

PLANNING STATEMENT

Project Address 30 Nursery Street
Tottenham
London
N17 8AP

Project Description Certificate of Lawfulness (Proposed) for Class C3 (b) Use

Month/Year: March 2023



HUMPHREYS & SONS
ARCHITECTURE AND CHARTERED SURVEYORS

WeWork City Road, 145 City Road, Hoxton, London EC1V 1AZ
020 7688 9552 | 07711652535
contact@humphreysandsons.co.uk
www.humphreysandsons.co.uk



RICS



**Chartered
Building
Consultancy**



cabe
chartered
association
of building
engineers

LABC
Registered
Partner Authority Scheme

CONTENTS

0.0	Cover Page and Contents	1-2
1.0	Introduction	3
2.0	The Site & Surrounding Context	3
3.0	Proposal	4
4.0	Grounds on Which a Certificate of Lawfulness is Sought	4
5.0	Comparable Development	4
6.0	Summary & Conclusions	5

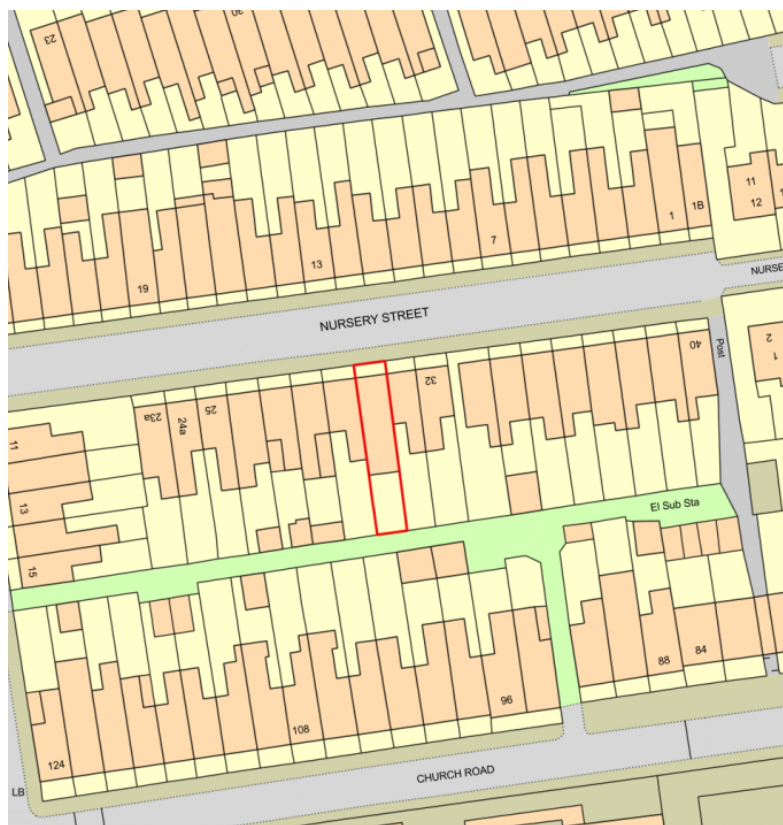
1.0 Introduction

- 1.1 This Planning Statement has been prepared in support of the application for a Certificate of Lawfulness (Proposed) for a Class C3 (b) Use at 30 Nursery Street, Tottenham.
- 1.2 The statement has been prepared by Suzanne Asher, BA (Hons), DipTP, MRTPI who is a qualified planning consultant with over 20 years' experience.

2.0 The Site and Surrounding Context

- 2.1 The site is located on the southern side of Nursery Street in Tottenham. It consists of a terraced, two-storey Victorian house with a rear garden. The surrounding area is residential.
- 2.2 The site is not in any conservation area and there are no listed buildings on the site or nearby. The site is not in any flood risk area.
- 2.3 A previous application was made (HGY/2022/4241) for a Certificate of Lawfulness for a change of use from C3 (Dwellinghouse) to C2 (Residential institution). This was refused because a change of use from C3 to C2 is not permitted development.

Figure 1 – Location plan (not to scale)



3.0 Proposal

- 3.1 It is proposed to use the property as a small children's home, for two children aged 11-18 and one (live-in) adult.
- 3.2 This will fall into Class C3 (b) of The Town and Country Planning (Use Classes) Order 1987 (as amended):
- "not more than six residents living together as a single household where care is provided for residents"*
- 3.3 No changes are proposed to the building itself. The house has a living room, kitchen, family bathroom and conservatory on the ground floor, three bedrooms and a W.C on the first floor, and a rear garden.
- 3.4 No changes are proposed to access or parking.

4.0 Grounds on Which the Certificate of Lawfulness is Sought

- 4.1 Section 192 of The Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991, provides that if any person wishes to ascertain whether any proposed use of buildings or other land would be lawful, he may make an application for the purpose to the local planning authority specifying the land and describing the use or operations in question.
- 4.2 It states that:
- "If, on an application under this section, the local planning authority are provided with information satisfying them that the use or operations described in the application would be lawful if instituted or begun at the time of the application, they shall issue a certificate to that effect; and in any other case they shall refuse the application."*
- 4.3 The use of the house as a small children's home, with two children and one live-in adult, will fall into Class C3 (b) of the Use Classes Order because there will be *"not more than six residents living together as a single household where care is provided for residents"*

5.0 Comparable Development

- 5.1 The following comparable Certificates of Lawfulness have been issued in the past two years:
- HGY/2022/2467 – 47 Maidstone Road - Certificate of lawfulness: Change of use from Class C3(a) 'Single person or family dwelling' to Class C3(b) 'up to six people living together as a single household and receiving care'.
 - HGY/2022/0760 – 43 Daleview Road - Certificate of lawfulness proposed change of use from a dwelling house to supported living accommodation for up to 6 people C3(B).
 - HGY/2021/2369 – 106 Arcadian Gardens - Certificate of Lawfulness for change of use from C3 to use under Class C3(b) as a dwelling house by not more than four residents living together as a single household, where care is provided for residents (AMENDED DESCRIPTION).
 - HGY/2021/1014 - 47 Arnold Road - Change of use from C3, dwelling house to C3(b), supported living for 6 people.

6.0 Summary & Conclusions

- 6.1 The proposal is for a Certificate of Lawfulness (Proposed) for the use of the property at 30 Nursery Street as a small children's home for less than six residents.
- 6.2 This will fall into Class C3 (b) of The Town and Country Planning (Use Classes) Order 1987 (as amended) and so is lawful.