

Dated 2nd October 2026

SUPPORTING STATEMENT

**in relation to the property on 14 March Drive, Bury,
BL8 1XQ**

1. **Background**

- 1.1. This supporting statement relates to the property located at 14 March Drive, Bury, BL8 1XQ ("**the Property**").
- 1.2. The Property is a detached house with 5 bedrooms, a lounge, a dining room, a morning room, a kitchen and a conservatory, a family bathroom, an en-suite and a ground-floor WC, an integral garage, a private rear garden and a double driveway providing off-street parking for 2 cars. It is currently used as a family residential home falling within Use Class C3(a) of the Town and Country Planning (Use Classes) Order 1987 (as amended) ("**the UCO**").
- 1.3. It is proposed to use the Property as a children's home (as defined in the Care Standards Act 2000) providing full-time care for up to 3 young people aged between 8 and 18, who move on to appropriate leaving-care or adult arrangements by the age of 18. The young people are looked-after children, some of whom may previously have been in foster care. The young people will not have any disabilities or medical conditions preventing them from living as a single household or undertaking self-care.
- 1.4. No internal or external alterations are proposed to the Property. It will remain a 5 bedroom family house.

2. **Our Proposed Use**

- 2.1. The Property will accommodate up to 3 young people on a permanent basis. It will be their sole place of residence, with the average length of stay being approximately two years. Many young people stay beyond two years.
- 2.2. Up to two support workers will work at the Property on a rota basis, sleeping overnight in dedicated bedrooms within the Property. Staff typically work 2 to 3 consecutive days before changeover, with handover taking place mid-morning, and the Property will not be their main residence. One manager will attend the Property during business hours, Monday to Friday only.
- 2.3. Residents and support workers will live together communally, sharing mealtimes and all facilities including the living room, kitchen and bathroom areas. Support workers will not benefit from any additional or separate facilities beyond their sleeping quarters.
- 2.4. The front and back doors will only be locked during the night-time. The residents are not secured into the Property and are free to come and go as any young person living at home would. The home is not a secure children's home and will not accommodate young people who are subject to deprivation of liberty orders. It will run as an ordinary household.
- 2.5. Ofsted's regulatory framework requires the home to provide a homely, domestic environment, so the Property will retain the look and feel of a conventional family home.

3. **Use Class**

- 3.1. It is submitted that on the specific facts of this proposal, there is no material change of use. A change from one use class to another does not automatically constitute a material change of use requiring planning permission. As confirmed in R (oao Crawley BC) v FSS & the Evesleigh Group [2004] EWHC 160 (Admin), the question is whether,

on the facts and as a matter of degree, there is a definable change in the character of the use when compared to what has gone on previously.

3.2. The reasons are set out below.

4. **No Material Change of Use**

4.1. Activity and Movement

- 4.1.1. Staff will typically work up to 3 consecutive days before changeover, meaning shift changes will occur approximately three times per week. This will result in similar arrivals and departures when compared to a family household where multiple occupants travel independently to work, school and social activities on a daily basis. Handovers take place mid-morning, after the school run, so they do not coincide with the busiest times of the day.
- 4.1.2. The young people will attend school and engage with the local community in the same way as children in any family home. Their comings and goings will be indistinguishable from those of children in a normal household.
- 4.1.3. While the pattern of activity will not be identical to a family dwelling - no two households are - the overall level of movement to and from the Property will not be materially different. With a maximum of 3 young people and staff on shifts, the volume of daily arrivals and departures is likely to be very similar to a large family home.

Visitor Activity

- 4.1.4. Each child's statutory social worker visit will typically take place around once a month. With a maximum of 3 young people, this amounts to around 3 visits per month from the social care team under normal circumstances.
- 4.1.5. Other professionals, such as a looked-after children nurse, may visit occasionally, but such visits are infrequent and ad hoc. The young people do not have complex medical needs requiring clinical visits at the Property: they attend mainstream schools and are registered with, and attend, a local GP and dentist in the same way as any other child. Family contact normally takes place away from the Property, usually at the young person's family home, so visits by family members are rare.
- 4.1.6. This level of visitor activity is comparable to that of a normal family home, which routinely receives visits from friends, family, tradespeople, delivery drivers and other callers.

Noise and Disturbance

- 4.1.7. The Property will accommodate a maximum of 3 young people. The domestic routine - mealtimes, television, homework, socialising - will be the same as in any family home.
- 4.1.8. There will be no commercial signage, no dedicated parking for staff vehicles beyond the existing provision, and no external indicators of any change in use. The Property will appear and function as a conventional residential dwelling. Deliveries will be infrequent and domestic in nature, with food and

household supplies bought through ordinary grocery shopping, and household waste will be managed using the standard domestic bins and council collection service.

