



Knowsley Council

Website: www.knowsley.gov.uk/environment/planningandbuilding/

Directorate of Regeneration and Neighbourhoods
Housing, Planning and Building Control
PO Box 26
Archway Road
Huyton Knowsley
Merseyside L36 9FB

Tel: (0151) 443 2381

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)

Description

Applicant Details

Name/Company

Title

First name

Jacqueline

Surname

Hourihan

Company Name

Address

Address line 1

61 Elizabeth Road

Address line 2

Address line 3

Town/City

Field Lane Estate

County

Knowsley

Country

Postcode

L10 4XJ

Are you an agent acting on behalf of the applicant?

- ☐ Yes
- ☒ No

Contact Details

Primary number

***** REDACTED *****

Secondary number

**** REDACTED ****

Fax number

Email address

**** REDACTED ****

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

The last use of the property was as a private family dwelling (Use Class C3), and this proposed use remains consistent with that classification. The plan is to use the property as a supported living setting for two young adults with learning disabilities and associated needs, with support provided as necessary by carers or support staff.

This use remains lawful for the following reasons:

- Continuation of Use Class C3 (Dwellinghouse): The proposed use falls within the definition of a Class C3(b) use under the Town and Country Planning (Use Classes) Order 1987 (as amended), which includes: "Use as a dwellinghouse by not more than six residents living together as a single household where care is provided for residents."

- The property will accommodate only two individuals, living together in a domestic setting, with support/care provided by staff on-site or visiting as required. This is fully compliant with Use Class C3(b).

- No Material Change of Use: Since the number of residents is small and the character of the use remains that of a residential dwelling (rather than an institution), there is no material change of use, therefore, no planning permission is required for a change of use from C3(a) (family home) to C3(b) (supported living with care).

- No Structural Alterations Proposed: The proposal does not involve any external building works or alterations that would require planning permission. The house remains structurally unchanged and continues to function as a standard three-bedroom residential property.

- Domestic Living Arrangement: The two young adults will be living in a setting that mirrors typical family life, with individual bedrooms, shared living space, and regular domestic routines. Support staff are present to assist with daily activities and care, not to run the property as an institution.

- Lawful Planning History: The house has a lawful planning status as a residential dwelling. There are no enforcement notices or breaches of planning control affecting the property.

We consider the existing use of the property to be lawful as a dwellinghouse under Use Class C3, and the proposed use of supporting two young adults with learning disabilities within a supported living model, remains within that lawful use, with no material change occurring. Therefore, no change of use planning permission is required and the property remains lawfully used.

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

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

C3 - Dwellinghouses

Information about the proposed use(s)

Select the use class that relates to the proposed use.

C3 - Dwellinghouses

Is the proposed operation or use

- ☒ Permanent
☐ Temporary

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

We consider that a Lawful Development Certificate should be granted for the proposed use of the property as supported living accommodation for two young adults with learning disabilities and related needs, for the following reasons:

- The Use Falls Within Use Class C3(b):

The proposed use involves no more than six residents living together as a single household, with care provided. This clearly falls within Class C3(b) of the Town and Country Planning (Use Classes) Order 1987 (as amended), which includes: "Use as a dwellinghouse by not more than six residents living together as a single household where care is provided for residents."

In this case, only two residents will live at the property, receiving supported living care, which is a well-established form of care provision that maintains a domestic, non-institutional character.

- No Material Change of Use:

The nature of the use remains residential and consistent with the property's existing use as a private dwelling. There is no material change of use and no intensification of use that would affect the character of the area or the building's lawful planning status.

- Supportive Case Law and Precedents:

Numerous planning appeal decisions and case law have confirmed that the use of a dwellinghouse by a small group of people with learning disabilities (or other support needs), along with carers, still constitutes use within Class C3(b) and does not amount to a material change of use requiring planning permission.

- No Building Operations or External Alterations:

The proposal involves no physical works, extensions, or structural changes to the building or land. The building will remain in its existing form and layout, used as a home.

- No Breach of Planning Control Exists:

The property has a lawful use as a residential dwelling and the proposed supported living arrangement does not breach any conditions or planning controls. As such, we believe it is appropriate for the local planning authority to certify the lawfulness of the proposed use.

Given that the proposed use falls within Use Class C3(b), does not involve a material change of use or operational development, and complies with established planning guidance and case law, we respectfully request that a Lawful Development Certificate (Proposed Use) be granted to confirm the lawful status of the intended use.

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

If Yes, please complete the following information about the advice you were given (this will help the authority to deal with this application more efficiently):

Officer name:

Title

***** REDACTED *****

First Name

***** REDACTED *****

Surname

***** REDACTED *****

Reference

Date (must be pre-application submission)

26/06/2025

Details of the pre-application advice received

Jackson, Nathan
Jun 26, 2025, 9:54 AM

Good morning Jackie,

Unfortunately, the local planning authority is unable to confirm via email as to if the proposed use is lawful and benefits from permitted development rights. This is partially because we only see a snapshot of the situation.

If you require written confirmation I would advise to submit a Certificate of Lawfulness application via the planning portal. More details can be found here [Lawful Development Certificates - Planning Permission - Planning Portal](#).

Kind regards

Nathan Jackson
Technical Support Manager
Planning

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

Jacqueline Hourihan

Date

03/07/2025