

Dated 1 May 2026

SUPPORTING STATEMENT

**in relation to the property on 29 Wilton Road,
Crumpsall, Manchester, M8 4NG**

1. **Background**

- 1.1. This supporting statement relates to the property located at 29 Wilton Road, Crumpsall, Manchester, M8 4NG ("**the Property**").
- 1.2. The Property is currently used as a family residential home falling within Use Class C3(a) of the Town and Country Planning (Use Classes) Order 1987 (as amended) ("**the UCO**").
- 1.3. It is proposed to use the Property as a children's home (as defined in the Care Standards Act 2000) providing full-time care for up to 3 young people aged between 10 and 17. The young people may have emotional difficulties or have come out of foster care. The young people will not have any disabilities or medical conditions preventing them from living as a single household or undertaking self-care.
- 1.4. No internal or external alterations are proposed to the Property.

2. **Our Proposed Use**

- 2.1. The Property will accommodate up to 3 young people on a permanent basis. It will be their sole place of residence, with the average length of stay being approximately two years. Many young people stay beyond two years.
- 2.2. Two support workers will be on duty during the day. Two support workers will sleep overnight in dedicated bedrooms within the Property. Staff will work on a rota basis, typically working 2 to 3 consecutive days before changeover. Management will attend the Property during business hours Monday to Friday only.
- 2.3. Residents and support workers will live together communally, sharing mealtimes and all facilities including the living room, kitchen and bathroom areas. Support workers will not benefit from any additional or separate facilities beyond their sleeping quarters and home office.
- 2.4. The front and back doors will only be locked during the night-time. The residents are not secured into the Property and are free to come and go as they wish.
- 2.5. Ofsted require the home to maintain a homely, domestic environment. The character of the building must remain as a normal family dwelling as Ofsted would take enforcement action if the property were to lose the look and feel of a conventional residential home.

3. **Use Class**

- 3.1. It is submitted that on the specific facts of this proposal, there is no material change of use. A change from one use class to another does not automatically constitute a material change of use requiring planning permission. As confirmed in R (oao Crawley BC) v FSS & the Evesleigh Group [2004] EWHC 160 (Admin), the question is whether, on the facts and as a matter of degree, there is a definable change in the character of the use when compared to what has gone on previously.
- 3.2. The reasons are set out below.

4. **No Material Change of Use**

4.1. Activity and Movement

- 4.1.1. Staff will typically work up to 3 consecutive days before changeover, meaning shift changes will occur approximately three times per week. This will result in similar arrivals and departures when compared to a family household where multiple occupants travel independently to work, school and social activities on a daily basis.
- 4.1.2. The young people will attend school and engage with the local community in the same way as children in any family home. Their comings and goings will be indistinguishable from those of children in a normal household.
- 4.1.3. While the pattern of activity will not be identical to a family dwelling - no two households are - the overall level of movement to and from the Property will not be materially different. With a maximum of 3 young people and staff on shifts, the volume of daily arrivals and departures is likely to be very similar to a large family home.

Visitor Activity

- 4.1.4. Social workers are obligated to visit each child in placement once every four weeks. With a maximum of 3 young people, this amounts to approximately 3 visits per month from the social care team under normal circumstances.
- 4.1.5. Other professionals such as health visitors, education welfare officers or mental health practitioners may visit on occasion, but such visits will be infrequent and ad hoc. The young people do not have complex medical needs or disabilities requiring regular clinical visits at the Property.
- 4.1.6. This level of visitor activity is comparable to that of a normal family home, which routinely receives visits from friends, family, tradespeople, delivery drivers and other callers.

Noise and Disturbance

- 4.1.7. The Property will accommodate a maximum of 3 young people. The domestic routine - mealtimes, television, homework, socialising - will be the same as in any family home.
- 4.1.8. There will be no commercial signage, no dedicated parking for staff vehicles beyond the existing provision, and no external indicators of any change in use. The Property will appear and function as a conventional residential dwelling.
- 4.1.9. While it is acknowledged that the introduction of shift workers and occasional professional visitors introduces a pattern of activity that differs in some respects from a single-family household, these differences are modest and do not amount to a material change in the character of the use. The overall impact on the surrounding residential environment - in terms of noise, traffic, parking and general disturbance - will remain within the range that would reasonably be expected from a residential dwelling of this size.

