

PLANNING, DESIGN AND ACCESS STATEMENT

8 Chalgrove Road, Tottenham, N17 0NP



Proposal: Certificate of Lawfulness for change of use
from use class C3 (Residential) to use class
C3(b) (Residential)



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SITE

The application is a two-storey mid terrace property in use as a single family dwelling house.

Surrounding area is wholly residential in character. The site is not located within any conservation area and does not fall within the curtilage of a listed building.

PROPOSAL

A Certificate of Lawfulness is sought for a change of use from residential use Class C3 (a) to Class C3 (b) occupying 6 residents and 1 staff (a permanent occupant of the dwelling).

We provide care and support to Domestic Abuse victims. We are committed to creating a welcoming, inclusive community where everyone is treated with respect and dignity, and where the unique strengths and abilities of each individual are celebrated.

There are no internal or external alterations to the proposed to the building and as such the front, side and rear elevations of the host building remains unchanged.

Supported Living

At 360 circle of care our goal is to promote independence, self-determination, and empowerment, providing person-centered support services that are tailored to the specific needs and preferences of each person we serve.

We strive to foster meaningful connections within the community, helping to break down barriers and promote understanding among people of all backgrounds. We are CQC certified.

Promoting positive social interaction in both formal and informal settings and enabling them to make sense of their past experiences will allow them to develop strategies for everyday living and enable them to integrate positively into the wider community.

MAIN ISSUES

This is not a planning application and therefore the merits of the case do not come into consideration. The decision whether to grant or refuse a certificate is a matter of fact and law.

A certificate of lawfulness of proposed use or development seeks to establish whether any proposed operations, development or use would require planning permission.

The issue of a certificate depends entirely on information about the proposed use/development and planning status of the building or other land and is not able to consider matters of public opinion. The main issue for the consideration in this application is whether the proposed use constitutes a material change of use of the dwelling house.

APPRAISAL

In accordance with the use Classes Order 1987 (as amended), the wording of Class C3 covers the use of a dwellinghouse (whether or not as a sole or main residence) by:

- ☐ C3 (a) covers use by a single person or a family (a couple whether married or not, a person related to one another with members of the family of one of the couple to be treated as members of the family of the other), an employer and certain domestic employees (such as an au pair, nanny, nurse, governess, servant, chauffeur, gardener, secretary and personal assistance), a carer and the person receiving the care and a foster parent and foster child.
- ☐ C3(b): up to six people living together as a single household and receiving care e.g., supported housing schemes such as those for people with learning disabilities or mental health problems.
- ☐ C3(c) allows for groups of people (up to six) living together as a single household. This allows for those groupings that do not fall within the C4 HMO definition, but which fell within the previous C3 use class, to be provided for i.e., a small religious community may fall into this section, as could a homeowner who is living with a lodger.
- ☐ Section C3 (b) clearly states that where care is provided, the residents must live together as a single household. Circular 05/2010 states that for the purposes of Class C3 (b) and C3(c) single household is not

defined in the legislation. The question of whether a particular building is a dwellinghouse will therefore depend on the facts of the case.

The proposed use of the home for 6 adults living together as a single household where care is provided for the individuals. They are looked after by a permanent occupant of the dwelling. This gives a total no more than 6 residents on site (including permanent occupant of dwelling).

Existing use as a single - family dwelling house and the proposed use for 6 adults living together as a single household, with care provided throughout the day and night by a permanent occupant of the dwelling. The permanent occupant of the dwelling (1 staff) would also share the communal facilities as part of the single household and would participate in domestic and leisure activities with the residents.

This is an application for an LDC to the effect that the use of the property as a dwelling house by not more than 6 residents living together as a single household, with 24 hour non - residents care (Class C3(b)), would not constitute development as defined in the Planning Acts, such that the proposed use could be carried on in the property without the need to apply for planning permission.

Certificate sought to emulate the care and support for vulnerable adults (domestic abuse) would normally have in a family home environment.

Class C3 (B) Specifies not more than 6 residents is within C3 definition.

Therefore, the proposal will not result in a change of use of the property as it still falls within C3 use class.

CONCLUSION

Based upon the information submitted it is considered that the proposed use would operate as a single household for the purposes of Use Class C3 and in accordance with Article 3 (1) of the Town and Country Planning (Use Classes) Order 1987 (as amended) the use of the premises would not be taken to involve development of the land. As such, no planning permission is required.