

Simpatico

Town Planning

Laburnum House, Park Lane, Cheadle, ST10 1PD



Application for a Lawful Development Certificate for proposed non-material change of use from Class C3(a) to a residential home for up to 2 young people aged between 3 and 17 who would be cared for by up to 2 adult carers

Supporting Statement

Statement prepared on 16th May 2025 by Richard Jewkes BSc DipTP MA,

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Introduction

1. This Statement is submitted alongside an application which seeks the grant of a Certificate of Lawful Development for a proposed use of the property known as Laburnum House, Park Lane, Cheadle, ST10 1PD ('the application property').
2. The application seeks confirmation from Staffordshire Moorlands District Council ('the LPA') that the proposed use of the property as a small home for no more than two resident young people, who would receive care on site in a household setting, would be considered a non-material change of use for planning purposes, being materially the same, under the terms of the Use Classes Order, as the established C3(a) residential dwellinghouse, or as a class C3(b) use, which would normally constitute a 'permitted change' under the Order. As such, the application seeks confirmation, via the issuing of a Lawful Development Certificate (LDC), that the proposed use would be lawful on the basis that it would not be materially different to the established C3 use and therefore, in this instance, would not require the express grant of planning consent.
3. This Statement will present the background surrounding the case and will set out the nature and intensity of the existing use, and also how the proposed use would operate, in order that the LPA may, in the light of this information, confirm that the proposed use would not represent a 'material' change of use, but would, to all intents and purposes, be akin to the established use for planning purposes. It will also highlight and consider similar recent cases whereby the LPA has issued LDCs confirming, in each case, that the proposed change of use from conventional dwellinghouse to small residential home in which care is provided did not constitute a material change of use and, as such, did not require the grant of planning permission.
4. In addition to this Statement, the application is supported by the following drawings and documents. As such, this Statement should be read in conjunction with them:
 - Location Plan
 - Floor Plans
 - Application Form

Application site and planning history

5. The application property is a detached, four bedroom dwelling of mid-Twentieth Century construction, located on the outskirts of the town of Cheadle, being 600 metres to the west of the town centre as the crow flies. Park Lane is a narrow road running along the site's northern boundary, and leads to the areas of green belt countryside which are located to the west of the site.
6. The property is set back behind a generous private driveway which measures approximately 120 square metres in area (being 12 metres deep by 10 metres wide at its minimum) and can comfortably accommodate six vehicles. Figure 1, below, is a recent aerial photograph of the property, including its frontage.

Figure 1 – the application property



7. Over the years, the property has undergone various extensions and modifications, with a detached garage and first floor rear extension having been added following the grant of planning consent by the LPA on 31st March 2003, under application no. SMD/2003/0216. That application pre-dates the LPA's keeping of electronic records. It is therefore not possible to reproduce the approved plans here.

8. Internally, the property is currently configured for occupation by a large family. It is understood that, at the time of writing, under the established use, a family of five is currently resident. The ground floor internal layout therefore comprises a hallway, kitchen/dining area, lounge, office, utility and WC. The first floor layout comprises four bedrooms (three of which are doubles and two of which have en-suite facilities), a family bathroom and storage cupboard. The property was built as a residential dwelling and has remained continually in such use for the duration of its life.
9. Figure 2, below, comprises extracts from the submitted floor plans (not to scale) which show the property's existing internal layout at ground and first floor, as built out following the 2003 planning approval.

Figure 2 – Floor plans (not to scale)



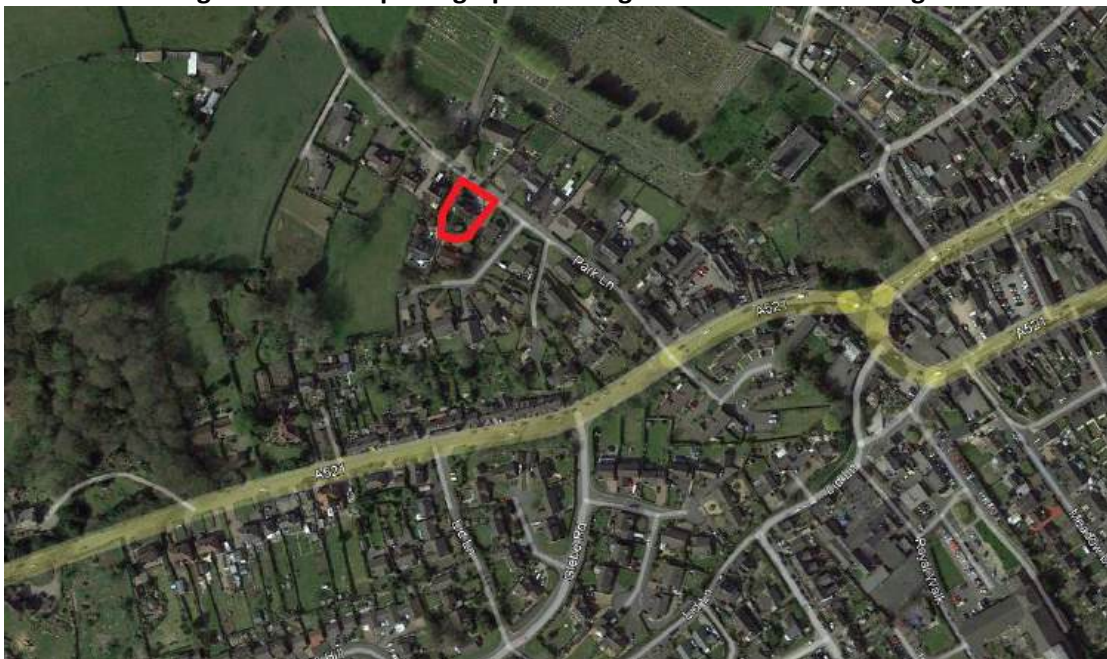
10. Externally, the property enjoys a driveway to the front - laid with permeable block paving - which can accommodate six vehicles. To the rear, there is a generous garden area measuring approximately 15.7 metres in depth and 270m square metres in area. Figure 3, overleaf, is an aerial image of the plot, which shows the location and extent of the existing rear garden (all aerial images taken from Google).

