

Regeneration and Economic Development Department

APPLICATION NO: 21/00681/CLU
Limited

APPLICANT: Quality Protects Children

WARD AFFECTED: Page Moss

DEVELOPMENT: CERTIFICATE OF LAWFULNESS FOR USE OF FORMER RESIDENTIAL DWELLING AS A CHILDRENS HOME FOR A MAXIMUM OF 5 NO. CHILDREN (RETROSPECTIVE)

LOCATION OF SITE: 144 Rupert Road, Roby, L36 9TH

KNOWSLEY LOCAL PLAN ALLOCATION –

Primarily Residential Area

RELEVANT POLICIES

Town and Country Planning Act 1990 (as Amended)

PLANNING HISTORY

An application for the installation of external alterations to enable additional living accommodation was approved (16/00752/FUL – approved 21/2/21).

TECHNICAL CONSULTATIONS:

N/A

NEIGHBOUR NOTIFICATION:

N.A

ISSUES AND ASSESSMENT:

PROPOSAL

The application is a lawful development certificate for the use of former residential dwelling as a children's home for a maximum of 5 persons.

Town and Country Planning Act 1990 as amended

The key question is whether it has been demonstrated that the property has been in continuous use as a children's home for a period of 10 years and is therefore immune from enforcement action*.

** As the site has been used as a children's care home for a period of 10 years, the question of whether it would constitute a material change of use is not materially relevant.*

Document Reference	Document Issue Number	Document Issue Date
PS/DC/OP04/05	003	23/9/02

Supporting Evidence

The applicant has submitted Ofsted Inspection reports in relation to the use of the property as a children's care home that covers the years 2011 - 2019 and 2021. Whilst this is not a complete record of 10 consecutive years, it is considered that on the balance of probability, that the site has been used as a children's care home continuously for a period of 10 years. The continuous use of the premises is a more plausible scenario than the alternative of the care home use being stopped and restarted during this period. There is no evidence available to suggest any cessation of the care home use during this period.

RECOMMENDATION:

The proposal constitutes a lawful development for which planning permission is not required.

Andrew Hunt

16 November 2021

Alan Kilroe

30 November 2021

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