Parking and Traffic

- 4.1.10. Staff changeovers will generate minimal additional vehicle movements. During the day, two support workers may be present at the Property. A manager and deputy will be present during business days. Overnight, two support workers will remain sleeping at the Property.
- 4.1.11. This level of vehicle activity is no greater than would be expected from a household with two or more working adults and older children who drive. The impact on the local highway network and on-street parking will not be materially different from the existing residential use.

Physical Character

- 4.1.12. No internal or external alterations are proposed to the Property. From the outside, there would be nothing to visually differentiate the Property from its current use as a family dwelling.
- 4.1.13. Internally, the Property will continue to operate as a domestic home. All living spaces will be shared. Ofsted's regulatory framework actively requires the home to maintain a domestic, family-like character, and the operator would face regulatory sanction if an institutional environment were permitted to develop.

5. Supporting Cases

- 5.1. **Manchester City Council**, having been provided the same details stated that they were satisfied that our proposed use is valid for 21 Tannery Way, Manchester, M18 8LH. A CLD was issued as the use is considered a Class C2. See **Appendix 1**.
- 5.2. **Bury Council**, having been provided the same details stated that they were satisfied that our proposed use would be valid on 3 separate occasions:
 - 5.2.1. 33 Parliament Street – 2 residents. See **Appendix 2**.
 - 5.2.2. 28 St Peters Road – 3 residents. See **Appendix 3**.
 - 5.2.3. 32 Withins Lane – 3 residents. See **Appendix 4**.
- 5.3. **Trafford Council**, having been provided the same details stated that they were satisfied that our proposed use would fall into Class C3 as our use does not constitute a material change in use (see **Appendix 5**).

6. Conclusion

- 6.1. In light of the above submitted evidence, the balance of probability is in favour of the issuance of a Lawful Development Certificate.
- 6.2. It is therefore respectfully requested that a Lawful Development Certificate be granted.

Appendix 1

Town and Country Planning Act 1990 (as amended) (Section 192)
Town and Country Planning (Development Management Procedure) (England)
Order 2015 (as amended)

Grant of Certificate of Lawful Use or Development

Applicant

Khan
21 Tannery Way
Manchester
M18 8LH

Agent

Mr Khan
PureCare
Unit 1E Beehive Mill
Manchester
M4 6JG

Date of Application

5 October 2022

Application No.

135127/LP/2022

First Schedule

Change of use of dwellinghouse (Class C3) to children's care home (Class C2)

Second Schedule

21 Tannery Way
Manchester
M18 8LH

Manchester City Council hereby certify that on 5 October 2022 the use/operations described in the First Schedule in respect of the land specified in the Second Schedule and more particularly identified on the plan attached to this certificate edged in red, was lawful within the meaning of section 192 of the Town and Country Planning Act 1990 (as amended), for the following reason(s):

1) Grant on the basis that the proposed occupation of 21 Tannery Way, Manchester, M18 8LH, , as detailed on the submitted application form, documents and drawings constitutes a Class C2 use for occupation by up to six people living together as a single household and receiving care as defined by Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Date: 30 November 2022

Signed:

