KISMET CHILDREN'S SERVICES

Planning Statement

Certificate of Lawfulness of Proposed Use

Use of a dwellinghouse as a children's home for up to two young people

Use Class C2 - Proposed use only - No physical development

9 MANOR AVENUE
MANCHESTER M16 8DX

October 2026

Contents

1.0 Introduction

2.0 The Application Proposal

3.0 Summary and Conclusion

References

1.0 Introduction

1.1 This statement has been prepared by NK Architectural Services on behalf of Kismet Children's Services to support an application to Manchester City Council for a Certificate of Lawfulness of Proposed Use under section 192 of the Town and Country Planning Act 1990.

1.2 The proposal is to use the existing dwellinghouse at 9 Manor Avenue, Manchester M16 8DX as a small residential children's home providing accommodation and care for no more than two young people. The proposed operational use is described as falling within Use Class C2.

1.3 The application relates solely to the proposed use of the existing dwellinghouse. No extensions, structural alterations, building operations or other physical development form part of this certificate application.

1.4 The home would operate on a small-scale, domestic basis. The two young people would live at the property as their home and would undertake ordinary day-to-day domestic activities including sleeping, eating, studying, relaxing and using the shared living spaces and garden.

1.5 Care staff would provide supervision, support and care within the home. Their role would be parental and supervisory in character and would not involve a service to visiting members of the public.

1.6 The application is made on the basis that the limited scale and domestic character of the proposed operation would not amount to a material change in the planning character of the dwellinghouse. The application concerns planning lawfulness rather than the planning merits of the use.

The Site and Surroundings

1.7 The site is an existing residential property at 9 Manor Avenue, Manchester. It benefits from off-road parking for two to three cars and a rear garden. The property has the form, appearance and facilities of a family dwelling and would continue to function as one home.

1.8 The proposed use would not introduce an institutional layout or appearance. There would be no public reception, consulting rooms, treatment rooms, separate staff entrance or other facilities associated with a public-facing or institutional care establishment.

The Submitted Floor Plan

1.9 The floor plans accompanying the application will show three bedrooms and a bathroom within the main residential accommodation, together with a loft room. The accommodation would remain arranged as a single dwelling with shared domestic facilities.

1.10 Two bedrooms would each be occupied by one young person. One further bedroom would be retained for staff sleep-in purposes where required by the staffing rota.

1.11 The loft room, although capable of being described on the architectural plan as a bedroom, would be used as an office for administration associated with the care of the two young people. It would not be used as an additional young person's bedroom and would not increase the residential capacity of the home beyond two young people.

1.12 The kitchen, living accommodation, bathroom facilities and garden would be shared in the ordinary manner of a household. The communal spaces would remain the focus of everyday

activity, with meals prepared and eaten together and the young people using the shared rooms and garden as they would in a family home.

1.13 There would be no subdivision of the property into separate residential units, bedsits or flats. The property would function as one household-style home.

1.14 The floor plans are relied upon to identify and illustrate the accommodation and its proposed domestic use. The Certificate of Lawfulness application relates to use only. No building works, structural alterations, extensions or external alterations are proposed or sought for approval through this application.

2.0 The Application Proposal

2.1 A Certificate of Lawfulness of Proposed Use is sought for the use of the existing dwellinghouse at 9 Manor Avenue as a small residential children's home, described as Use Class C2, for no more than two young people.

2.2 No planning permission for physical development is sought. The proposal concerns only the manner in which the existing dwellinghouse would be occupied and operated.

2.3 Section 55 of the Town and Country Planning Act 1990 defines development to include a material change in the use of land or buildings. A change in the way a property is occupied does not require planning permission unless the change is material in planning terms.

2.4 Section 192 of the Act allows a person to apply for a certificate confirming that a proposed use would be lawful. The planning question is whether the specific use, if commenced in the manner described in this statement, would constitute development requiring planning permission.

2.5 The description of the proposed use as Use Class C2 does not by itself determine whether a material change of use would occur. Materiality depends on the actual character and intensity of the use and is a matter of fact and degree in each case.

Defined Parameters of the Certificate Sought

Parameter	Proposed Use
Application type	Certificate of Lawfulness of Proposed Use under section 192 of the Town and Country Planning Act 1990
Property	9 Manor Avenue, Manchester M16 8DX
Existing use	Single dwellinghouse
Proposed use	Small children's home providing residential accommodation and care, described as Use Class C2
Maximum residents receiving care	Two young people
Young people's bedrooms	Two bedrooms - one per young person
Staff sleep-in accommodation	One bedroom
Loft room	Office only - ancillary to the residential home
Household arrangement	One household-style group sharing the domestic facilities and garden
Separate residential units	None
Physical works in this application	None - the certificate sought relates to use only
External alterations	None proposed as part of this application

How the Home Would Operate

2.6 The home would accommodate no more than two young people at any one time. Each young person would have a private bedroom and would share the ordinary domestic facilities of the house.

2.7 The young people would reside at the property as their home rather than as short-term visitors or customers of a commercial establishment. Their daily activities would be residential in nature, including sleeping, eating, studying, recreation and household routines.

2.8 Staff would provide the care, supervision and support required by the young people. One bedroom would be available for staff sleep-in purposes where required. Staff would use the same domestic rooms as the young people and would not occupy a separate institutional part of the building.

2.9 The loft room would be used for administrative and office purposes associated solely with managing the home and the care of its two residents. This use would be ancillary to the principal residential use and the room would not operate as a separate commercial office or public-facing workplace.

2.10 The home would operate at all times because it is the young people's residence, not because it provides a service to visiting members of the public. Staff shift changes would be brief and managed.

