PLANNING APPLICATION SUPPORTING DOCUMENT

MATERIALITY POSITION STATEMENT

90 Turks Road, Radcliffe, M26 4QB

Proposed increase from a one-child to a maximum two-child family-style C2 home



SECTION 192 / TWO-CHILD PROPOSED-USE LDC

Prepared for the property owner • November 2026

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APPLICATION BASIS

Fresh section 192 proposed-use application for a maximum of two children. The earlier proposed-use certificate (Bury ref. 73423) relates to one child and is not itself authority for two-child occupation. The incoming operator is not yet appointed.

Executive Summary

This statement accompanies a separate section 192 application relating to the proposed occupation of 90 Turks Road as a small Class C2 children's home for a maximum of two children, with planned placements, no emergency admissions, no external alterations and staffing no greater than three care/management staff concurrently on site. The normal arrangement is two care staff. The property remains one domestic planning unit with up to two existing off-street vehicle spaces.

Bury application 73423 relates to an earlier one-child proposed-use certificate. It is relied upon as planning-history evidence, not as an existing permission to accommodate two children. The Council is asked to determine whether the precise two-child model would be lawful at the new application date. If the one-child use has commenced, the change in activity from that use is central; if it has not commenced, the C3 baseline and the proposed C2 use must be considered directly.

1.0 Purpose and exact proposal

1.1 Purpose

The purpose of this statement is to assess, as a matter of fact and degree, whether a second resident child would materially alter the use of the existing semi-detached dwelling. It separates the use-class question from the question of a material change of use under section 55 of the Town and Country Planning Act 1990. It does not invite the Council to undertake a planning-policy balance.

1.2 Proposed use defined

Element	Firm planning parameter
Residential occupancy	Maximum two children/young people, age range 7–18 as in the earlier application
Admissions	Planned admissions and placement matching only; no emergency or crisis placements
Normal staffing	Two non-resident rota care staff
Absolute staffing ceiling	Three care/management staff on the premises at any one time, inclusive of management visits and handover overlap
Overnight	Up to two care staff as required, within the three-person ceiling and subject to safe facilities
Physical proposal	No external alterations, signage, independent units, access works or additional hardstanding
Parking	Existing off-street provision for up to two cars
Management	Incoming externally appointed operator; full site-specific Management Plan before any two-child operation

2.0 Previous LDC and lawful baseline

2.1 Earlier certificate

The property was the subject of the one-child section 192 application, identified on Bury Council planning records as application 73423 and previously submitted through the Planning Portal as PP-15061675. That proposal was supported by statements identifying one child, planned placements, non-resident care staff and a maximum of three staff on site including management. The present application expressly seeks a new certificate and does not purport to vary the former certificate by condition.

2.2 Implemented versus unimplemented use

A certificate for proposed use does not demonstrate that the certified use has commenced. If the earlier certificate has been implemented lawfully, the relevant practical increase is one additional child within the same domestic unit, with no rise in the three-staff maximum. If the earlier use is still unimplemented, the Council should assess the full two-child C2 proposal against the property's existing lawful C3 use and the evidence submitted. The two-child outcome must not be presumed on the strength of the earlier certificate alone.

3.0 Materiality assessment: scale, activity and planning character

3.1 Character of occupation

The property would continue to provide the children's principal home. Meals, sleeping, recreation, education-related routines, family contact where appropriate, personal care, ordinary shopping and social activities would remain domestic. Two resident children would share communal kitchen, dining and living spaces; no clinic, school, commercial reception, independently let accommodation or public-facing service is proposed.

3.2 The incremental change

Planning characteristic	Earlier one-child envelope	Proposed two-child envelope
Resident children	One	Up to two; each with own room
Normal care staffing	Two care staff	Two care staff
Maximum care/management staff	Three including manager/handover	Three including manager/handover; unchanged
Admissions	Planned; no emergencies	Planned; no emergencies; matching both children
Vehicle parking	Two spaces on site	Two spaces on site; unchanged
External / layout change	No external alterations	No external alterations or subdivision
Daily routines	Domestic family-style	Domestic family-style; two children with individual needs
Professional visits	Planned / as required	Planned / as required; scheduling to avoid stacking

A second child could increase the number of some journeys, appointments, deliveries, and ordinary household interactions. The application does not claim those effects are literally zero. Rather, it explains why, within the stated controls, they remain capable of falling within the wide spectrum of lawful residential activity at a three-bedroom dwelling.

3.3 Intensity and household analogy

The property is a three-bedroom semi-detached dwelling of approximately 91 square metres. The potential presence of up to two children and normally two staff can be comparable in overall scale to family households; however, the materiality assessment must not simply equate counts of people. It must consider staff shift changes, professional attendance, vehicle use and operational characteristics together. These are controlled in the submitted Management and Parking Plans.

4.0 Accommodation and staffing envelope

4.1 Room allocation

Room	Proposed function	Important qualification
Bedroom 1 (about 12 m^2 on drawings)	Child 1 private bedroom	Existing drawing illustrates an ensuite; proposed drawing presentation should be reconciled by the architect

Room	Proposed function	Important qualification
Bedroom 3 (about 7 m² on drawings)	Child 2 private bedroom	Incoming operator to assess suitability, privacy, furniture, accessibility and regulatory compliance before opening
Bedroom 2 / former "Staff Room" (about 5 m²)	Ancillary staff quarters / office and storage	No third child bedroom; suitability of any sleep-in use must be separately verified

The historic drawing set uses different wording for the small room (Bedroom 2 / "Staff Room") and represents the sanitary layout differently between existing and proposed sheets. This application concerns use of the existing home with no external alteration; the architectural drawing issued for this new application must be checked for consistency before it is relied upon as a definitive depiction of the internal layout.

