

DELEGATED REPORT

Report by Helen Pressley	Date of report: 22/04/2026	Ref: 72956/LDCP
Registration: 31/03/2026	LDfC:	Expiry Date: 26/05/2026
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections:	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: NREQ

Proposal: Lawful development certificate for proposed change of use from dwellinghouse Class C3(a) to home for 2 adults Class C3(b)

Location: 17 St Peters Road, Bury, BL9 9RA

Description

Lawful development certificate for proposed change of use from dwellinghouse Class C3(a) to home for 2 adults Class C3(b).

The existing property is single storey bungalow, at the end of a cul-de-sac with parking located to the front.

Relevant Planning History

55708 - Demolition of existing bungalow and erection of replacement detached dwelling - Refused 22/02/2013

56176 - Single storey side extension and erection of detached garage. - Approve with Conditions 13/05/2013

65718 - Erection of detached outbuilding at front - Approve with Conditions 02/09/2020

73080 - Adaptation for use as supported living for two residents with complex needs. New wheelchair access ramps front and rear and a swap of patio doors for a window in the en suite bathroom - Pending

Publicity

N/A

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions - N/A

Development Plan and Policies

Issues and Analysis

Section 192 of the Town and Country Planning Act 1990 (as amended) allows an applicant to apply for a determination in law by the Local Planning Authority, that the matter applied for is not development requiring planning permission. In all such cases, the onus of proof is on the applicant and the factual information submitted in support of the application by the applicant forms the basis of the decision, in law, taken by the Local Planning Authority.

The existing premises is a single storey bungalow, with 2no. parking spaces located to the

front. The supporting statement confirms that the property comprises 3no. bedrooms, a kitchen, living room, dining room and family bathroom. The property will provide a home for 2no. adults, who require 24 hour assisted living care and have mobility issues, communications issues and learning issues.

For a C3(b) use, the residents must be living together "as a single household". This will depend on the facts.

In this case, the care staff would not be permanently resident but would be working on shift patterns and so they do not form part of the household. If care staff are not resident, consideration must be given to whether those who are resident and in receipt of care, themselves constitute a single household. Children are not capable of forming a household on their own but, in this case however the proposed residents would be adults. In determining whether the residents will live together as a single household, the Local Planning Authority (LPA) have looked at the facts set out in the supporting planning statement.

The supporting statement confirms that there would usually be at least 1no. member of staff present supervising the property during the day and night with a maximum of 2no. staff being present at any one time (generally first thing in the morning and late afternoon/early evening).

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 with 1 waking night member of staff.

The premises would retain the external appearance of a dwelling. The supporting statement confirms that the aim of the accommodation is to create a safe home where, with the right level of support residents work towards independence and contribute to society. This, in part, is achieved through providing care which, for each individual, is tailored to meet their needs. It is expected that the property would be the long-term home for the individuals rather than temporary accommodation with staff on site assisting with needs including cooking and cleaning. Staff would be retained at a maximum of 2 staff members, with only 1 member of staff being required for the majority of the day suggesting a level of independence from the occupiers to enable them to form a household.

Based upon the information provided, the proposed residents would form a single household of not more than six residents where care is provided for residents and the proposed use would therefore fall within class C3(b).

The proposed change of use from dwellinghouse C3(a) to home for 3 adults C3(b) would be lawful as both the uses fall within this same use class and as such would not constitute a material change of use requiring planning permission.

Recommendation: LAWFUL

Conditions and Reasons:

- 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) and therefore would be lawful.

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<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
HP	22/04/2026	DM	01.05.2026