2.11 There would be no customer footfall, public opening hours, group sessions, day-care provision, outpatient activity or other public-facing service at the property.

2.12 Visits by relatives, social workers, health professionals and other persons involved in a young person's care would be arranged and limited. Their frequency would vary according to individual care plans but would not generate continuous or concentrated visitor activity.

2.13 Access would remain through the normal residential entrance. Staff, visitors and household deliveries would use the existing access and parking arrangements. Movements associated with staff, education, arranged professional visits and ordinary household activity would remain limited and dispersed through the day.

2.14 Deliveries would consist of normal household shopping, parcels and occasional service visits. No commercial loading, clinical deliveries, fleet vehicles or regular large-vehicle movements would be associated with the use.

2.15 There would be no external indication that the property is used as a children's home. The external appearance, domestic curtilage, garden use, lighting and refuse arrangements would remain residential in character.

2.16 The care provider would operate the home under its safeguarding, placement-matching, behaviour management and complaints procedures. These management arrangements support the safe operation of the home but do not introduce a public-facing or institutional land-use activity.

Assessment of Material Change

2.17 The central planning question is whether the proposed use would change the character of the dwelling and its effect on the surrounding area to a material degree. The relevant comparison is

between ordinary residential occupation and the specific operation described in this statement, rather than use class labels in isolation.

2.18 The proposed use would retain the essential characteristics of a dwellinghouse. Two young people would occupy the property as their home; staff would provide care and supervision within that home; and everyday activity would consist of sleeping, eating, studying, recreation and household management.

Comparison of the existing and proposed use

Characteristic	Existing	Proposed	Planning Effect
Occupation	Residential occupation by a household	Long-term home for no more than two young people	Residential occupation remains the primary character
Shared facilities	Kitchen, living spaces, bathroom and garden	The same domestic facilities shared as one household-style group	No subdivision or separate units
Daily activity	Meals, sleep, study, recreation and household tasks	The same domestic activities with staff supervision	No institutional or public-facing activity
Staff	No employed care staff	Care staff attending on a managed rota, including sleep-in provision where required	Additional adult presence, but limited and domestic in function
Office use	Incidental domestic administration	Loft room used only for administration ancillary to the home	No separate commercial office use
Visitors	Family, friends and service visits	Relatives and professionals by arrangement	Low-level and dispersed visits
Traffic and parking	Normal household journeys and deliveries	Staff movements, education journeys, arranged visits and household deliveries	Limited movements without a material change in character
Noise and garden use	Ordinary domestic activity	Ordinary domestic activity by two young people and carers	Comparable residential effects
Waste	Domestic refuse and recycling	Domestic refuse and recycling	No commercial or clinical waste stream
Appearance	A dwellinghouse	No signage or use-related external alteration	Residential appearance retained

2.19 Staff attendance is the principal operational difference from an ordinary family home. At the stated scale, staff would act in a parental and supervisory capacity and would use the same domestic rooms as the young people. The limited staffing presence and short handovers would not give the property the character of a larger care institution, hostel, clinic or premises open to the public.

2.20 The presence of only two young people, the absence of public access and specialist treatment functions, the use of the loft room only as an ancillary office, and the continued use of the building as one home mean that the nature, intensity and neighbourhood effects of the use would remain residential in character.

2.21 On that basis, the proposed operation is considered not to result in a material change in the use of the property. It is therefore considered that the proposed use would not constitute development under section 55 of the Town and Country Planning Act 1990 and would be lawful without planning permission, subject to the precise operational limits described in this statement.

Ofsted Registration

2.22 The provider would obtain and maintain the separate registration and approvals required to operate a children's home. A planning certificate determines planning lawfulness only and does not replace Ofsted registration, safeguarding duties, building regulations, fire safety requirements or any other statutory approval.

2.23 Operational documents required by the regulatory process, including the Statement of Purpose, Children's Guide, staffing arrangements and safeguarding policies, would reflect the two-young-person limit and the domestic model described in this statement.

3.0 Summary and Conclusion

3.1 The application seeks a Certificate of Lawfulness of Proposed Use for a small residential children's home at 9 Manor Avenue, Manchester M16 8DX for no more than two young people, described as Use Class C2.

3.2 The amended floor plans will identify three bedrooms and a bathroom within the main residential accommodation, together with a loft room. Two bedrooms would be used by the two young people, one bedroom would be used for staff sleep-in purposes, and the loft room would be used as an office ancillary to the home.

3.3 The property would continue to function as one home. The young people would share the domestic facilities and garden and would carry out ordinary residential activities. Staff would provide care and supervision within that domestic setting.

3.4 No physical development forms part of the application. No building works, extensions, structural alterations, external alterations or subdivision of the dwelling are proposed or sought for approval through the Certificate of Lawfulness application.

3.5 The external appearance, household activities, refuse arrangements, outdoor use, visitor pattern and vehicle movements would remain residential in character. The limited staff presence would support the young people's home life and would not create an institutional or public-facing use.

3.6 For the reasons set out above, the proposed use is considered not to amount to a material change of use and therefore not to constitute development under section 55 of the Town and Country Planning Act 1990. A certificate is sought under section 192 for the precise use and operational limits described in this statement.

References

- Town and Country Planning Act 1990, sections 55 and 192
- Town and Country Planning (Use Classes) Order 1987, as amended
- Planning Practice Guidance - Lawful development certificates
- Planning Practice Guidance - When is permission required?
- Amended floor plans for 9 Manor Avenue, Manchester M16 8DX (to accompany the application)