# PLANNING STATEMENT FOR 4 KINGSWAY, ROCHDALE OL16 4UU.

Lawful Development Certificate for Propose Use as Supported Living Accommodation for 4 Adults with Learning Difficulties and two non-resident carers {Class C3(b)}.

MPD Built Environment Consultants Ltd

## Introduction

This Planning Statement has been prepared in support of the accompanying application for a Certificate of Lawfulness for Willow Tree Support Limited to use of 4 Kingsway, Rochdale as a dwelling-house to house four adults with learning difficulties with two non-resident carers (Class C3(b)).

A learning disability affects the way a person learns new things throughout their lifetime. It can impact people's ability to learn new skills, understand and process information and communicate with others. However, people with a learning disability can still be capable of working and living independently, depending on which type of learning disability they have.

A learning disability affects the way a person understands information and how they communicate. This means they can have difficulty:

- understanding new or complex information
- learning new skills
- coping independently

Around 1.5 million people in the UK have a learning disability. Around 1.13 million of those are adults with a learning disability, which is approximately 2.16% of the total UK population. It's thought up to 350,000 people have a severe learning disability and this figure is increasing.

There are different levels of learning disability these can be mild, moderate or severe. Some people with a mild learning disability can talk easily and look after themselves but may need a bit longer than usual to learn new skills. Other people may not be able to communicate at all and have other disabilities as well.

Some adults with a learning disability are able to live independently, while others need help with everyday tasks, such as washing and dressing, for their whole lives. It depends on the person's abilities and the level of care and support they receive.

The right support from professionals – such as GPs, speech and language therapists, physiotherapists, educational and clinical psychologists and social care – helps people with a learning disability live as full and independent a life as possible.

Signs of learning disabilities in adults

- Difficulties in understanding information
- Problems with maths, reading or writing
- Learning new skills at a slower pace
- Problems with memory
- Problems with communication, such as speaking slowly or having a small vocabulary
- Difficulties in understanding and following conversation
- Problems with coordination
- Finding it difficult to understand concepts such as time and direction

A learning disability happens when a person's brain development is affected, either before they're born, during their birth or in early childhood.

This can be caused by things such as:

- the mother becoming ill in pregnancy
- problems during the birth that stop enough oxygen getting to the brain
- the unborn baby inheriting certain genes from its parents that make having a learning disability more likely – known as inherited learning disability
- illness, such as meningitis, or injury in early childhood

Sometimes there's no known cause for a learning disability.

Some conditions are associated with having a learning disability because people with these conditions are more likely to have one.

For example, everyone with Down's syndrome has some kind of learning disability, and so do many people with cerebral palsy.

People with autism may also have learning disabilities, and around 30% of people with epilepsy have a learning disability.

With support, many people can learn to communicate in different ways, be involved in decisions about themselves, do things they enjoy and achieve more independence.

Willow Tree Support is a private limited company contracted to provide support services for adults with learning difficulties on behalf of the local authority.

Sadly, at present there are not sufficient facilities to keep up with local demand. 4 Kingsway is a desperately needed facility to provide a safe and secure home for these vulnerable adults. Every area has a mix of people including Rochdale who require varying degrees of support. The aim is to provide the residents with a quiet, friendly and supportive environment for them to live as independently as possible as a group and to allow them to develop with appropriate support. The property will be utilised to house suitable adults with learning difficulties from local area allowing them to live in a supportive environment close to their families and friends.

## Site Description

The property is a two storey 4 bedroomed detached dwelling house with a garage to the side which provides off-street parking provision for one vehicle. The property is situated on the corner of Kingsway and Watkin Street in a primarily residential area.

The accommodation within the property consists of a dining room and kitchen to the left-hand side of the entrance hall and staircase with a lounge and office to the right-hand side. Upstairs at first floor level there are 4 bedrooms and a shared bathroom. The property also has a basement and loft area which will be utilised for storage. There is also a rear door which connects the kitchen area to the garage at the side.

There are no on street car parking restrictions on Watkin Street, although there is a traffic regulation order in front of the property along Kingsway.

