

**Re: Application for a Lawful Development Certificate for Proposed Use
Occupation of dwelling house for a single adult resident where care is
provided for them at 17 St Peters Road, Bury, BL9 9RA**

Supporting Planning Statement

The purpose of this letter is to support an application under Section 192 of the Town and Country Planning Act 1990 (as amended) submitted by Places for People, for a Lawful Development Certificate relating to the proposed use and occupation of the dwelling house, 17 St Peters Road, Bury, for Two adult residents where care is provided for them.

In this regard, this application is submitted having regard to Class C3, dwellinghouses, of The Town and Country Planning (Use Classes) Order 1987 (as amended). In particular, the application is submitted with reference to clause b of Class C3, which advises that the Use Class includes the use of a dwelling house by “not more than six residents living together as a single household where care is provided for residents”.

For the avoidance of doubt, this application for a Certificate of Lawfulness is made on the basis that there has not been a material change of use of the dwelling house.

Background

The property has been bought by Places for People, and it is undergoing some internal and external renovation. By way of background, Places for People is a national housing provider for both general needs customers, customers with special requirements and they provide suitable properties to third parties who provide high quality of care to young adults, with learning disabilities and difficulties, complex behavioural needs and mental health concerns, who require bespoke 24-hour support and care.

In this instance the property will be managed by Amore Complex Care, a care provider who provide care and support for people with complex needs, autism and learning disabilities.

Amore Complex Care believe in creating a stable and private homely environment which empowers their residents to make their own choices. They aim to create a safe home where, with the right level of support, their residents work towards independence and contribute to society with confidence and dignity. This, in part, is achieved through providing the very best person-centred care which, for each individual, is tailored to meet their own unique needs.

The Property

17 St Peters Road is a detached, 3-bedroom, 1960's – 1970's bungalow. The accommodation comprises the following:

Ground Floor: entrance hall, kitchen, living room, dining room, 3 bedrooms, en suite bathroom and a family bathroom.

Exterior: small garden and drive to the front, small garden to the rear with a patio area.

The dwelling is situated within a cul de sac containing a mixture of property types and lies a short distance (c. 10-15 minute walk) from the town centre with easy access to the commercial heart of Manchester.

Metrolink & Bus: The property is in reasonable proximity to the Bury Interchange, which provides:

Metrolink Trams: Direct services to Manchester city centre and surrounding areas.

Bus Services: Local routes servicing the Bury and Red vales area.

Road Access: The location is well-connected for driving, with easy access to local roads leading to the A56 and M66 motorway.

Railway Stations: While Bury does not have a heavy rail station, nearby stations include Clifton, Kearsley, Farnworth, and Moses Gate.

There is off street parking at the property for two cars and ample on-street parking along St Peters Road and the surrounding streets which is not exclusively permit parking.

A search of the Council's planning portal has indicated that there is no relevant planning history for the property.

The Use of the Dwelling house

Currently the property is unoccupied whilst it is undergoing some repairs and upgrades. If this application is successful, it will be occupied by Amore Complex Care to provide a home for two of their customers.

The property will provide a home for two adults, who require 24 hour assisted living care and have mobility issues, communications issues and learning issues.

The property would be the long-term home for the individuals.

Round the clock care is provided for the residents with staff assisting with their needs, including cooking and cleaning. There will usually be at least 1 member of staff present supervising the property during the day and night with a maximum of 2 staff being present at any one time (generally first thing in the morning and late afternoon/early evening).

Staff changeovers will happen infrequently and during sociable hours. Given the small staff team, any resulting movement and activity will be little different from the day-to-day use of any other house in St Peters Road.

The shift patterns for care staff will be:

1:1 support between 06:00- 09:00

2:1 support between 09:00-22:00

1:1 support between 22:00-09:00

Staff changeover will be at 09:00 each day.

1 waking night member of staff.

Assessment

Section 55(1) of the Town and Country Planning Act 1990 defines the meaning of 'development'. Included within this definition is "the making of any material change in the use of any buildings or other land." Section 55(2) sets out what operations or uses of land which shall not be taken to involve the development of the land. These include:

"(f) In the case of buildings or other land which are used for a purpose of any class specified in an order made by the Secretary of State under this section, the use of the buildings or other land or, subject to the provisions of the order, of any part of the buildings or the other land, for any other purpose of the same use class."

The definition of Class C3, Dwelling houses, in the Town and Country Planning (Use Classes) Order 1987 (as amended) reads:

"Use as a dwelling house (whether or not as a sole or main residence) by —

(a) a single person or by people to be regarded as forming a single household;

(b) not more than six residents living together as a single household where care is provided for residents; or.

(c) not more than six residents living together as a single household where no care is provided to residents (other than a use within Class C4)."

In relation to the above, the proposed use of 17 St Peters Road does not involve more than six residents living together as a single household. It does, however, involve the provision of care.

Consideration therefore turns to whether the proposal comes under Class C3 (b) or a change of use has occurred, in particular to Class C2 (residential institution) which is:

"Use for the provision of residential accommodation and care to people in need of care (other than a use within class C3 (dwelling houses).

Use as a hospital or nursing home.

Use as a residential school, college, or training centre."

The proposed use of 17 St Peters Road is quite clearly not that of a hospital or nursing home, nor is it a residential school, college, or training centre.

It is considered that the use of the property clearly falls within the Use Class C3 (b). There will be two residents accommodated within the dwelling house. It will be a single household, albeit that they will be provided with on-site care. The nature of the use (including the duration of the stay), and the number of people on site (and resultant activity and vehicle movements) would not be materially different from the lawful use of the site as a dwelling house. Indeed, the use will operate in a similar way to a normal family home, functioning as a single household, with carers undertaking typical tasks such as cooking and cleaning associated with a typical dwelling house.

Conclusion

Based on the evidence presented in the application submission and the previous points, the occupation of it by two residents where care is provided for them, does not amount to a material change of use from the existing Class C3 use.

Accordingly, we would be very grateful to receive from the Local Planning Authority the Lawful Development Certificate that is sought. Notwithstanding, if the Authority have any queries or concerns or require any clarification, then please do not hesitate to get in touch.