Figure 3 – Photograph of plot including rear garden and surroundings



11. Beyond the site's immediate boundaries, it is located in a well-established residential area on the fringe of Cheadle. The neighbouring properties within Park Lane are exclusively C3(a) dwellinghouses. To the east, the locale is urbanised, becoming denser as one heads towards the town centre. To the west, however, the site is on the edge of the countryside, with the landscape becoming greener and more rural the further one travels in that direction. Figure 4, below, is an aerial photograph of the locale with the property's location indicated.

Figure 4 – Aerial photograph showing site and its surroundings



Proposal

12. It is proposed to use the property to provide a residential home, supported by carers, for a maximum of two young people between the ages of 3 and 17. The occupiers would live as a household, receiving support and care from qualified professionals who would have a de facto parenting role and a high degree of personal familiarity with the residents, in order to provide them with a safe and loving home within a domestic, family environment.
13. On the basis that the care staff would not be fully 'resident' at the property, i.e. using it as their primary address, it is recognised in the context of the 'North Devon Judgment', that the proposed use would not technically fall within the boundaries of Use Class C3(b) of the Use Classes Order. However, it is considered to be the case, in this instance, that the proposed use of the property as a residential home for up to two young people, who would live as a household and would receive care in family environment, would equate, in all material senses, to a use instituted under Use Class C3, and therefore would not require the grant of express planning consent. This conclusion has been reached on the basis of the following details of the proposed use.
14. As has been noted, the property was built as a family home, having four bedrooms and a generous private rear garden, and is presently occupied on that basis by a family of five people. It is proposed that, under the future use, the lived experience at the house would continue to be very much akin to a conventional family routine. Under the proposal, the resident young people would each have their own bedroom, with the younger of the children generally having the smallest room, as one would usually expect in a family home. The other two bedrooms would be slept in by the two 'overnight' care staff. Aside from the resident young people, no one else would live at the property. However, care staff would be present around the clock in order to care for the children, on the basis of a shift rota system which will be detailed below.
15. The carers would typically be present on a two days (48 hours) on and four days (96 hours) off pattern. Each shift would start at approximately 0800 every two days, meaning that 'handovers' would not happen every morning, but only once every two days, with the overlap lasting approximately 30 minutes. In addition to the care staff, a home manager would also oversee the home and provide senior input into its operations. The Manager would generally attend the property once a day, between the hours of 0900 and 1700. They would also visit in the case of some kind of unforeseen issue or emergency, or for occasional brief 'quality control' visits. Visits from family and friends of the residents may occasionally take place at the property. Typically,

however, the residents would visit family and friends in neutral locations off site, again with their carers present to look after them at all times.

16. Aside from the short handover which would take place once every 48 hours, and the daily attendance of a manager, the only trips to and from the property during the daily routine would be the usual domestic trips that a family household would need to make. These would include, for example, journeys to and from school, journeys associated with any other activities which the young people may engage in outside of school, for example sports or hobbies, and journeys for normal domestic reasons such as food shopping.
17. As would normally be expected in a domestic setting, and as is the case under the existing use of the application property, on weekdays the carers would take the young people to school and accompany them to any other appointments or extra-curricular activities during the day-time. When the young people were at home, the carers would be on site to care for them and to engage in play and the other activities and chores one would typically expect. When the young people were out at school or college, there would be a reduced presence of carers at the property, with it often being empty, again as one would expect in a domestic household.
18. In terms of trips to and from school, it is particularly notable that the application property is very close to Bishop Rawle Church of England Aided Primary School, which is located 348 metres to the east, and also to St. Giles Catholic Primary School, which is 470 metres to the east. According to Google Maps, the walk from the application property to the school gates at Bishop Rawle takes approximately 6 minutes on foot (0.3 miles). It is therefore anticipated that, under the proposed use, any residents of an appropriate, primary school age would walk to and from school, again reducing the number of daily vehicular trips emanating from the property.
19. The property is also close to local secondary schools, including The Cheadle Academy which is 533 metres to the south, and Painsley Catholic College, which is 750 metres in the same direction. According to Google Maps, the walk from the application property to the school gates at Cheadle Academy takes approximately 13 minutes on foot (0.6 miles) Figure 5, overleaf, shows these relationships on a map, with the local primary schools highlighted in gold, and the secondary schools in pink.
20. It is envisaged that this level of activity would not exceed a 'functional' total of 4-6 trips per day, which would not be any higher than would be expected of a substantial four-bedroom residential dwelling in this location. Clearly there may be occasions when there are more daily trips, and there may be occasions when there are fewer. However, for the purposes of assessing the 'materiality' of the proposed use when

compared with the established use, it is considered that the level of activity would be commensurate with the current C3 use, under which a family of five people, typically including three children or young people, would be expected to reside at the property.