The property is within easy reach of local shops and amenities, whilst also benefitting from good public transport links. The site is therefore considered to be a sustainable location.

No internal or external alterations except for decoration are proposed as part of these proposals.

## The Proposal

The proposal involves the use of a dwelling-house (Class C3a) as a supported living unit for 4 vulnerable adults with learning difficulties (Class C3b) with two carers on site at any time both during the day and night.

Currently, Class C3 Dwelling Houses are defined as follows:

Use as a dwelling-house (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).

Within the Communities and Local Government Circular 08/2010 there were additional comments which state:

C3(b) continues to make provision for supported housing schemes, such as those for people with disabilities or mental health problems.

It remains the case that in small residential care homes or nursing homes, staff and residents will probably not live as a single household and the use will therefore fall into the residential institutions class, regardless of the size of the home. Local planning authorities should include any resident care staff in their calculation of the number of people accommodated.

However, what this does not take into account is the more modern approach to small care homes whereby there are no resident staff and those living in the house are living as a single household.

It remains the case that in small residential care homes or nursing homes, staff and residents will probably not live as a single household and the use will therefore fall into the residential institutions class, regardless of the size of the home. Local planning authorities should include any resident care staff in their calculation of the number of people accommodated.

Indeed, to the eye there is no material difference between a Class C3a use (your home) and this home (Class C3b), as it will be operated as a family unit with a supporting model in place to allow the residents to live as independently.

## Analysis

The site is located in an established residential area. The previous use of the property as a dwellinghouse (Class C3a) falls within the same use class as the proposed use as a supported living facility for vulnerable adults (Class C3b). As both are Classed as Class C3 uses a change of use from one to the other would not amount to development in accordance with section 55 (2) (f) of the Town and Country Planning Act 1990.

Planning Permission is accordingly not required for the proposed use which could lawfully take place within the subject property. Therefore, a Certificate of Lawfulness should be granted.

It is hereby requested that a Certificate of Lawfulness be granted for the use of 4 Kingsway, Rochdale as a dwelling house to be occupied as supported living accommodation for 4 vulnerable adults with learning difficulties with up to 2 carers providing support to them to enable them to live together as a single household.

### The Principle

The characteristics of the use are very similar to that of a single-family dwelling (Class C3). However, as the carers will not be resident on site the use falls within that of a supported living (Class C3b).

The primary use is still residential (Class C3) with the residents living independently albeit it with a degree of external support from the carers. A supported living unit meets the definition of a household under Class C3 and as such a Class C3b use as proposed is considered a wholly appropriate use in a residential area from a land use policy perspective and does not constitute a material change of use as defined by the Town and Country Planning (Use Classes) Order 2015 (As Amended).

### Visual Impact

There are no internal or external alterations proposed as part of this change of use application, except for cosmetic improvements such as decoration and tidying up of external areas. Therefore, from the outside the property will not be discernibly different from any other dwelling located in the road. To all intents and purposes the property will appear to be a dwelling house to any passer-by.

### Residential Amenity

The property will be occupied by a maximum of four vulnerable adults with a minimum of two carers on site at all times to provide support. The use will have the same characteristics of that of a dwelling-house with all occupants living together as a family unit and sharing communal facilities such as a bathroom, kitchen, dining room and lounge. The carers will not be permanent residents at the property and will rotate in accordance with shift patterns as supplied as part of the supporting evidence.

The proposal will therefore not have any greater impact on the residential amenities enjoyed by the neighbours than if a family of six occupied the property (Class C3a) or if it was in use as a single group HMO (Class C3c).

Highway Safety

The nature of the resident's disabilities means that none are able to hold a driving license and as such only visiting carers will use a vehicle. The carers all live locally and therefore most will walk, cycle or use public transport to travel to work rather than drive so there will be no detrimental impact in terms of parking demand.

There will only be two carers on site at any single time, so the traffic generated by the use will be no different to that which might be expected of a single-family dwelling. The use is therefore not envisaged to result in an increase in traffic or parking demand in the locality or impact highway safety.

