



For assistance with completing this form contact:

The Planning Service
3 Knowsley Place, Duke Street, Bury BL9 0EJ

Phone: 0161 253 5432 **Email:** development.control@bury.gov.uk

Application for a Lawful Development Certificate for a Proposed Use or Development

Town and Country Planning Act 1990 (as amended)

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number

Suffix

Property Name

Address Line 1

Address Line 2

Address Line 3

Town/city

Postcode

Description of site location must be completed if postcode is not known:

Easting (x)	Northing (y)
380557	408379

Description

Applicant Details

Name/Company

Title

Mr

First name

Kalb-E-Abbas

Surname

Hussain

Company Name

Nest Care North West LTD

Address

Address line 1

Europa House

Address line 2

Barcroft St

Address line 3

Town/City

Bury

County

Country

Postcode

BL9 5BT

Are you an agent acting on behalf of the applicant?

☐ Yes

☒ No

Applicant Contact Details

Primary number

***** REDACTED *****

Secondary number

Fax number

Email address

Description of Proposal

Does the proposal consist of, or include, the carrying out of building or other operations?

☐ Yes

☒ No

Does the proposal consist of, or include, a change of use of the land or building(s)?

☐ Yes

☒ No

Has the proposal been started?

☐ Yes

☒ No

Grounds for Application

Information about the existing use(s)

Please explain why you consider the existing or last use of the land is lawful, or why you consider that any existing buildings, which it is proposed to alter or extend are lawful

Dear Planning Team,

Thank you for issuing the Lawful Development Certificate for Application 72228, 546 Manchester Road, Bury, BL9 9PA.

Having reviewed the certificate, we would be grateful for clarification and, if appropriate, an amendment/reissued certificate regarding the description of staffing at the children's home.

The certificate currently states:

"children's residential care home for up to three children with up to three staff working on a rota basis (Class C2)."

The maximum number of children remains three, and there is no intention to increase the registered capacity. However, we would like the staffing description to reflect the practical operation of a regulated children's residential home.

Typically, approximately four staff may be on site during the day, although staffing levels cannot always be expressed as a fixed maximum. Staffing must respond to the assessed needs, safeguarding requirements and individual risk assessments of the children. At times, a child may require additional 1:1 or 2:1 support, and there may be short periods of increased staffing during shift handovers.

Occasionally, additional staff may attend for legitimate operational purposes such as team meetings, briefings, supervision or training. These would not represent the normal day-to-day staffing level.

The home will also receive professional and other visitors associated with the care and safeguarding of the children, including social workers, IROs, advocates, education and health professionals, safeguarding/local authority representatives, Ofsted inspectors, approved family members and occasional contractors. Such visits are incidental to the residential use and would not alter the character of the property, which will remain a small children's home for a maximum of three children and will not operate as an office, training centre or public facility.

We are keen to ensure that the certificate does not inadvertently impose an absolute staffing restriction that could conflict with our safeguarding responsibilities or the assessed needs of an individual child.

We would therefore be grateful if the Council could advise whether the certificate can be amended/reissued accordingly, or whether any further information is required.

A possible wording for consideration is:

"Children's residential care home for up to three children (Class C2), with staffing levels varying according to the assessed needs and safeguarding requirements of the children, including occasional additional staff attendance for handovers, meetings, supervision and training, together with visits from professionals associated with their care, education, health, safeguarding and regulation."

We would be grateful for your advice on the most appropriate wording.

Kind regards,
Mr K Hussain
Nest Care

Please list the supporting documentary evidence (such as a planning permission) which accompanies this application

Previous Certificate of Lawful Development 72228
Statement of purpose
Floor plans
Location plan

Select the use class that relates to the existing or last use.

C2 - Residential institutions

Information about the proposed use(s)

Select the use class that relates to the proposed use.

C2 - Residential institutions

Is the proposed operation or use

- ☒ Permanent
☐ Temporary

Why do you consider that a Lawful Development Certificate should be granted for this proposal?

As mention above, The Lawful Development Certificate should be granted because the proposal is for the continued use of the property as a small children's residential care home for a maximum of three children, falling within Use Class C2.

The number of children will remain limited to three, with no intention to increase the registered capacity. The staffing arrangements are necessary to operate a regulated children's home safely and responsibly and should therefore reflect the assessed needs and safeguarding requirements of the children rather than being subject to an absolute fixed staffing limit.

Staffing levels may vary according to individual care plans and risk assessments, including occasions when 1:1 or 2:1 support is required. There may also be short periods of additional staff attendance for shift handovers, meetings, supervision and training.

The property may also receive professional visitors associated with the care and safeguarding of the children, including social workers, education and health professionals, advocates, local authority and safeguarding representatives, Ofsted inspectors, approved family members and occasional contractors. Such visits are incidental to the residential care use and do not alter the character or planning use of the property.

The premises will remain a small residential children's home for a maximum of three children and will not operate as an office, training centre or facility open to the general public.

Accordingly, the proposal remains a residential care use within Class C2. The staffing arrangements are an operational and safeguarding matter arising from that use and should not be interpreted as creating a separate planning use or an inappropriate absolute restriction on staffing levels.

We therefore consider that the Lawful Development Certificate should accurately reflect the lawful C2 residential use for up to three children, with staffing levels capable of varying in accordance with the assessed needs and safeguarding requirements of those children.

Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

- ☒ Yes
☐ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- ☐ The agent
☒ The applicant
☐ Other person

Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

- ☐ Yes
☒ No

Authority Employee/Member

With respect to the Authority, is the applicant and/or agent one of the following:

- (a) a member of staff
- (b) an elected member
- (c) related to a member of staff
- (d) related to an elected member

It is an important principle of decision-making that the process is open and transparent.

For the purposes of this question, "related to" means related, by birth or otherwise, closely enough that a fair-minded and informed observer, having considered the facts, would conclude that there was bias on the part of the decision-maker in the Local Planning Authority.

Do any of the above statements apply?

- ☐ Yes
- ☒ No

Interest in the Land

Please state the applicant's interest in the land

- ☒ Owner
- ☐ Lessee
- ☐ Occupier
- ☐ Other

Declaration

I/We hereby apply for Lawful development: Proposed use as described in the questions answered, details provided, and the accompanying plans/drawings and additional information.

I/We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

I/We also accept that, in accordance with the Planning Portal's terms and conditions:

- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

☒ I / We agree to the outlined declaration

Signed

Abbas Hussain

Date

28/09/2026