21. This approach is designed to ensure continuity for the residents, in order to create a family environment in which they are able to bond with the carers who look after them during their waking hours. Care would be given in a communal environment with the young people and their carers sharing facilities in a manner akin to a family. For example, meals would be taken together, being cooked by the care staff with the help of the resident young people.

Figure 5 - Relationship with neighbouring schools (application site shown with red star)



22. **Professional Ofsted standards and safeguarding:** The children or young people would be cared for on a medium to long-term basis in order for them to integrate properly into the community and build strong relationships with the carers and the environment. This is a standard arrangement within a residential home environment, regardless of the level of care provided.
23. In the case of all incoming residents, a professional, detailed risk assessment would be undertaken to ensure that the residence was appropriate for the chosen young people. As standard procedure, all prospective new residents would be referred to the Applicant by a local Children's Services department, following which their

case would, in the first instance, be reviewed and the young person screened by the home's manager, and then with its care team. Referrals would then be shortlisted, and their social workers consulted at that stage. The next stage would be for the young person to be invited to the property for a short visit, normally including a meal, in order to ascertain whether or not they felt comfortable in the house and would like to become a resident. Only after all of these checks had been carried out, would a young person be placed at the property as a resident.

24. In order to run a residential home of this kind, it is necessary to obtain a registration from Ofsted and to pass regular monitoring inspections. Ofsted stress the need for care homes to create an environment as close as possible to a traditional family home setting, and its requirements in this regard can be summarised as follows:

- *A risk assessment would be undertaken to ensure that the residence is appropriate for the chosen children, prior to them moving in.*
- *Children in residential child care should be loved, happy, healthy, safe from harm and able to develop, thrive and fulfil their potential.*
- *Residential child care should value and nurture each child as an individual with talents, strengths and capabilities that can develop over time.*
- *Residential child care should foster positive relationships, encouraging strong bonds between children and staff in the home on the basis of jointly undertaken activities, shared daily life, domestic and non-domestic routines and established boundaries of acceptable behaviour.*

Legislative context

Town and Country Planning (Use Classes) Order 1987

25. The established use of the application property is C3(a), within Class C3 (Dwellinghouses) of the Town and Country Planning (Use Classes) Order 1987 (as amended). The C3 use class generally refers to instances where the occupiers of a given residential property live together as a single household. Different types of residential living arrangements are allowed for under the C3 use class, as follows: -

Use as a dwellinghouse (whether or not as a sole or main residence) by—

(a) a single person or by people to be regarded as forming a single household;

(b) not more than six residents living together as a single household where care is provided for residents;
or

(c) not more than six residents living together as a single household where no care is provided to residents (other than a use within Class C4).

26. The Use Classes Order allows, as a 'permitted change', the switching of living arrangements within the uses defined in classes C3(a), C3(b) and C3(c), or indeed between use classes C3 and C4, without the grant of planning permission being required.

27. Article 2 of the Order confirms that, for the purpose of use class categorisation, 'care' should be interpreted as follows:

“‘care’ means personal care for people in need of such care by reason of old age, disablement, past or present dependence on alcohol or drugs or past or present mental disorder, and in class C2 also includes the personal care of children and medical care and treatment.”

28. This proposal relates to the provision of a residential home for young people, in an environment which operates principally in the way that a shared residential property, including the provision of care, would under Use Class C3(b). However, case law has established that a residential household, for the purposes of Use Class C3(b), will not generally exist in instances where a property is occupied, as a place of residence, only by children or young people. In this scenario, both appeal decisions and case law (the most prevalent of which being known as the 'North Devon Judgment') have held that where young people are to be the sole permanent residents of a given property, this arrangement cannot be considered, technically, to fall within

Use Class C3 of the Use Class Order. Case law also holds, however, that where a given proposed use does not, technically, fall within Use Class C3(b), depending on the specific circumstances of the site and the proposed use, it may still represent a 'non-material' change of use, being for all intents and purposes the same as a C3 (a) or C3(b) household, with the express grant of planning permission therefore not being required.

