (Residential Institutions)**.

The proposed alterations to the internal layout, including the creation of self-contained apartments, do not alter the fundamental character of the use as a care institution. The essential element of care provision, which distinguishes Class C2 from other residential classes, remains central to the operation.

Therefore, the proposed use does not constitute a material change of use requiring planning permission, and a Lawful Development Certificate for the proposed use should be granted