



Knowsley Council

**REGENERATION AND ECONOMIC
DEVELOPMENT DEPARTMENT**

TOWN AND COUNTRY PLANNING ACT 1990: SECTION 192
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) ORDER 2015
(AS AMENDED)

**REFUSAL OF CERTIFICATE OF LAWFUL USE OR
DEVELOPMENT**

Application No: 23/02711/CLD

Name and address of applicant

FLORA CARE SOLUTIONS (1) LTD.
Charter House
Woodlands Rd
Altrincham
WA14 1HF

Name and address of agent

DirC Architectural Ltd.
13 Ringcoft Gardens
Moston
Manchester
M40 5GG

Date of Receipt: 12 October 2023

Date Valid: 7 November 2023

FIRST SCHEDULE

CERTIFICATE OF LAWFULNESS FOR PROPOSED USE OF RESIDENTIAL DWELLING AS A
CHILDRENS HOME FOR A MAXIMUM OF 4 NO. CHILDREN WITH TWO STAFF.

SECOND SCHEDULE

2 Birkdale Close, Roby, Knowsley, L36 4QW

In pursuance of their powers under the above mentioned Act and Order, Knowsley Metropolitan Borough Council as local planning authority HEREBY REFUSE your application, dated 12 October 2023, for a certificate of lawful use or development under Section 192 of the Act, for the development described in the First Schedule to this Certificate in respect of the land specified in the Second Schedule to this Certificate.

The grounds for the Council's decision are as follows:-

1. Due to the number of children and their social, behavioural, and emotional needs resulting in each child's support team of professionals such as social workers and therapists attending the premises on a regular basis, plus the attendance of a manager and deputy manager attending a designated office within the dwelling weekdays 9am to 5pm, and that some home schooling by attending tutor(s) could take place particularly for children newly in care, together with staff attending as needed though the night as 'waking' staff, the proposal constitutes a material change of use of the property from C3 (dwelling house) to C2 (provision of residential accommodation and care to people in need of care) for which planning permission is required

Executive Director - Regeneration and Economic Development

On Behalf of: Knowsley Metropolitan Borough Council

Date: 18 December 2023

Notes

1. If you are aggrieved by the decision of the Council to refuse an application for a certificate under sections 191 or 192 of the Town and Country Planning Act 1990 (as amended) or to refuse it in part you may appeal to the Secretary of State under Section 195 of the Act (as amended).
2. Notice of appeal must be given in writing to the Planning Inspectorate, PO Box 326, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS99 7XF. Copies of all relevant documents, including the application, the notice of decision and all plans, drawings and correspondence must be supplied to the Secretary of State.
3. You are advised to consult the brief official guide to applications and appeals, published by the Department of Communities and Local Government, which is available at <http://www.communities.gov.uk/documents/planningandbuilding/pdf/developmentcertificates.pdf>