29. In the case of this application, it is recognised that the proposed living arrangements would not, by virtue of the absence of *permanently* resident adults, technically constitute a lawful change of use under Use Class C3(b). However, it is submitted that the proposed living arrangements, whereby the occupiers of the property would live in all senses as a 'household', with the resident young person or people receiving care and support, would not be materially different, for planning purposes, to the existing use of the property as a C3(a) dwelling for a large family, reasonably comprising two adults and three young people. It is submitted that it would, in terms of all material considerations, be no different or any more noticeable, than the lawful occupation of the property, as permitted within Use Class C3, either as a dwellinghouse, or as a residence occupied under Use Class C3(b).
30. This application therefore seeks confirmation from the LPA, based on the details of the proposal as outlined, and of the likely material impacts (or lack thereof) upon the local community following the implementation of the proposed change of use, that the proposal would not result in any 'material' impact when compared with the established C3(a) use, or with a bona fide C3(b) use, and therefore would not require the express grant of planning permission by the LPA. The application therefore seeks the grant of a Certificate of Lawfulness for Proposed Development on that basis.
31. In order to assist the LPA in making a judgment regarding the materiality of the proposed change of use, and the extent to which it would result in any perceptible material impact for planning purposes, the potential impacts of the proposal will be considered individually in a subsequent section of this Statement. These are considered to comprise the following:
- Parking and highway safety
 - 'Comings and goings' and other general activity associated with the use
 - Noise and other disturbance created by the residents

Recent local comparable cases/precedents

32. A perusal of the LPA's planning records confirms that Lawful Development Certificates have been recently issued for proposed uses which are commensurate with, or indeed more intensive, than that which is under consideration in this application. These are highlighted in order to demonstrate that the proposal under consideration here would not represent a material change of use, when compared with the existing use as a residential dwelling with two adult residents, and three young people. These cases confirm that the LPA concurs with this assertion, having recently issued LDCs for the same use at similar properties within the District.

Recent example no. 1 – Application SMD/2024/0146 - 1 Windy Arbour, Cheadle, Staffordshire ST10 1BL

33. On 24th June 2025, the LPA issued a Lawful Development Certificate relating to a proposed use to be undertaken at 1 Windy Arbour, Cheadle. The decision notice, a copy of which is appended to this Statement at Appendix 1, confirms the LPA's position that the use of the property as a small residential home for up to two children would not represent a material change of use in planning terms and, as such would be lawful and would not require the grant of planning consent.

Recent example no. 2 – Application SMD/2023/0424 - Little Ash Farm, Ash Bank Road, Werrington

34. Issued on 13th October 2023, the LPA recently granted another Lawful Development Certificate relating to a proposed use to be undertaken at Little Ash Farm, Ash Bank Road, Werrington. The decision notice, a copy of which is appended to this Statement at Appendix 2, confirms the LPA's position that the use of the property as a small residential home for up to three children would, again, not represent a material change of use in planning terms and, as such would be lawful and would not require the grant of planning consent.

Recent example no. 3 – Application SMD/2023/0078 - 34, Uttoxeter Road, Upper Tean, Staffordshire, ST10 4LG

35. A further example of an approved LDC application of this type was a decision issued on 6th April 2023, and related to a proposed use to be undertaken at 34, Uttoxeter Road, Upper Tean. The decision notice, a copy

of which is appended to this Statement at Appendix 3, again confirms the LPA's position that the use of the property as a small residential home for up to three children would, again, not represent a material change of use in planning terms and, as such would be lawful and would not require the grant of planning consent.

Recent example no. 4 – Application SMD/2023/0055 – Greenway Cottage, Bagnall Road, Bagnall, Staffordshire, ST9 9JU

36. A further example of precedent in the LPA's decisions on LDC applications of this type was a decision issued on 24th March 2023, which related to a proposed use to be undertaken at Greenway Cottage, Bagnall Road, Bagnall. The decision notice, a copy of which is appended to this Statement at Appendix 4, again confirms the LPA's position that the use of the property as a small residential home for up to two children would not represent a material change of use in planning terms and, as such would be lawful and would not require the grant of planning consent.
37. **Summary:** In granting LDCs relating to the above four recent applications, the LPA has confirmed its interpretation of case law in relation to proposals of this type. Whilst every case is of course different and should be judged upon its individual merits, the new use which was proposed in those cases, and was judged to be immaterial, was of comparable structure and intensity to that which is proposed in this current application.
38. The specifics of the proposed use, and its impacts in comparison with the current established use, will now be considered in further detail.

Planning considerations and materiality

39. As has been explained above, based on the details of the proposed use, and the application property's facilities and physical qualities, it is considered that no perceptible material impacts would result from its implementation on this site, and that as such the proposal would not represent a material change of use for which the grant of express planning consent would be required. The use would, in all material senses, be akin to the established use, that of a conventional dwellinghouse occupied by five people under use class C3(a), or the alternative C3(b) use which could be implemented here as a 'permitted change'. The various potential material impacts will therefore be considered here.
40. **Parking and highway safety:** The application property benefits from a generous curtilage, including a large, accessible driveway/parking area to the front. Figure 6, below, is an aerial image of the property which shows the location and extent of the existing parking area. The submitted location plan confirms that the driveway measures up to 13 metres deep by 10 metres wide, meaning that it could comfortably accommodate six vehicles – in two banks of three. The existing parking provision would naturally be retained, and the parking area fully maintained under the proposed use.

Figure 6 – Existing driveway/parking area



41. It is considered that the use proposed in this application would generate no additional demand for parking than is currently the case. The property is occupied as a C3(a) dwellinghouse, with five people being resident, and it is evident that the extent of the accommodation at the property lends itself to occupation by a large family. In view of this, it is considered that the proposed use would not, therefore, result in any net increase in demand for parking facilities above and beyond that generated by the established use. In this sense, the proposal would have a neutral impact in planning terms.
42. Furthermore, an inspection of the surrounding street scene confirms that on street parking space is available and could, as is already the case under the established C3(a) use, accommodate momentary overspill in the event that this was ever required. Figure 7, below, comprises photographs of the street scene in Park Lane which demonstrate the high availability of on street parking.