4.2 Staff presence

Two care staff are anticipated for ordinary shifts. A Registered Manager, senior staff member or an overlapping incoming/outgoing staff member may attend within an absolute on-site maximum of three staff/carers. The maximum includes management, handovers and staff meetings; it cannot be treated as three care staff plus a manager. Handovers are staggered so four staff are not on the property concurrently. External professionals such as social workers are visitors, not employees within the care staffing cap; their appointments are nevertheless controlled for parking and amenity.

4.3 Safeguarding before opening

The incoming operator must prepare an Ofsted-compliant full Management Plan, undertake individual and joint placement matching, verify bedroom suitability and staff overnight accommodation and complete required fire, safety, staffing and registration checks before a two-child operation begins. The LDC would resolve planning lawfulness only and is not a substitute for any operational registration or safety approval.

5.0 Traffic, parking, visitors and amenity

5.1 Vehicle movements

The property retains up to two off-street spaces. Although the maximum of three staff on site exceeds the number of parking spaces, the documents require active management of arrival modes, visits and handovers. A three-person overlap is not to be interpreted as three cars needing to park in the frontage simultaneously. Routine staff travel will be planned to fit the available supply; lawful on-street parking is not guaranteed or relied upon as an additional private bay.

5.2 Visitors and neighbour management

Social workers, healthcare and education professionals, placing-authority representatives, authorised family members, regulators and contractors may visit as needed. Appointments will be arranged around staff shifts and parking availability wherever practicable. Staff handovers occur indoors; outdoor gatherings, unnecessary idling and obstructive parking are prohibited. A Good Neighbour Policy will provide named operator contact details following appointment and a complaints escalation route.

5.3 Domestic scale and no emergencies

The proposed operation excludes emergency or short-notice crisis admissions, signage, external institutional infrastructure, group events, independent sub-units, commercial visitor traffic or unusual

servicing. Together these limits support the proposition that the residential character remains essentially that of a single home.

6.0 Bury LDC decision comparisons

The applicant's earlier material included Bury Council decisions addressing Class C2 children's homes within conventional residential dwellings. These decisions are helpful comparators, not binding precedents or substitutes for a site-specific judgment. In particular:

Decision	Previously certified description in supplied material	Relevance
7 Brocklehurst Avenue — 72901	Up to two children with rotational carers and managerial attendance	Direct comparator for two-child scale
109 Windsor Road — 72930	Two young people with care staff working on a rota	Direct comparator for two-child use
109 Windsor Road — 73056	One young person and up to three rota carers	Illustrates Bury's assessment of staff presence
149 Wood Street — 73157	One child with non-resident care staff on a 24-hour rota	Supports the low-scale C2 materiality distinction

The applicant submits that the same fact-and-degree approach is appropriate. Bury is asked to assess the precise two-child proposal, rather than to conclude that C2 classification automatically requires permission or that earlier certificates automatically resolve every later proposal.

7.0 Planning law and context

7.1 Section 55 and section 192

Section 55 of the Town and Country Planning Act 1990 captures a material change in use as development. Under section 192, an applicant may seek confirmation that a precisely described future use would be lawful. Government Planning Practice Guidance states that lawfulness, not general planning merits, determines an LDC; the applicant should provide sufficient exact evidence on the balance of probability. A Class C2 label is not of itself proof that a material change of use occurs.

7.2 National and local context

The Written Ministerial Statement of 23 May 2023 specifically recognises that not every children's-home change from Class C3 to Class C2 requires planning permission where there is no material change of use. The August 2026 NPPF and Bury Council policy materials provide broader background about suitable housing and care provision, but do not replace the statutory LDC test. Bury SPD11 (adopted June 2025) informs the context for responsible management of the two existing parking spaces.

8.0 Conclusion and statement of lawfulness

The two-child proposal would retain one domestic planning unit, no external alteration, planned placements, an unchanged three-person care/management staffing ceiling, and ordinary household-style activity. The new second child may create some additional residential journeys and contacts, but these can be accommodated through the agreed operational controls without changing the fundamental planning character of the dwelling.

On the balance of probability, the applicant considers that the precise proposed use would not amount to a material change of use requiring planning permission and requests a certificate under section 192. The application makes no assertion that the earlier one-child certificate, by itself, authorises the second child.

REFERENCES AND SOURCE DOCUMENTS

MHCLG, Planning Practice Guidance: Lawful Development Certificates
https://www.gov.uk/guidance/lawful-development-certificates

UK Parliament, Planning for accommodation for looked after children (23 May 2023)
https://questions-statements.parliament.uk/written-statements/detail/2023-05-23/hlws780

MHCLG, National Planning Policy Framework (published 17 August 2026, updated 29 September 2026)
https://www.gov.uk/guidance/national-planning-policy-framework

Bury Council, SPD11 Parking Standards in Bury (adopted 11 June 2025)
https://www.bury.gov.uk/planning-building-control/planning-policy/supplementary-planning-advice/supplementary-planning-document-11-parking-standards-in-bur

Ofsted, Children's homes registration policy (updated 10 July 2026)
https://www.gov.uk/government/publications/register-a-childrens-home/childrens-homes-registration-policy

Application-specific evidence: previous 90 Turks Road one-child submission and its submitted supporting statements; Bury application 73423; supplied Bury LDC precedent decisions for 7 Brocklehurst Avenue (72901), 109 Windsor Road (72930 and 73056) and 149 Wood Street (73157). Original decision notices should be appended where relied upon.