
Management & Supporting Statement
Lawful Development C3(a) to C3(b)
Residential Use



Brighter Beginnings (Northwest) Ltd

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SUPPORTING STATEMENT FOR:

3 Courtfield Avenue, Manchester, M96RT

CONCERNING:

Lawful Development Certificate for Proposed Use: Change of Use from C3(a) to C3(b)

Whereby:

Class C3(a) used as a single person or family household residential dwelling Class C3(b) used by up to 6 unrelated people living together in the residential dwelling as a single household where care is being provided for the residents.

1. INTRODUCTION:

1.1 This short statement will detail the reasons it is believed that the proposed change of use from C3(a) to C3(b) for 3 Courtfield Avenue, Manchester, M9 6RT is considered to be Lawful and that a Lawful Development Certificate can be issued by the Local Planning Authority.

1.2 It will also briefly discuss the day-to-day running operations for the proposed use for up to two children in care's home where they will be housed and cared for by employees of "Brighter Beginnings (Northwest) Ltd", along with details of their responsibilities and obligations.

2. PROPOSAL

2.1 The property of 3 Courtfield Avenue, Manchester, M9 6RT is currently used as a private family dwelling under Class use C3(a) with 2 bedrooms.

- 2.2 It is proposed that the property will be used to house up to two children receiving care on a 1:1 child to adult ratio at any one time. This would then mean the property will be used under Class C3(b) as they will be living as a family unit, similar to two parents and up to two children, but they will all be unrelated. The house is currently a 4-bedroom house, Bedrooms one and two will be for the children and bedrooms 3 and 4 will be for each carer.
- 2.3 The proposed change of use is considered Lawful as a change of use from C3(a) to C3(b) is considered Permitted Development as both uses fall under the Class C3 use.



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3. LEGISLATION

The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010

- (3) In Part C of the Schedule, for Class C3 substitute— Class C3. Dwellinghouses
Use as a dwellinghouse (whether or not as a sole or main residence) by—
- (A) A single person or by people to be regarded as forming a single household.
 - (B) not more than six residents living together as a single household where care is provided for residents: or
 - (C) not more than six residents living together as a single household where no care is provided to residents (other than a use within Class C4).

Interpretation of Class C3 For the purposes of Class C3(a) “single household” shall be construed in accordance with section 258 of the Housing Act 2004(2).”

<https://www.legislation.gov.uk/ukxi/2010/653/article/2/made>

Housing Act 2004

Section 258 HMOs: persons not forming a single household

(1) This section sets out when persons are to be regarded as not forming a single household for the purposes of section 254.

(2) Persons are to be regarded as not forming a single household unless—

(a) they are all members of the same family, or

(b) their circumstances are circumstances of a description specified for the purposes of this section in regulations made by the appropriate national authority.

(3) For the purposes of subsection (2)(a) a person is a member of the same family as another person if—

(a) those persons are married to [F1, or civil partners of, each other or live together as if they were a married couple or civil partners];

(b) one of them is a relative of the other; or

(c) one of them is, or is a relative of, one member of a couple and the other is a relative of the other member of the couple.

(4) For those purposes—

(a) a “couple” means two persons who F2... fall within subsection (3)(a);

(b) “relative” means parent, grandparent, child, grandchild, brother, sister, uncle, aunt, nephew, niece or cousin;

(c) a relationship of the half-blood shall be treated as a relationship of the whole blood; and

(d) the stepchild of a person shall be treated as his child.

(5) Regulations under subsection (2)(b) may, in particular, secure that a group of persons are to be regarded as forming a single household only where (as the regulations may require) each member of the group has a prescribed relationship, or at least one of a number of prescribed relationships, to any one or more of the others.

(6) In subsection (5) “prescribed relationship” means any relationship of a description specified in the regulations.

<https://www.legislation.gov.uk/ukpga/2004/34/section/258>

4. JUSTIFICATION

4.1 The proposed children’s care home will become the main residence for upto two children in care. The children will be between the ages of 5 and 17 who, for whatever reason, will not be able to reside within their normal family environment. As children cannot reside in the house alone, two members of staff from “Brighter Beginnings (Noth west) LTD” will also reside in the property to help care for the child. It is envisaged the system will work in the same way as any other traditional family unit of two parents and one child.