Figure 7 – Street scene photographs of on street parking space



43. Further, as has been noted above, due to the resident young people attending education during the day time, or other off site engagements or activities in the afternoon, it would often be the case that just one carer, or none at all, would be present at the property. The 'handover' period during shift changes would take place only once every 48 hours, at 0800. During those brief overlaps, therefore, there could in theory be a maximum of four vehicles at the property. As has been noted, the existing driveway provides parking spaces for five vehicles. This level of demand is considered to be no more intensive than is the case under the current use as a family dwellinghouse, and means that, even during handover periods, the parking demand generated by the proposal would always be accommodated within the plot itself, without vehicles being displaced onto the highway.
44. In addition, it must also be noted that the site is situated in a sustainable location, in a highly populated 'edge-of-centre' area, with all of its available private and public transport links. In fact, there are bus stops located in close proximity to the site, to the south on Town End/High Street (A521), with several more being available a short walk away, towards Cheadle Town Centre. These stops provide access to the public transport network, with routes covering Stoke-on-Trent City Centre. Longton and Tean. Blythe Bridge Railway Station, located 3.5 miles to the west of the site, also provides easily available access to the national rail network, should staff members wish to commute to the site from further distances. Figure 8 below shows, circled in green, the location of the two bus stops just around the corner from the application property, the location of which is shown with a red star.

Figure 8 - Nearby bus stops providing access to the public transport network



45. The site is therefore highly sustainable, and it should therefore be taken as read that at least some of the staff who would provide care at the property would use public transport to travel to work, again thereby reducing the demand for parking associated with the new use and reducing the number of vehicular 'comings and goings'.
46. **'Comings and goings' as a result of the proposed use:** It is considered that the proposed use would not generate any disturbance which would be perceptible to the surrounding residents. As has been noted, any trips to and from the property during the day made by carers would be for 'school runs' and for other engagements which the residents needed to attend. This is the case under the current, established use. The only other trips to and from the property during the day would occur when the general manager attended the site. It is considered that 'comings and goings' of this level of intensity would be imperceptible to the surrounding residents, and would be broadly commensurate, in fact possibly less intensive, than the level of activity generated by a family living at a property of this size and with this number of bedrooms. The number of 'comings and goings' resulting from the proposed use would therefore not materially exceed that which would already be expected at this site, and would not result in any material harm to surrounding neighbour amenity or highway safety.
47. **Noise:** Similarly, it is considered that the proposed use would be highly unlikely to give rise to the emission of excessive noise from the property, above and beyond what would generally be expected of a family residence of this size. The property benefits from four bedrooms, and it is considered that any noise created either from within the property itself, or from the garden when being used for recreation in the warmer months, would not exceed that which would be created by a resident family under the current use. Indeed, the proposed use would be likely to generate less noise than is currently the case, on the basis that the young people would be supervised by care staff when using the garden area. In terms of potential for noise disturbance, therefore, the proposed use would not be materially harmful, or even more noticeable, in comparison with the established use.
48. This analysis of the potential material impacts of the proposal confirms that it would not result in any materially harmful impacts to the surrounding locality when compared either with the established use, or an alternative use which could be undertaken, as a bona fide 'permitted change', under Use Class C3(b).

Summary and conclusions

49. This application seeks confirmation from the LPA, via the issuing of a Lawful Development Certificate, that the proposed use of the property as a residential home, with no more than two young people living as a household and receiving care and support from specialised carers, would not represent a material change of use from its established use as a dwellinghouse under Use Class C3(a). In fact, the proposed use would be akin, both in nature and impact, to that of a residential household operating under the established C3(a), or a 'permitted' use under Class C3(b). This being the case, it is submitted that the proposal would not require the express grant of planning consent.
50. Under the proposed use, the application property would be used to provide residential care for a maximum of two young people, who would receive daily care and support from carers with whom they shared a close relationship and deep rapport. Whilst the property would also be attended by a general/office manager, this would only be once a day, not normally outside of the hours of 0900 and 1700 and not normally on Saturdays or Sundays.
51. The LPA has already confirmed, through its recent approval of planning applications SMD/2024/0146 (1 Windy Arbour) in June 2025, SMD/2023/0424 (Little Ash Farm, Ash Bank Road) in October 2023, SMD/2023/0078 (34, Uttoxeter Road) in April 2023, and SMD/2023/0055 (Greenway Cottage, Bagnall Road) in March 2023, its position that the use of an existing C3(a) dwellinghouse as a small residential home (in two of those cases for up to three young people receiving care), does not represent a material change of use in planning terms and, as such, does not require the grant of planning permission. This proposal would be likely to result in the same or fewer people being present at the property at different times of the day than is currently the case, with no additional trips to and from the property being made. On this basis, the LPA is invited to apply a consistent judgment, and as such to grant a Certificate in relation to this proposal.
52. In light of the above statement of case, the LPA is respectfully requested to approve this application and issue a Certificate of Lawful Development for a Proposed Use. This will enable care and support to be provided for young people in a safe, caring household environment, giving them a foundation from which they can go on to live happy and fulfilling lives in the community.