- 4.1.9. Any differences from a single-family household arising from staff working on a rota and occasional professional visits are modest and do not amount to a material change in the character of the use. The overall impact on the surrounding residential environment - in terms of noise, traffic, parking and general disturbance - will remain within the range that would reasonably be expected from a residential dwelling of this size.

Parking and Traffic

- 4.1.10. Staff changeovers will generate minimal additional vehicle movements. Up to two support workers will be present at the Property, together with one manager during business hours, Monday to Friday. Staff travel to work by a combination of their own vehicles and public transport. The driveway provides off-street parking for 2 cars, in addition to the integral garage.
- 4.1.11. This level of vehicle activity is no greater than would be expected from a household with two or more working adults and older children who drive. The impact on the local highway network and on-street parking will not be materially different from the existing residential use.

Physical Character

- 4.1.12. No internal or external alterations are proposed to the Property. From the outside, there would be nothing to visually differentiate the Property from its current use as a family dwelling.
- 4.1.13. Internally, the Property will continue to operate as a domestic home, with all living spaces shared.

5. Supporting Cases

- 5.1. **Manchester City Council** has certified a children's home (Class C2) at 21 Tannery Way, Manchester, M18 8LH as lawful, finding the use to be a Class C2 use by people living together as a single household and receiving care (application 135127/LP/2022, 30 November 2022). See **Appendix 1**.
- 5.2. **Bury Council, having been provided comparable details, has certified this same form of use as lawful on 3 separate occasions, each time finding that it would not represent a material change of use from the existing C3 dwellinghouse use:**
 - 5.2.1. 33 Parliament Street, Bury, BL9 0TE – 3 residents (application 64557, 24 October 2019). See Appendix 2.
 - 5.2.2. 28 St Peters Road, Bury, BL9 9RB – 3 residents (application 66907, 18 June 2021). See Appendix 3.
 - 5.2.3. 32 Withins Lane, Radcliffe, M26 2RU – 3 residents (application 71113, 10 October 2024). See Appendix 4.
- 5.3. **The proposal at 14 March Drive is the same as the proposal certified at 32 Withins Lane: a maximum of three children, with up to two carers working and**

sleeping overnight on a rota basis and one manager working business hours (Monday to Friday). The applicant would be content for the certificate to describe the use in the same terms.

- 5.4. **Trafford Council, having been provided comparable details, certified a children's home (Class C2) for up to 5 young people at 6 Harboro Grove, Sale, as lawful because it would not represent a material change of use from the existing C3 dwellinghouse use (application 96180/CPL/18). See Appendix 5.**

6. **Conclusion**

- 6.1. In light of the above submitted evidence, the balance of probability is in favour of the issuance of a Lawful Development Certificate.
- 6.2. It is therefore respectfully requested that a Lawful Development Certificate be granted.

Appendix 1



Town and Country Planning Act 1990 (as amended) (Section 192)
Town and Country Planning (Development Management Procedure) (England)
Order 2015 (as amended)

Grant of Certificate of Lawful Use or Development

Applicant

Khan
21 Tannery Way
Manchester
M18 8LH

Agent

Mr Khan
PureCare
Unit 1E Beehive Mill
Manchester
M4 6JG

Date of Application

5 October 2022

Application No.

135127/LP/2022

First Schedule

Change of use of dwellinghouse (Class C3) to children's care home (Class C2)

Second Schedule

21 Tannery Way
Manchester
M18 8LH

Manchester City Council hereby certify that on 5 October 2022 the use/operations described in the First Schedule in respect of the land specified in the Second Schedule and more particularly identified on the plan attached to this certificate edged in red, was lawful within the meaning of section 192 of the Town and Country Planning Act 1990 (as amended), for the following reason(s):

1) Grant on the basis that the proposed occupation of 21 Tannery Way, Manchester, M18 8LH, , as detailed on the submitted application form, documents and drawings constitutes a Class C2 use for occupation by up to six people living together as a single household and receiving care as defined by Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Date: 30 November 2022

Signed:

A handwritten signature in black ink, appearing to read "Julie Roscoe".

Julie Roscoe
Director of Planning, Building Control & Licensing

Manchester City Council, P O Box 532, Town Hall, Manchester M60 2LA

Notes to applicant

1. This certificate is issued solely for the purposes of section 192 of the Town and Country Planning Act 1990 (as amended).
2. This certificate is issued solely to the extent of the use/operations described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use/operations which is materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.
3. The effect of the Certificate is also qualified by the proviso in Section 192(4) of the 1990 Act, as amended, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.