(4.2)The recent and currently ongoing pandemic of Covid-19 has shed light on some of the difficulties currently faced by the care-sector and it has been documented in the press of dire situations where children in care have been housed alone in caravans, put onto canal barges, sheltered in tents or kept in unregulated homes with no real supervision and only a few visits from a social worker throughout the week. All children deserve a secure and comfortable abode and 3 Courthouse Avenue will be able to provide that.



5. MANAGEMENT

- (5.1) The care provision will be managed and supplied by company “Brighter beginnings (North West) LTD founded and owned Kyle Warner. Kyle who also owns Devon homes LTD has supported Manchester Council for some time ensuring homes are rented to a high standard for children who do not have OFSTED Registered Residential Homes.
- (5.2) Kyle would like to continue his work with Manchester Council by delivering high quality OFSTED registered homes for these children to move in to and thrive and achieve great things.
- (5.3) The provision of traditional family style accommodation with one-to-one support for each child will give the child the best level of care and attention they deserve. It will also mean that they will always be accompanied by one of our staff when they are out in the community, providing a level of supervision working parents could never offer when trying to make sure their offspring are always on best behaviour. The operation is to follow the same as if there was a family of two adults and two children to move into the property.
- (5.3) In terms of traffic there will be no more comings and goings than an everyday family home for things such as the school run, shopping and staff change overs when necessary. The two residential care staff will share one vehicle when going out the home with the children, with existing space for parking at the front of the property and a relevant parking permit. There is anticipated only a few visits per week by external parties such as social workers, and any staff change overs will occur outside of peak hours to reduce any impact on the traffic in the vicinity.
- 5.4 After gaining the Lawful Development certificate, the plans are operations will be subject to Ofsted inspection and certification to ensure the care home is adequately and appropriately run and is suitable for use. The selection of the property and its suitability have already been considered against these standards to ensure a smooth transition that can provide all that can be needed for a child in care.
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6. Key findings

- 6.1 The care team will consist of 2 adults per day, the children will be supported on a 1:1 staff to child ratio.
- 6.2 Each staff will complete a 48-hour shift this will support the child with a therapeutic approach, create a homely environment and support the neighbourhood by not having staff coming and going often.
- 6.3 Each child will have their own bedroom, and each member of staff will have their own bedroom, there will be no waking nights coming to the home each night. This will support a family environment with the carers completing sleep ins and being there for the children throughout the night as you would in a family home.
- 6.4 The home will only have two parked cars at any one time outside, given that many houses in the UK have 2 or more family cars this would be appropriate as the home would sit within a normal family household.
- 6.5 Our Current business Devon Homes supports Manchester council renting them property to place many unregulated children. By gaining the use of lawfulness, we would support Manchester council placing these children in regulated settings with outcome of good or outstanding from OFSTED.
- 6.6 The homes manager and RI have been recruited and have many years' experiences in residential care both with outstanding Ofsted grades.
- 6.7 The home will ensure it provides a therapeutic approach using the PACE model, Pace supports a way of thinking, feeling, Behaving and communicating that helps children feel safe. It will help support each child promote secure attachments with others and be able to reflect on their thoughts and behaviours without being or feeling judged.
- 6.8 The use of lawfulness will be creating around 6 jobs in the local community from one home – this will give member of the public not only full-time employment but also a carer with full training and a qualification.
- 6.9 The children living in the home will be supported to engage with the local community in hobbies such as scouts, swimming lessons and supporting any charity events. This would include collecting items for local food banks,

CONCLUSION

- 6.1 As the property will be used as close to a traditional class use C3 family home as possible, but the residents will not come under the definition of a “single household” as stipulated in C3(a), the Lawful Development Certificate is
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necessary to confirm the property has the use class of C3(b) due to the element of care that will be provided for the resident child.