PLANNING STATEMENT 2 Spinney Rd, M23 1AB Planning Portal Ref: 14777588

This Planning Statement supports an application for a Certificate of Lawfulness under Section 192 of the Town and Country Planning Act 1990, confirming that the proposed use of a dwellinghouse as a small children's home accommodating up to two children does not constitute a material change of use from Use Class C3. The proposed operation is domestic in character, small-scale, and mirrors the functioning of a typical family household. The children will live together as a single household, sharing meals, routines, and daily life, with staff providing care in loco parentis. There are no institutional characteristics, no clinical interventions, and no intensification of activity beyond what would ordinarily be expected in a family home. This statement provides the precise and sufficient evidence required to demonstrate that the proposed use remains lawful without the need for planning permission.

The home accommodates up to two young people aged between 8 and 17, although some ACS homes accommodate only one child. The children placed are in need of care and are subject to interim care orders, full care orders, or voluntary arrangements under Section 20. Each child has a local authority care plan and an internal placement plan that sets out how their welfare is safeguarded and promoted on a day-to-day basis. The children present with emotional and behavioural difficulties, developmental trauma, attachment needs, or experiences of exploitation, and require a nurturing, stable, and family-style environment. The home is not a mental health provision, and no clinical services are delivered on site. Where children receive support from community-based services such as CAMHS, community nurses, counsellors, or social workers, this involvement is occasional, home led, and entirely consistent with what occurs in many family households.

Staffing arrangements are designed to replicate the stability and continuity of a family home. The standard model is that two staff are present in the home, working on a 24-hour shift pattern that includes a sleep-in period. Staff arrive once, remain in the home for a full 24-hour period, and leave the following day or after their 2 day shift run. This means there are no multiple daily handovers, no repeated comings and goings, and no shift-based activity that would distinguish the home from a typical family household. Staffing ratios may vary depending on the number of children and their assessed needs, but the core model remains the same: a small, stable team providing consistent care. A manager or senior staff member visits during the day for oversight and administrative tasks, but this is comparable to a parent working from home and does not alter the domestic character of the property. Any workspace used for administrative tasks is domestic in scale and appearance, reflecting the widespread use of home offices in modern households.

Daily routines follow the natural rhythms of family life. The household wakes together, prepares breakfast, and supports the children to attend school or education. Staff undertake normal domestic tasks during the day, such as cleaning, laundry, and meal preparation. After school, the children return to a predictable and supportive environment where they engage in homework, shared meals, and family-style activities such as walks, games, or community clubs. Evenings are calm and structured, with routines that mirror those of any family home. Staff sleep in the home overnight, responding naturally if a child wakes or requires comfort, just as a parent would.

The children live as part of a single household, sharing living spaces, meals, routines, and leisure activities. They are encouraged to personalise their bedrooms, participate in household tasks, and develop independence skills. The home environment is warm, nurturing, and centred on relationships, emotional safety, and stability. There are no institutional timetables, no segregation of space, and no operational infrastructure that would distinguish the home from a typical dwelling. The property retains the appearance and functioning of a normal family home, with no external alterations, signage, or security features beyond those found in any domestic setting.

Activity levels within and around the home are low and domestic. With the 24-hour staffing model, there is only one staff arrival and one departure per day, resulting in minimal vehicle movements. The number of cars present at the property is no greater than would be expected in a typical family home with two working adults. Deliveries are limited to normal household mail, as all other deliveries are directed to the organisation's head office. Visitors such as social workers attend infrequently and by

appointment, typically once every six weeks, and their visits are short and non-disruptive. There is no intensification of activity, noise, or comings and goings beyond what is typical for a residential dwelling.

The nature of the care provided is comparable to that of a foster family or a domestic household supporting children with additional needs. Government policy encourages small, family-style homes for children who cannot live with their birth families, and Ofsted requires such homes to be non-institutional in character. The only physical difference from a typical dwelling is the presence of locks on children's bedroom doors for privacy, which is standard in children's homes and does not alter the planning use. There are no other internal or external alterations.

Case law and appeal decisions consistently confirm that small children's homes accommodating one to three children with domestic staffing do not constitute a material change of use. Children in care can form a single household, staff acting in loco parentis does not create an institutional use, and professional involvement does not alter the planning use. Materiality is assessed based on the actual impact of the use, not the label applied to it. In this case, the home accommodates a very small number of children, staffing levels are low and domestic, activity levels are no greater than a family home. The children live as a single household, and the proposed use is not materially different from the existing C3 use.

Taken together, the evidence demonstrates that the proposed use is small-scale, domestic, and non-institutional; that the children will live as a single household; that staffing levels are equivalent to parental supervision; and that activity levels are no greater than those of a typical family home. The use is not materially different from the existing C3 use, and the legal test for a Certificate of Lawfulness is met on the balance of probabilities. The Local Planning Authority is therefore respectfully requested to issue a Certificate of Lawfulness confirming that the proposed use does not require planning permission.