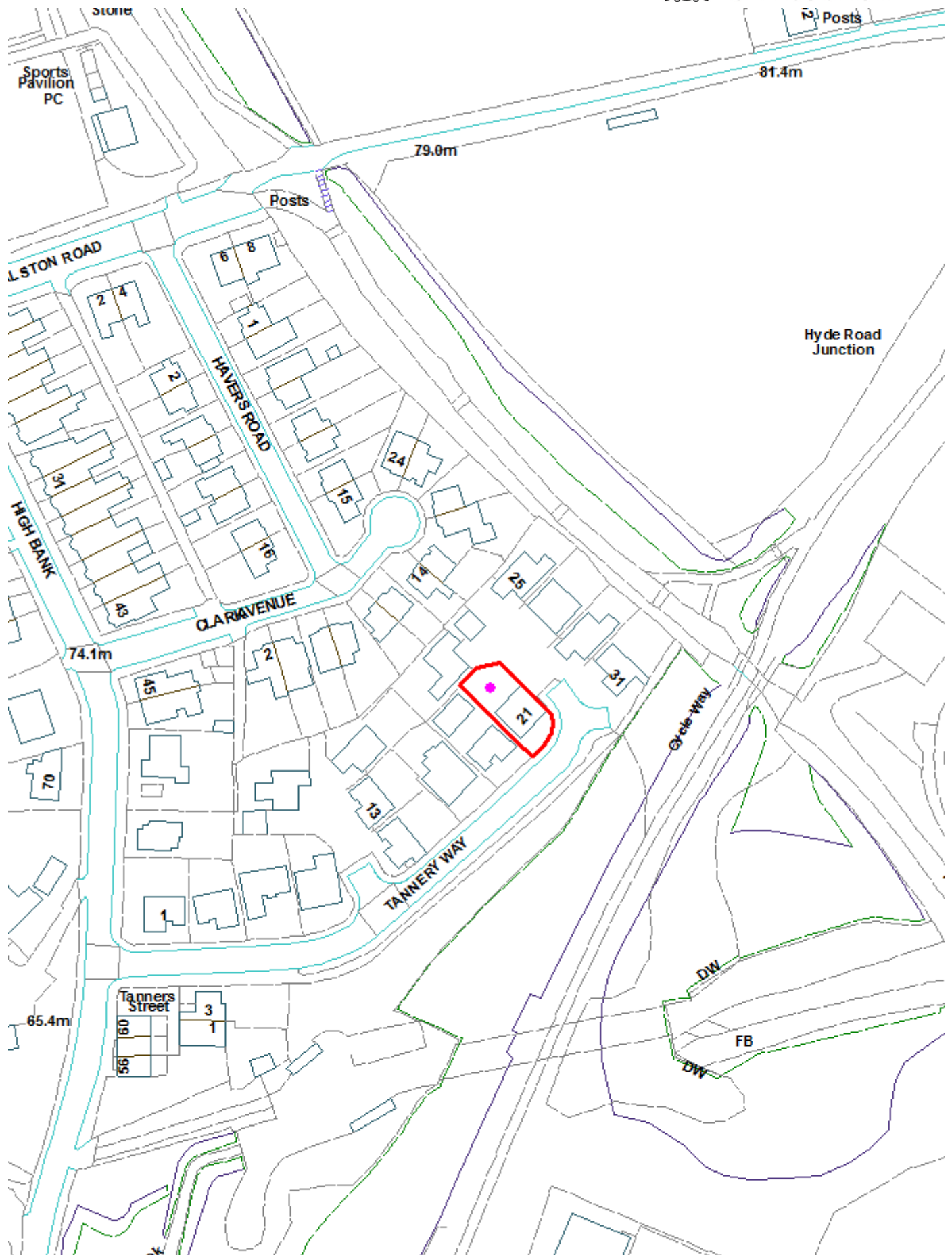


Julie Roscoe
Director of Planning, Building Control & Licensing

Manchester City Council, P O Box 532, Town Hall, Manchester M60 2LA

Notes to applicant

1. This certificate is issued solely for the purposes of section 192 of the Town and Country Planning Act 1990 (as amended).
2. This certificate is issued solely to the extent of the use/operations described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use/operations which is materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.
3. The effect of the Certificate is also qualified by the proviso in Section 192(4) of the 1990 Act, as amended, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.



Appendix 2

CERTIFICATE OF LAWFUL USE OR DEVELOPMENT (PROPOSED)

Town and Country Planning Act 1990: Section 192
(as amended by Section 10 of the Planning and Compensation Act 1991)
Town and Country Planning (Development Management Procedure) Order
2010: Article 35

To:

Ms Shazia Karim
2 The Chase
Bolton
BL1 5HL

On Behalf Of:

Mr Ghazan Mahmood
2 The Chase
Bolton
BL1 5HL

Application Number: 64557

Date of Registration: 27/08/2019

First Schedule

Second Schedule

Lawful development certificate for proposed
residential childrens home (C2)

33 Parliament Street, Bury, BL9 0TE

Bury Metropolitan Borough Council hereby certifies that on 27/08/2019 the matter described in the First Schedule in respect of the land specified in the Second Schedule and edged red on the plan attached to this certificate is **Lawful Development** within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended), for the following reason(s):

- 1 The proposal, described in the First Schedule, is not deemed to constitute development within the meaning of Section 55 of the Town & Country Planning Act 1990 (as amended) as the proposed change of use of 33 Parliament Street, Bury BL9 0TE, to a children's residential home (Class C2) for up to 3 persons between the ages of 11-18 years with a maximum of 2 additional staff members staying overnight on a rota basis and operating in full accordance with the details set out within the applicant's Supporting Statement (Dated 11th August 2019), would not represent a material change of use from the existing C3 dwellinghouse use, and is therefore Lawful Development.