Emery Planning
Hobson Street
Macclesfield
United Kingdom
SK11 8BS

Core Children Limited
C/O Emery Planning

Application no: SMD/2024/0146

Determined on: 24.06.2024

Town and Country Planning Act 1990 Section 192
(As amended by Section 10 of Planning and Compensation Act 1991)
Town and Country Planning (Development Management Procedure) (England) Order 2015

**APPROVAL TO ISSUE CERTIFICATE OF LAWFULNESS OF
PROPOSED USE OR DEVELOPMENT**

Staffordshire Moorlands District Council hereby approves to certify that on 26/03/2024; the proposed use specified in the First Schedule taking place on the land specified in the Second Schedule and edged red on the plan attached to this certificate, was lawful within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended), for the following reason(s):

With consideration of the evidence presented by the applicant and the facts that are specific to this individual case, in the authority's judgement the proposed use of the dwellinghouse would not result in a "material change of use".

FIRST SCHEDULE

Use of property as residential care home for up to 2 children aged between 5 and 18 with care provided by up to three nonresident members of staff (Sui Generis).

SECOND SCHEDULE

1 Windy Arbour Cheadle Staffordshire ST10 1BL

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council



www.staffs Moorlands.gov.uk
Moorlands House, Stockwell Street, Leek, Staffordshire Moorlands, ST13 6HQ. Tel: 0345 605 3010.
All correspondence to Staffordshire Moorlands District Council, P O Box 136, Buxton, SK17 1AQ.



Location Plan

Site Address: 1, Windy Arbour, Cheshire, ST10 1BL



Date Produced: 26-Mar-2024

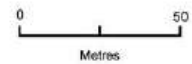
Scale: 1:1250 @A4



Planning Portal Reference: PP-12901914v1



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NOTES

1. An applicant may appeal against by giving notice to the Secretary of State:-

- (a) the refusal to issue a certificate under Section 192 of the Act; or
- (b) the failure to give notice of the Council's decision within 8 weeks of the registration of the application, or any other period agreed with the Local Planning Authority;

Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://acp.planninginspectorate.gov.uk>

1. As part of the appeal process the Applicant must submit to the Planning Inspectorate a copy of the following documents:

- a copy of your original application
- a copy of the local planning authority's decision notice - if they didn't make a decision, send a copy of the letter acknowledging your application
- a map of the site
- copies of all plans, drawings and documents you sent to the local planning authority
- copies of any letters or emails from the local planning authority
- any other documents that directly support your appeal

If you think your land or building is now lawful because the time limit for enforcement has passed, you also need to submit evidence like:

- dated photographs of the site
- letters from neighbours
- receipts or invoices for work
- plans and drawings
- Domestic sprinklers

2. Fire sprinklers operate automatically even if you are not at home releasing water directly over the source of the fire and sounding the alarm, they are unobtrusive and easy to install. Sprinklers are NOT expensive; normally costing around 1-2% of the cost of construction of a new building. The use of sprinklers will usually allow design freedoms as well, which can reduce construction costs and improve usability and design freedoms of the building.

The chance of an accidental discharge is 16,000,000:1

If you would like further advice please contact Staffordshire Fire and Rescue Service (www.staffordshirefire.gov.uk)

3. Working smoke alarms correctly positioned in your home can save your life.

The Fire Service recommends you have smoke alarms on every floor of your home, including in each bedroom, and make sure you test your smoke alarms at least once a month.

Although the application of approved guidance and enforcement of regulations will give

buildings the legally required baseline of fire protection, the Fire Service's viewpoint is many of these fall short of what we would consider adequate. This is why we campaign for the inclusion of sprinklers.



Mr J Imber
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Uttoxeter
Staffordshire
ST14 8EU

Mr Friesner
C/o Agent

Application no: SMD/2023/0424

Determined on: 13th October 2023

Town and Country Planning Act 1990 Section 192
(As amended by Section 10 of Planning and Compensation Act 1991)
Town and Country Planning (Development Management Procedure) (England) Order 2015

**APPROVAL TO ISSUE CERTIFICATE OF LAWFULNESS OF
PROPOSED USE OR DEVELOPMENT**

Staffordshire Moorlands District Council hereby APPROVES to certify that on 18/08/2023; the proposed use specified in the First Schedule ("the Use"), if it had taken place at the land specified in the Second Schedule ("the Dwellinghouse"), would be lawful within the meaning of Section 191 of the Town and Country Planning Act 1990 ("the Act"), for the following reason(s):

With consideration of the evidence presented by the applicant and the facts that are specific to this individual case, in the authority's judgement the proposed use of the dwellinghouse would not result in a "material change of use".

