Planning Statement

Certificate of Proposed Lawful Development for use of property to provide care for up to two children receiving care from upto two members of staff (Class C2).

38 Stokes Street, Manchester M11 4QD

Proposed Use

The Applicant intends to use the property to accommodate up to two young people in social care who will reside on a permanent basis at the property, administered by 2 full-time care workers on a rota system. The full-time staff members will sleep overnight and live together as a single household. The building will provide care for up to two children, boy or girl aged between 8-18 years of age as an Ofsted registered home. There will be a maximum of one care staff at any one time.

The staff will be engaged in the same domestic routines, tasks and social activities which you would expect in a single-family dwelling house. The bathroom, kitchen and living areas will be communal and each child will have their own bedroom to ensure they feel safe and have their own personalised environment. This will promote a family residential home living setting while nurturing young people and ensuring their early life outcomes are achieved. The total number of occupants, four, at a given time is no different to most typical family home settings and therefore this proposal does not significantly affect the settings of the area.

Shift change will be once a day. The maximum during handover will be 2 members of staff in the property. With 1 member of staff leaving soon after handover. There will be a Registered Manager (RM) at the house, who would be working from 9am – 5pm Monday to Friday. The RM could be classed as a care-giver during the day. Shift patterns would be set out when we have children in placement and dependent on the experience of the staffing team.

Staff would be sleeping through the night and available if a situation arises. There may be a need for waking member of staff depending on the child's care plan, but this would be rare. None of the children will have cars and, as the majority of staff use public transport rather than their own cars, the proposal will not impact on parking arrangements. Even if there was one member of staff with a car this should not impact on parking arrangements on the street.

The property does not require significant adaptation because it is the intention to provide a normal home environment. There would be no features associated with an institutionalised care home, with each child living a normal family life as a single household; they go to school, play out and take part in activities outside the home in the same way as children living in a domestic household. As such, no 'material' change in the character of the use would arise, such as from comings and goings generated by the proposed use. Similarly, it is unlikely that there would be any 'material' change in the appearance of the property or its surroundings.

The proposed use is one that is compatible in a residential area. The modest number of residents and support workers that would be present is similar to a large family that could occupy a property of this type. Given this, it is not considered that the proposal would have a detrimental impact upon existing levels of residential amenity and pedestrian and highway safety enjoyed in this location.

The Lawful Development Certificate should be granted for the following reasons;

- Appeal case law - in North Devon DC v FSS & Southern Childcare Ltd (QBD 30.1.03 Collins J) case, a C2 use would not necessarily be materially different from C3, and where it is not materially different, the use does not require planning permission to be lawful.
- There will be no changes to use of the land or building.
- Although, the proposal is a care home this will operate as a normal family setting.
- Staff will undertake long shifts to reduce staff coming and going from the property. Staff will undertake 24 hour shifts. Staff changeover will be at 5pm.
- There will be one staff member on site at any one time. With 1 member of staff leaving soon after handover.
- There will be no more than 3 people at the property at one time and this will operate as a normal family setting.
- The homes manager will act as carer and work during the day.