PLANNING STATEMENT

CERTIFICATE OF PROPOSED LAWFULNESS FOR A CHANGE OF USE OF DWELLING (C3) TO RESIDENTIAL CARE HOME (C2) AT 156 MANCHESTER ROAD, CHORLTON, GREATER MANCHESTER M16 0DZ

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1. Introduction

1.1. This Planning Statement has been prepared by Aida McManus on behalf of Felicity Care Group ("the Applicants"). I hold an Honours degree in law, a Master's degree in Town Planning, an Enforcement Certificate from Cambridge University, and am a Member of the Royal Town Planning Institute (MRTPI) and National Association of Planning Enforcement (NAPE). I am the Managing Director of AM Planning Consultants Limited, and have over 24 years' experience in planning, within both local authorities and in private practice.

1.2. The planning application is for a certificate of proposed lawfulness for the change of use of a semi-detached four bedroomed dwelling (Use Class C3) to a residential care home for up to 3 children/young persons (Use Class C2). Staffing will comprise of three staff including a Registered Manager working Monday - Friday inclusive.

1.3. Although the proposed use would constitute a C2 residential care home use it is not a material change of use for the purposes of section 55(1) of the 1990 Act as amended.

2. Background

2.1. The applicant who would be operating this home has to demonstrates their compliance with legal requirements to comply with the Government's instruction that all homes should be regulated by Ofsted. Regulation is intended to improve standards of care through regulation and inspection.

2.2. There are currently a record number of children in care: out of the nearly 12 million children living in England, just over 400,000 (3%) are in the social care system at any one time: nearly 84,000 in 2023/24. In 2023/24, seven of the eight regions in England opened the same or a greater number of homes compared to the North West. Additionally, seven of the eight regions provided the same or more places.

2.3. The applicant would provide therapeutic based care, support and accommodation to children who have emotional, behavioural and developmental needs through the provision of outstanding quality of care and opportunities to enable the children to reach their full potential, and improve their life chances and outcomes. This would be undertaken in a safe, secure, friendly environment that is non-institutional, promoting family style living as a positive experience within the home and community. Such support helps the children to recover from experiences of trauma and significant social disruption.

2.4. The applicant will work with the local authority (Children's Services) to prioritise the placement/relocation of local children where it is appropriate.

Additionally, the home will support the older children in their transition from leaving care into further education, employment, training and housing.

2.5. In relation to the proposed use of this site it would provide care for up to three children between the ages of 10–17 years old. Two members of staff would be present on-site at all times with an Ofsted Registered Manager working Monday-Friday 09:00 -17:00. The staff team would consist of a total of up to 10 members of staff operating shift rota system.

2.6. The children would be fully assessed for their suitability to be placed into this home. This would be based on a risk assessment, their physical and mental health requirements, along with the provision of suitably qualified staff to care for the children.

2.7. The children are considered vulnerable, predominantly due to the outcome of neglect and forms of abuse. Their vulnerability should be understood to be, in particular, related to the potential for being victims of abuse and exploitation as a result, they are located within an appropriate physical environment with supporting policies, processes, systems and care to keep them safe.

2.8. The applicant's ethos rests on the overall purpose ('statement') in 2.3.

2.9. The overall aims of the home and objectives to be attained are:

- To make the home a place where children feel safe, can learn new skills, have new experiences and develop skills for life by creating an environment where they can feel valued and listened to and can build appropriate relationships with other children and adults, learning to cope with and manage their emotions: the same as any other child.

- Structure is provided through normal daily living routines, activities and 1:1 time with key workers. The applicant would encourage the children to lead healthy lifestyles and prides itself in the opportunities provided to the children.

2.10. The Registered Manager, staff team and wider support networks work together to ensure that the children receive high quality care to keep them safe and enable them to make progress in all aspects of their life. The staff are committed to promoting and communicating their unshakeable belief in the children's potential and worth.

2.11. In order to achieve these aims, the home will deliver:

- A safe and 'homely' environment.
- A child/young person-centred approach with their wishes, views and feelings taken into account regarding all aspects of their care.
- The development of a multi-skilled and highly trained staff team, following rigorous and stringent recruitment procedures.
- The effective management and supervision of the staff team.

- The provision of an effective key worker system.
- The use of effective placement planning and risk assessment.
- Consistent approach to rules and boundaries, through appropriate and reflective rewards and consequences.
- The encouragement of positive relationships and investment in the home, from all people involved in the welfare of the children.
- Respect for the community and the children's contributions to it.

3. Planning History

3.1. On 15th November 2011 planning permission was granted for the erection of first floor side extension to form additional accommodation under Planning Ref. No. 097591/FH/2011/S1.

4. The Site and Surrounding Area

4.1. The application site lies on the south eastern side of Manchester Road. It is a semi-detached four bedroomed dwelling with parking for 3 cars off road at the front and a large patio area to the rear garden.

4.2. There are cycle lanes on both sides of Manchester Road with bus stops in both directions. The area has a mix of residential properties range from large detached dwellings to apartments. There are shops and local facilities in close proximity to the application site.

