PLANNING STATEMENT

Application for a Certificate of Lawfulness of Change of use of dwellinghouse (Use Class C3) to a children's residential care home (Use Class C2) for a maximum of two children"

1 Lakin Street, Manchester, M40 9DN

1. Introduction

This Planning Statement has been prepared in support of an application for a Certificate of Lawfulness of Proposed Use pursuant to Section 192 of the Town and Country Planning Act 1990.

The application relates to 1 Lakin Street, Manchester, M40 9DN and seeks confirmation that the proposed use of the property as a children's residential care home accommodating a maximum of two looked-after children would be lawful.

Whilst the proposed use falls within Class C2 (Residential Institutions) of the Town and Country Planning (Use Classes) Order 1987 (as amended), it is considered that the nature, scale and operation of the use would not be materially different from the lawful use of the property as a Class C3 dwellinghouse. As such, the proposal would not result in a material change of use requiring planning permission.

2. The Site

The application property comprises an existing dwellinghouse located within a predominantly residential area of Manchester. The surrounding streets are characterised by residential properties of a similar scale and appearance, together with community facilities, schools, local services and public transport connections.

The property currently functions as a residential dwelling and provides suitable accommodation capable of supporting the proposed use without alteration to the building's external appearance or residential character.

3. Proposed Use

The proposal involves the use of the property as a children's home providing care and accommodation for up to two looked-after children.

The home will operate as a small-scale family-based environment, providing a stable and supportive setting for children requiring care. Residents will occupy the property as their primary home and will participate in everyday domestic activities typical of any household, including attending school, preparing meals, socialising, undertaking recreational activities and maintaining normal daily routines.

Care staff will provide support and supervision on a rota basis. The role of staff will be comparable to that of a parent or guardian within a family home, assisting the children with their welfare, education and day-to-day needs.

No external alterations, extensions or operational changes are proposed which would alter the appearance of the property or affect its relationship with neighbouring dwellings.

4. Planning Assessment

The principal consideration is whether the proposed use would result in a material change in the character of the use of the property when compared to its existing lawful residential use.

The Courts have consistently established that whether a material change of use occurs is a matter of fact and degree. The mere fact that a use may fall within a different Use Class does not automatically indicate that a material change of use has occurred.

In this instance, the occupation of the property by a maximum of two looked-after children would maintain the domestic character of the dwelling. The children would live together in a family-style environment and would undertake activities commonly associated with a conventional household.

The proposed use would not generate levels of activity, noise, traffic or visitor movements materially different from those associated with a typical family dwelling. Staff presence would be limited and would be focused on providing care and supervision within the home environment.

The property would remain physically indistinguishable from neighbouring residential properties and there are no proposals for external alterations or intensification of the use.

Accordingly, whilst the use falls within Class C2, it is considered that the operation of the property would remain residential in character and would not give rise to a material change in planning terms.

5. Conclusion

The proposed use of 1 Lakin Street as a children's residential care home for up to two looked-after children would retain the established residential character of the property and surrounding area.

The scale of occupation, manner of operation and absence of any physical changes ensure that the use would not be materially different from the existing Class C3 dwellinghouse use.

It is therefore considered that the proposal would be lawful and that a Certificate of Lawfulness of Proposed Use should be granted.