



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

Mr

First name

Corey

Surname

Bedward

Company Name

Address

Address line 1

7 Whitestone close

Address line 2

Address line 3

Town/City

Prescot

County

Merseyside

Country

United Kingdom

Postcode

L34 7HG

Are you an agent acting on behalf of the applicant?

☐ Yes

☒ No

Contact Details

Primary number

***** REDACTED *****

Secondary number

Fax number

Email address

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

If Yes, please give a full description of the scale and nature of the proposed use, including the processes to be carried out, any machinery to be installed and the hours the proposed use will be carried out

1. Use of property as C2 Residential Care Home for one child/young person, supported by 2no. carers at all times. During the day there will be two members of staff at the property, and there will be one member of staff at the property overnight on sleeping shifts. These are non-resident carers for which the property will not be their main residence. There will be a maximum of two cars parked at the property at any one time.
2. During the day, the expectation is that the child / young person will attend school, appropriate to their age and needs. This may be either a mainstream school, or a specialist school. In some cases, the child may be home-schooled.
3. It is considered in this instance that the proposed use (C2), whilst falling within a separate use class to the existing use (C3), is not materially different to that of a dwellinghouse, and that as such, there is no requirement for planning permission in this case.

If Yes, please fully describe the existing or the last known use, with the date when this use ceased

The current use of the property is a C3 residential dwelling house.

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 existing use of the property is the original use class of C3 Dwellinghouse.

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

N/A

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.

C2 - Residential institutions

Is the proposed operation or use

- ☒ Permanent
- ☐ Temporary

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

1. As part of the Ofsted registration process, it is necessary to demonstrate that the intended use of the property is lawful for planning purposes, either through a lawful development certificate or through a specific grant of planning permission.

2. The child and carers at the property will function as a single household, with carers playing an active part in the running of the household, and the property will serve as the long-term home of the child/young person. The aim, as far as possible, is to replicate a family home environment, with consistency of care, boundaries, clear routines and appropriate support. This is considered to represent an appropriate residentially-based use of the building, and one that can be accommodated without detriment to the wider character of the area, or adjoining residential amenity.

3. The proposed use is not materially distinguishable from the present lawful residential use. The building has the capacity to accommodate the level of accommodation proposed without alteration or extension. Externally, the character and appearance of the property will not change. It is considered in this instance that the proposed use (C2), whilst falling within a separate use class to the existing use (C3), is not materially different to that of a dwellinghouse, and that as such, there is no requirement for planning permission in this case.

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)

24/10/2023

Details of the pre-application advice received

After speaking with the planning enforcement officer from the Local Authority, Peter urged me to submit an application for a lawful development certificate. As he advised a full assessment can be made, and to have a formal decision.

Peter also provided the below advice via email:

"Planning permission requirements depend on the specifics of the operation which can make a real difference. If the child resides at the property with a single carer who is permanently resident and essentially acts as a parental figure, as opposed to staff rotation, then it may be still considered as C3 use, but if the staff is on a rotation over the 24-hour period, it would almost certainly be considered as a C2 for which you would need consent."

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

Corey Bedward

Date

15/01/2024