FIRST SCHEDULE

Use of the "Dwellinghouse" to provide a residential children's care home for up to three children with care provided by up to three non-resident members of staff (*Sui Generis*)

SECOND SCHEDULE

The dwellinghouse at Little Ash Farm Ash Bank Road Werrington Staffordshire ST2 9EB that is shown edged red on the attached location plan

X B.S. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

NOTES

1. An applicant may appeal against by giving notice to the Secretary of State:-
 - (a) the refusal to issue a certificate under Section 192 of the Act; or
 - (b) the failure to give notice of the Council's decision within 8 weeks of the registration of the application, or any other period agreed with the Local Planning Authority;

Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://acp.planninginspectorate.gov.uk>

1. As part of the appeal process the Applicant must submit to the Planning Inspectorate a copy of the following documents:
 - a copy of your original application
 - a copy of the local planning authority's decision notice - if they didn't make a decision, send a copy of the letter acknowledging your application
 - a map of the site
 - copies of all plans, drawings and documents you sent to the local planning authority
 - copies of any letters or emails from the local planning authority
 - any other documents that directly support your appeal

If you think your land or building is now lawful because the time limit for enforcement has passed, you also need to submit evidence like:

- dated photographs of the site
 - letters from neighbours
 - receipts or invoices for work
 - plans and drawings
 - Domestic sprinklers
2. Fire sprinklers operate automatically even if you are not at home releasing water directly over the source of the fire and sounding the alarm, they are unobtrusive and easy to install. Sprinklers are NOT expensive; normally costing around 1-2% of the cost of construction of a new building. The use of sprinklers will usually allow design freedoms as well, which can reduce construction costs and improve usability and design freedoms of the building. The chance of an accidental discharge is 16,000,000:1 If you would like further advice please contact Staffordshire Fire and Rescue Service (www.staffordshirefire.gov.uk)
 3. Working smoke alarms correctly positioned in your home can save your life. The Fire Service recommends you have smoke alarms on every floor of your home, including in each bedroom, and make sure you test your smoke alarms at least once a month. Although the application of approved guidance and enforcement of regulations will give buildings the legally required baseline of fire protection, the Fire Service's viewpoint is many of these fall short of what we would consider adequate. This is why we campaign for the inclusion of sprinklers.



Emery Planning
1-4 South Park Business Court
Hobson Street
Macclesfield
SK11 8BS

C/o Emery Planning

Application no: SMD/2023/0078

Determined on: 06/04/2023

**Town and Country Planning Act 1990 Section 192
(As amended by Section 10 of Planning and Compensation Act 1991)
Town and Country Planning (Development Management Procedure) (England) Order 2015**

**APPROVAL TO ISSUE CERTIFICATE OF LAWFULNESS OF
PROPOSED USE OR DEVELOPMENT**

Staffordshire Moorlands District Council hereby approves to certify that on 09/02/2023; the proposed use specified in the First Schedule ("the Use"), if it were to take place at the property specified in the Second Schedule ("the Dwellinghouse"), would be lawful within the meaning of Section 191 of the Town and Country Planning Act 1990 ("the Act"), for the following reason(s):

With consideration of the evidence presented by the applicant and the facts that are specific to this individual case, in the authority's judgement the proposed use of the dwellinghouse would not result in a "material change of use".

FIRST SCHEDULE

Use of the Dwellinghouse to provide a residential care home for up to 3 children aged between 5 and 18 with care provided by up to three non resident members of staff (*Sui Generis*)

SECOND SCHEDULE

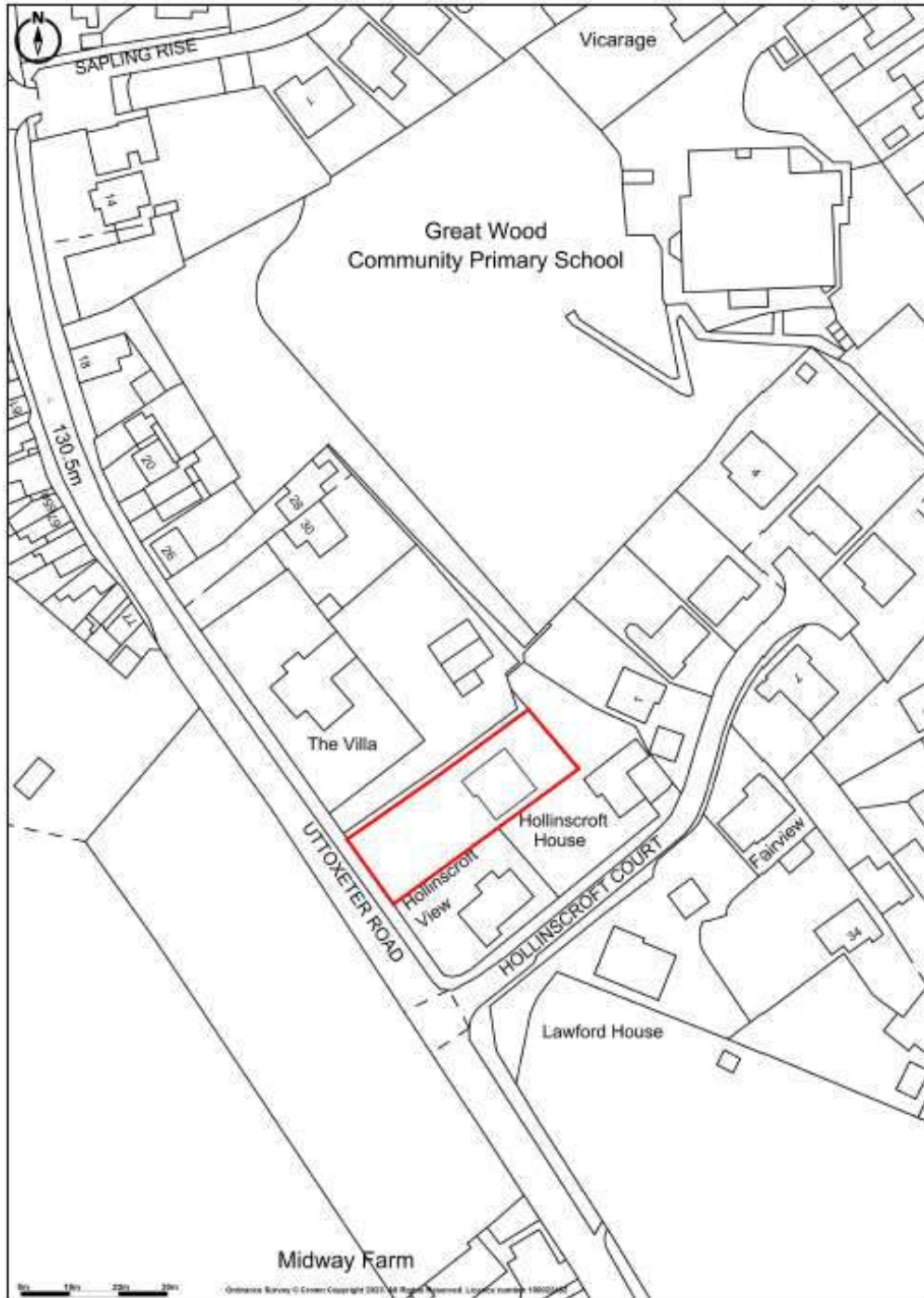
The Dwellinghouse at 34, Uttoxeter Road, Upper Tean, Staffordshire, ST10 4LG that is shown edged red on the attached location plan.