Appendix 2

ApplicationNo:64557

CERTIFICATE OF LAWFUL USE OR DEVELOPMENT (PROPOSED)

Town and Country Planning Act 1990: Section 192
(as amended by Section 10 of the Planning and Compensation Act 1991)
Town and Country Planning (Development Management Procedure) Order
2010: Article 35

To:
Ms Shazia Karim
2 The Chase
Bolton
BL1 5HL

On Behalf Of:
Mr Ghazan Mahmood
2 The Chase
Bolton
BL1 5HL

Application Number: 64557

Date of Registration: 27/08/2019

First Schedule

Second Schedule

Lawful development certificate for proposed residential childrens home (C2)

33 Parliament Street, Bury, BL9 0TE

Bury Metropolitan Borough Council hereby certifies that on 27/08/2019 the matter described in the First Schedule in respect of the land specified in the Second Schedule and edged red on the plan attached to this certificate is **Lawful Development** within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended), for the following reason(s):

- 1 The proposal, described in the First Schedule, is not deemed to constitute development within the meaning of Section 55 of the Town & Country Planning Act 1990 (as amended) as the proposed change of use of 33 Parliament Street, Bury BL9 0TE, to a children's residential home (Class C2) for up to 3 persons between the ages of 11-18 years with a maximum of 2 additional staff members staying overnight on a rota basis and operating in full accordance with the details set out within the applicant's Supporting Statement (Dated 11th August 2019), would not represent a material change of use from the existing C3 dwellinghouse use, and is therefore Lawful Development.

Applicant Plan Numbers:

17017-11 and Supporting Statement dated 11th August 2019

Notes to Applicant

1. This certificate is issued solely for the purposes of Section 191/192 of the Town and Country Planning Act 1990 (as amended).
2. It certifies that the matter described in the First Schedule and to the land specified in the Second Schedule was lawful, on the specified date and, thus, was not liable to enforcement action under section 172 of the 1990 Act on that date.
3. This certificate applies only to the extent of the matter described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any development or use materially different from that described or which relate to other land may render the owner or occupier liable to enforcement

action.

4. The effect of the certificate is also qualified by the proviso in Section 192(4) of the 1990 Act, as amended, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.

NOTES TO APPLICANT

Not Applicable

Signed:

A handwritten signature in black ink, appearing to be 'R. J. M.', written over a horizontal line.

.....
On behalf of the Council

Date of Decision: 24/10/2019

Appendix 3

ApplicationNo:66907

CERTIFICATE OF LAWFUL USE OR DEVELOPMENT (PROPOSED)

**Town and Country Planning Act 1990: Section 192
(as amended by Section 10 of the Planning and Compensation Act 1991)
Town and Country Planning (Development Management Procedure) Order
2010: Article 35**

To:
Ms Karim
Ms
Jactin House
24v Hood Street
Manchester
M4 6WX

On Behalf Of:
Mr Mahmood
350 Manchester Rd
Bury
BL9 0NR

Application Number: 66907

Date of Registration: 26/04/2021

First Schedule

Second Schedule

Lawful Development Certificate for a proposed change of use to a residential children's home (Class C2) for up to 3 young persons aged 11 to 18 years on a permanent basis with 5 staff on a non-permanent rota basis

28 St Peters Road, Bury, BL9 9RB

Bury Metropolitan Borough Council hereby certifies that on 26/04/2021 the matter described in the First Schedule in respect of the land specified in the Second Schedule and edged red on the plan attached to this certificate is **Lawful Development** within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended), for the following reason(s):

Applicant Plan Numbers:

Supporting Statement dated 25th April 2021

Notes to Applicant

1. This certificate is issued solely for the purposes of Section 191/192 of the Town and Country Planning Act 1990 (as amended).
2. It certifies that the matter described in the First Schedule and to the land specified in the Second Schedule was lawful, on the specified date and, thus, was not liable to enforcement action under section 172 of the 1990 Act on that date.
3. This certificate applies only to the extent of the matter described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any development or use materially different from that described or which relate to other land may render the owner or occupier liable to enforcement action.
4. The effect of the certificate is also qualified by the proviso in Section 192(4) of the 1990 Act, as amended, which states that the lawfulness of a described use or

ApplicationNo:66907

operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.

NOTES TO APPLICANT

Not Applicable

Signed:

A handwritten signature in black ink, appearing to read 'J. H. H.', is written over a dotted line.