Applicant Plan Numbers:

17017-11 and Supporting Statement dated 11th August 2019

Notes to Applicant

1. This certificate is issued solely for the purposes of Section 191/192 of the Town and Country Planning Act 1990 (as amended).
2. It certifies that the matter described in the First Schedule and to the land specified in the Second Schedule was lawful, on the specified date and, thus, was not liable to enforcement action under section 172 of the 1990 Act on that date.
3. This certificate applies only to the extent of the matter described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any development or use materially different from that described or which relate to other land may render the owner or occupier liable to enforcement

action.

4. The effect of the certificate is also qualified by the proviso in Section 192(4) of the 1990 Act, as amended, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.

NOTES TO APPLICANT

Not Applicable

Signed:

A handwritten signature in black ink, appearing to be 'R. M. J.', written over a horizontal dotted line.

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On behalf of the Council

Date of Decision: 24/10/2019

Appendix 3

CERTIFICATE OF LAWFUL USE OR DEVELOPMENT (PROPOSED)

Town and Country Planning Act 1990: Section 192
(as amended by Section 10 of the Planning and Compensation Act 1991)
Town and Country Planning (Development Management Procedure) Order
2010: Article 35

To:

Ms Karim
Ms
Jactin House
24v Hood Street
Manchester
M4 6WX

On Behalf Of:

Mr Mahmood
350 Manchester Rd
Bury
BL9 0NR

Application Number: 66907

Date of Registration: 26/04/2021

First Schedule

Lawful Development Certificate for a proposed change of use to a residential children's home (Class C2) for up to 3 young persons aged 11 to 18 years on a permanent basis with 5 staff on a non-permanent rota basis

Second Schedule

28 St Peters Road, Bury, BL9 9RB

Bury Metropolitan Borough Council hereby certifies that on 26/04/2021 the matter described in the First Schedule in respect of the land specified in the Second Schedule and edged red on the plan attached to this certificate is **Lawful Development** within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended), for the following reason(s):

Applicant Plan Numbers:

Supporting Statement dated 25th April 2021

Notes to Applicant

1. This certificate is issued solely for the purposes of Section 191/192 of the Town and Country Planning Act 1990 (as amended).
2. It certifies that the matter described in the First Schedule and to the land specified in the Second Schedule was lawful, on the specified date and, thus, was not liable to enforcement action under section 172 of the 1990 Act on that date.
3. This certificate applies only to the extent of the matter described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any development or use materially different from that described or which relate to other land may render the owner or occupier liable to enforcement action.
4. The effect of the certificate is also qualified by the proviso in Section 192(4) of the 1990 Act, as amended, which states that the lawfulness of a described use or

operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.

NOTES TO APPLICANT

Not Applicable

Signed:

A handwritten signature in black ink, appearing to read 'Paul Harris', written in a cursive style.

.....
On behalf of the Council

Date of Decision: 18/06/2021

Appendix 4

CERTIFICATE OF LAWFUL USE OR DEVELOPMENT (PROPOSED)

Town and Country Planning Act 1990: Section 192
(as amended by Section 10 of the Planning and Compensation Act 1991)
Town and Country Planning (Development Management Procedure) Order
2010: Article 35

To:

Ms Shazia Karim
Calm Space Care Ltd
2 The Chase
Bolton
BL1 5HL

Application Number: 71113

Date of Registration: 27/08/2024

First Schedule

Second Schedule

Lawful development certificate for proposed change of use of dwelling (Class C3a) to a residential home (Class C2) for a maximum of three children with up to two carers who would work overnight on a rota basis and one manager working business hours (Mon-Fri)

32 Withins Lane, Radcliffe, Manchester, M26 2RU

Bury Metropolitan Borough Council hereby certifies that on 27/08/2024 the matter described in the First Schedule in respect of the land specified in the Second Schedule and edged red on the plan attached to this certificate is **Lawful Development** within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended), for the following reason(s):

- 1 The proposal, described in the First Schedule, is not deemed to constitute development within the meaning of Section 55 of the Town & Country Planning Act 1990 (as amended) as the proposed change of use of 32 Withins Lane, Radcliffe, Manchester, M26 2RU to a residential home (Class C2) for a maximum of three children with up to two carers who would work overnight on a rota basis and one manager working business hours (Mon-Fri) operating in full accordance with the details set out within the revised supporting statement submitted 27th August 2024, would not represent a material change of use from the existing Class C3 dwellinghouse use, and would therefore be Lawful Development.

Applicant Plan Numbers:

Supporting Statement (Submitted 27/08/2024), Revised Location Plan and Floor Plans (both submitted 08/10/2024)

Notes to Applicant

1. This certificate is issued solely for the purposes of Section 192 of the Town and Country Planning Act 1990 (as amended).
2. It certifies that the matter described in the First Schedule and to the land specified in the Second Schedule was lawful, on the specified date and, thus, was not liable to enforcement action under section 172 of the 1990 Act on that date.