X 

Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council

34 Uttoxeter Road, Tean, Stoke-on-Trent, ST10 4LG



NOTES

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1. As part of the appeal process the Applicant must submit to the Planning Inspectorate a copy of the following documents:

- a copy of your original application
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- copies of all plans, drawings and documents you sent to the local planning authority
- copies of any letters or emails from the local planning authority
- any other documents that directly support your appeal

If you think your land or building is now lawful because the time limit for enforcement has passed, you also need to submit evidence like:

- dated photographs of the site
- letters from neighbours
- receipts or invoices for work
- plans and drawings
- Domestic sprinklers

2. Fire sprinklers operate automatically even if you are not at home releasing water directly over the source of the fire and sounding the alarm, they are unobtrusive and easy to install. Sprinklers are NOT expensive; normally costing around 1-2% of the cost of construction of a new building. The use of sprinklers will usually allow design freedoms as well, which can reduce construction costs and improve usability and design freedoms of the building. The chance of an accidental discharge is 16,000,000:1 If you would like further advice please contact Staffordshire Fire and Rescue Service (www.staffordshirefire.gov.uk)

3. Working smoke alarms correctly positioned in your home can save your life. The Fire Service recommends you have smoke alarms on every floor of your home, including in each bedroom, and make sure you test your smoke alarms at least once a month. Although the application of approved guidance and enforcement of regulations will give buildings the legally required baseline of fire protection, the Fire Service's viewpoint is many of these fall short of what we would consider adequate. This is why we campaign for the inclusion of sprinklers



Mrs Sarah Sands
Emery Planning
1-4 South Park Business Court
Hobson Street
Macclesfield
SK11 8RS

Core Children Limited
C/o Agent

Application no: SMD/2023/0055

Determined on: 24th March 2023

**Town and Country Planning Act 1990 Section 192
(As amended by Section 10 of Planning and Compensation Act 1991)
Town and Country Planning (Development Management Procedure) (England) Order 2015**

**APPROVAL TO ISSUE CERTIFICATE OF LAWFULNESS OF
PROPOSED USE OR DEVELOPMENT**

Staffordshire Moorlands District Council hereby APPROVES to certify that on 27/01/2023; the proposed use specified in the First Schedule ("the Use") taking place on the land specified in the Second Schedule ("the Dwellinghouse") lawfully within the meaning of Section 191 of the Town and Country Planning Act 1990 ("the Act"), for the following reason(s):

With consideration of the evidence presented by the applicant and the facts that are specific to this individual case, in the authority's judgement the proposed use of the dwellinghouse would not result in a "material change of use".

FIRST SCHEDULE

Use of the Dwellinghouse to provide a residential care home for up to 2 children aged between 5 and 18 with care provided by up to three non resident members of staff (*Sui Generis*)

SECOND SCHEDULE

The dwellinghouse at Greenway Cottage, Bagnall Road, Bagnall, Staffordshire, ST9 9JU that is shown edged red on the attached location plan.

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

Greenway Cottage, Bagnall, ST9 9JU



1:2500@A3



NOTES

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 - (b) the failure to give notice of the Council's decision within 8 weeks of the registration of the application, or any other period agreed with the Local Planning Authority;

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 - copies of any letters or emails from the local planning authority
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 - plans and drawings
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