.....
On behalf of the Council

Date of Decision: 18/06/2021

Appendix 4

ApplicationNo:71113

CERTIFICATE OF LAWFUL USE OR DEVELOPMENT (PROPOSED)

Town and Country Planning Act 1990: Section 192
(as amended by Section 10 of the Planning and Compensation Act 1991)
Town and Country Planning (Development Management Procedure) Order
2010: Article 35

To:

Ms Shazia Karim
Calm Space Care Ltd
2 The Chase
Bolton
BL1 5HL

Application Number: 71113

Date of Registration: 27/08/2024

First Schedule

Second Schedule

Lawful development certificate for proposed change of use of dwelling (Class C3a) to a residential home (Class C2) for a maximum of three children with up to two carers who would work overnight on a rota basis and one manager working business hours (Mon-Fri)

32 Withins Lane, Radcliffe, Manchester, M26 2RU

Bury Metropolitan Borough Council hereby certifies that on 27/08/2024 the matter described in the First Schedule in respect of the land specified in the Second Schedule and edged red on the plan attached to this certificate is **Lawful Development** within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended), for the following reason(s):

- 1 The proposal, described in the First Schedule, is not deemed to constitute development within the meaning of Section 55 of the Town & Country Planning Act 1990 (as amended) as the proposed change of use of 32 Withins Lane, Radcliffe, Manchester, M26 2RU to a residential home (Class C2) for a maximum of three children with up to two carers who would work overnight on a rota basis and one manager working business hours (Mon-Fri) operating in full accordance with the details set out within the revised supporting statement submitted 27th August 2024, would not represent a material change of use from the existing Class C3 dwellinghouse use, and would therefore be Lawful Development.

Applicant Plan Numbers:

Supporting Statement (Submitted 27/08/2024), Revised Location Plan and Floor Plans (both submitted 08/10/2024)

Notes to Applicant

1. This certificate is issued solely for the purposes of Section 192 of the Town and Country Planning Act 1990 (as amended).
2. It certifies that the matter described in the First Schedule and to the land specified in the Second Schedule was lawful, on the specified date and, thus, was not liable to enforcement action under section 172 of the 1990 Act on that date.

3. This certificate applies only to the extent of the matter described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any development or use materially different from that described or which relate to other land may render the owner or occupier liable to enforcement action.
4. The effect of the certificate is also qualified by the proviso in Section 192(4) of the 1990 Act, as amended, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.

NOTES TO APPLICANT

Not Applicable

Signed:



.....
On behalf of the Council

Date of Decision: 10/10/2024

Appendix 5

96180/CPL/18



**TRAFFORD
COUNCIL**

Head of Planning and Development
Rebecca Coley
Trafford Council
Planning and Development
Trafford Town Hall, Talbot Road
Stretford, M32 0TH
www.trafford.gov.uk

TOWN AND COUNTRY PLANNING ACT 1990: SECTION 192 (as amended by section 10 of the Planning and Compensation Act 1991)

Town and Country Planning (Development Management Procedure) (England) Order 2015: ARTICLE 39

CERTIFICATE OF LAWFUL PROPOSED USE OR DEVELOPMENT

The Trafford Borough Council hereby certify that on 10th December 2018 the use described in the First Schedule to this certificate in respect of the land specified in the Second Schedule to this certificate and edged red on the plan attached to this certificate, **would have been lawful** within the meaning of section 192 of the Town and Country Planning Act 1990 (as amended), for the following reason(s):

The proposed use of 6 Harboro Grove, Sale, M33 5BA, as a children's residential home (Class C2) for up to 5no.persons between the ages of 10-18 years with a maximum of 2no. additional staff members staying overnight on a rota basis and operating in full accordance with the details set out within the applicant's Supporting Statement (Dated 08 February 2019), would not represent a material change of use from the existing C3 dwellinghouse use, and is therefore Lawful Development.

Signed

(Council's Authorised officer)
On behalf of the Council

Date 4th March 2019

5. Town and Country Planning Act 1990

Disabled Persons Act 1981

If this permission relates to the provision of buildings or premises to which the public are to be admitted, with or without payment, or in which the public are employed: e.g. office, shop, factory, railway premises etc. or of an educational nature: e.g. university, hall of university, college, school, teacher training college etc. the applicants attention is drawn to the provisions and requirements of the above Acts.

A full list of buildings and premises involved will be found in Section 76 of the Act of 1990 and 83 of the Act of 1981.

It is the responsibility of the applicant to comply with the requirements of the Acts.

(a) The statutory requirements are those set out in section 79(6) of the Town and Country Planning Act 1990 namely Sections 70 and 72(1) of the Act.