3. This certificate applies only to the extent of the matter described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any development or use materially different from that described or which relate to other land may render the owner or occupier liable to enforcement action.
4. The effect of the certificate is also qualified by the proviso in Section 192(4) of the 1990 Act, as amended, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.

NOTES TO APPLICANT

Not Applicable

Signed:

A handwritten signature in black ink, appearing to read 'Paul Harte', is written over a dotted line.

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On behalf of the Council

Date of Decision: 10/10/2024

Appendix 5

96180/CPL/18



**TRAFFORD
COUNCIL**

Head of Planning and Development
Rebecca Coley
Trafford Council
Planning and Development
Trafford Town Hall, Talbot Road
Stretford, M32 0TH
www.trafford.gov.uk

TOWN AND COUNTRY PLANNING ACT 1990: SECTION 192 (as amended by section 10 of the Planning and Compensation Act 1991)

Town and Country Planning (Development Management Procedure) (England) Order 2015: ARTICLE 39

CERTIFICATE OF LAWFUL PROPOSED USE OR DEVELOPMENT

The Trafford Borough Council hereby certify that on 10th December 2018 the use described in the First Schedule to this certificate in respect of the land specified in the Second Schedule to this certificate and edged red on the plan attached to this certificate, **would have been lawful** within the meaning of section 192 of the Town and Country Planning Act 1990 (as amended), for the following reason(s):

The proposed use of 6 Harboro Grove, Sale, M33 5BA, as a children's residential home (Class C2) for up to 5no.persons between the ages of 10-18 years with a maximum of 2no. additional staff members staying overnight on a rota basis and operating in full accordance with the details set out within the applicant's Supporting Statement (Dated 08 February 2019), would not represent a material change of use from the existing C3 dwellinghouse use, and is therefore Lawful Development.

Signed

(Council's Authorised officer)
On behalf of the Council

Date 4th March 2019

First Schedule

Use as a children's residential home (Class C2) for up to 5no. persons between the ages of 10-18 years with a maximum of 2no. additional staff members staying overnight on a rota basis and operating in full accordance with the details set out within the applicant's Supporting Statement (Dated 08 February 2019).

Second Schedule

6 Harboro Grove, Sale, M33 5BA

Notes

1. This certificate is issued solely for the purpose of section 192 of the Town and Country Planning Act 1990 (as amended)
 2. It certifies that the use specified in the First Schedule taking place on the land described in the Second Schedule was lawful, on the specified date and, thus was not liable to enforcement action under section 172 of the 1990 Act on that date.
 3. This certificate applies only to the extent of the use described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use which is materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.
 4. The effect of the certificate is also qualified by the proviso in section 192(4) of the 1990 Act, as amended, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.
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1. Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 195 of the Town and Country Planning Act 1990.

If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice. However, if this is a decision to refuse planning permission and an enforcement notice has been served for the same or very similar development the time limit is:

- Within 28 days from the date of the local planning authority's decision if the enforcement notice was served before the decision was made yet not longer than 2 years before the application was made.
- Within 28 days from the date the enforcement notice was served if served on or after the date the decision was made (unless this extends the normal appeal period).

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.

If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local Planning Authority based their decision on a direction given by him.

2. Purchase Notices

If either the local planning authority or the Secretary of State refused permission to develop land or grants it subjects to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of the London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

3. In certain circumstances a claim may be made against the Local Planning Authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

4. Notice is given in accordance with Section 63. Greater Manchester Act 1981 that consideration will be given to means of access for the Fire Brigade when plans are deposited for Building Regulations approval.

Notes continued overleaf

**5. Town and Country Planning Act 1990
Disabled Persons Act 1981**

If this permission relates to the provision of buildings or premises to which the public are to be admitted, with or without payment, or in which the public are employed: e.g. office, shop, factory, railway premises etc. or of an educational nature: e.g. university, hall of university, college, school, teacher training college etc. the applicants attention is drawn to the provisions and requirements of the above Acts.

A full list of buildings and premises involved will be found in Section 76 of the Act of 1990 and 83 of the Act of 1981.

It is the responsibility of the applicant to comply with the requirements of the Acts.

(a) The statutory requirements are those set out in section 79(6) of the Town and Country Planning Act 1990 namely Sections 70 and 72(1) of the Act.