5. The Proposal

5.1. The planning application seeks a Certificate of Proposed Lawfulness for the change of use of the residential dwelling (C3) to a residential children's home for three children with three staff including the manager (C2) on the basis that the proposed use is not a material change of use.

5.2. As shown on the Proposed Floor Plans the Reception Room/Bar would become sleeping accommodation for staff.

5.3. No external alterations are proposed.

6 Planning Legislation

6.1. Under the Town and Country Use Classes Order 1998 (as Amended) a **C3 Dwellinghouses** (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).

To expand on this:

- ***C3(a) covers use by a single person or a family (a couple whether married or not, a person related to one another with members of the family of one of the couple to be treated as members of the family of the other), an employer and certain domestic employees (such as an au pair, nanny, nurse, governess, servant, chauffeur, gardener, secretary and personal assistant), a carer and the person receiving the care and a foster parent and foster child***
- ***C3(b) covers up to six people living together as a single household and receiving care e.g. supported housing schemes such as those for people with learning disabilities or mental health problems.***

6.2. In the **North Devon District Council v First Secretary of State [2003] EWHC 157 (Admin)** judgement, the proposal would not fall within Use Class C3(b), but instead would fall within Use Class C2 the provision of residential care.

6.3. Use Class C2 covers use for the provision of residential accommodation and care to people in need of care (other than a use within class C3 (dwelling houses)); use as a hospital or nursing home; and use as a residential school, college or training centre. Care is defined under Article 2 of the UCO as 'personal care for people in need of such care by reason of old age, disablement, past or present dependence on alcohol or drugs or past or present mental disorder, and in class C2 also includes the personal care of children and medical care and treatment.

6.4. Only the children would live permanently on the premises with the carers being resident elsewhere and they would provide care on a shift rota system. We understand that the children cannot be regarded as constituting a single household by themselves under C3(b) and the proposed use would fall within Use Class C2.

7.0. Material Considerations

7.1. The **principle of development** is acceptable as the proposal is to change of use of an existing residential dwelling to a residential care home for three children.

The only operational difference from a dwelling house is that care is provided for the children to meet their individual needs. The proposal will offer employment for a total of 10 staff operating a 12hr rota system, plus a manager, including a manager thereby enhancing the local economy.

7.2. **Character and Appearance** – no internal alterations are being proposed to the dwelling. To all intent and purpose, it will retain its residential appearance with the only difference being that the children/young persons will be care for by professional care staff rather than their parents. The proposed use would generate no greater level of noise or disturbance than an average four - bedroom dwelling.

7.3. The only alteration to the residential activity on the site will be the fact that staff will be required to be present at all times. There would be no other traffic movements to and from the site due to the fact that staff would be encouraged to use the available sustainable transport modes within the area i.e., cycle, walk, bus to travel to and from the site.

7.4. Due to the size of the property the number of children/young persons who can be cared for is limited. Therefore, the effect of the movements generated from this use is also limited, and there are no greater movements than an average four bedroomed dwelling with children going to and from school, receiving visitors and adults going to and from work, along with deliveries and occasional social/other visitors.

7.5. **Parking & Highway Safety –** The application site benefits from 3 parking spaces available off road at the front of the dwelling and the site is located within an area where there are several alternative sustainable transport modes available i.e., nearby bus stops, walking and cycle routes which will ensure that staff will utilise these sustainable transport modes rather than being reliant on single passenger car journeys. This will also help to minimise the businesses carbon footprint.

7.6. **Noise and disturbance** – The children are accompanied by a member of staff at all times to ensure their safety and that any noise or disturbance is dealt with quickly and in a consistent manner so that the children understand what is and is not acceptable behaviour within a family environment. There will be no staff movement into or out of the property between the hours of 19.15 and 07.00 unless under exceptional circumstances.

7.7. **Potential increase in crime -** A thorough Local Area Risk Assessment will be submitted to Ofsted and available to local authorities that assess and mitigate against the children/young people being targeted for exploitation and/or any

likelihood of being drawn into anti-social or criminal activity. If such risks cannot be mitigated, the child would not be placed within the care home.

8. Conclusion

8.1. The proposed Certificate of Lawfulness for the change of use from a dwelling (C3) to a (C2) residential care home for three children/young persons with up to three staff will not alter the character or appearance of the dwelling, especially as no external alterations are proposed.

8.2. The proposal will not result in a significant or substantial increase in traffic movements to and from the property.

8.3 The proposal will not result in an increase in noise or have a detrimental impact on the amenity of neighbours due to the fact that each child/young person is closely monitored and accompanied by staff at all times.

8.4. The proposal will offer employment to local people and provide a discrete and quiet location where a child/young person can be provided with a robust plan for their pathway to leaving care and becoming valued members of society.

8.5. The proposal will secure a much-needed specialist care for three children/young persons to contribute to the Council's requirements.

8.6. The proposal will help to support and enhance the vitality of the local economy and accords with the provisions of National and Local Planning Policy without resulting in a material change of use from C3 to C2 for the purposes of section 55(1) of the 1990 Act as amended.