Future Management

Whilst, the on-going management of the home is not a material planning consideration as such, this often causes anxiety amongst local residents and therefore it is important that this is addressed to reassure neighbours about the operation of the property in the future. The local planning authority is concerned with the impact of the development in land use terms to ensure it does not have any impacts in terms of material planning considerations such as residential amenity, highway safety and parking etc.

To provide a further insight into the operation of the property further details have been provide at Appendix A of this document, along with a staff rota detailing the shift pattern.

**Conclusions**

The permitted use of the property is as a dwelling-house (Class C3). The characteristics of the proposed use as supported living for four vulnerable adults with learning difficulties (Class C3b) will have no greater impact on the locality than the existing use in terms of material planning considerations and falls within the same use class. The property will be used to house four adults with support needs and will provide a much need facility to allow the residents to lead as independent life as possible in a supported environment.

Having regard to the above, and noting that the nature of the development would be unlikely to result in any greater impacts than the existing C3 use, it is considered that the proposed development does not constitute a material change of use and as such a Certificate of Lawfulness should be granted for the use of the premises for supported living for four adults with learning difficulties (Class C3b).

## APPENDIX A

## CRITERIA FOR ASSESSMENT OF MATERIAL CHANGE IN RESPECT OF SMALL CARE HOMES

**1.** The numbers of occupants and numbers of vehicles at the property or as last occupied.

*There will be 4 residents who will be residing in the property. The residents will not have vehicles as they cannot hold a driving license by law.*

**2.** The number of residents who will be residing at the property and for how long they will live there.

*There will be 4 permanent adult residents living at the property.*

**3.** The age the residents who will be residing at the property.

*The residents residing at the property will be aged 40+*

**4.** The types of residents who will reside at the property e.g. adults with disabilities, alcohol problems etc.

*The adults residing at the property will be registered disabled due to poor mental health or have learning needs. They will have a range of illness' from Schizophrenia to Bipolar affective disorder. They will be classified as vulnerable adults. We will not be supporting individuals with drug or alcohol misuse problems.*

**5.** The number of carers in total and the number which will be present at the property at any given time and whether there is 24-hour care.

*There will be 6 full time support workers employed at the property. During the day there will be 2 staff members and during the night there will be 1 staff member who stays awake. At any given 1 time there will be 6 individuals in the property. (4 residents and 2 staff members)*

**6.** Shift patterns including the duration of each shift and associated vehicular movements and parking details.

*13 hour shifts x 3 with a 30-minute break per week. Equating to 37.5 hours for full time employees. (See Rota attached). There is space for 1 car in the garage. 70% of staff will be commuting to work by walking, cycling or using public transport.*

**7.** Details of social workers and psychologists – numbers, frequency of visits and duration of stay.

*Social worker(s) will visit, dependent upon the needs of the resident (similar in number to visits undertaken by relatives, family of a normal dwelling house). We will employ an electronic care record system, which allows family members to keep in touch with their relatives virtually and on a daily basis. (logmycare.co.uk). A monthly report will be sent to parties involved in the resident's care, e.g social worker, psychiatrist, CPN.*

**8.** Details of any staff or contractors visiting the property e.g. gardeners, maintenance, home delivery etc. – numbers, frequency of visits and duration of stay.

*Monthly window cleaner. Any contracting work will be pre planned. In respect to emergency this would be like any normal dwelling.*

**9.** Any external changes which may be made to the property e.g. replacing the garden with a drive, erection or signage or cameras.

*CCTV was already in situ from its HMO classification. Aesthetics – jet washing, masonry painted, loose cables all tidied etc.*

**10.** Have there been any internal alterations to the properties, if so what?

*None*

Addit:
We will have a defibrillator registered with North West Ambulance Service for cardiac emergencies in the local area.

## APPENDIX B

APP/U1105/X/12/2173513 - Chessington, 50 Marlpit Lane, Seaton, Devon EX12 2HN

APP/U5930/X/19/3229723 - 55 Cecil Road, Walthamstow, London E17 5DH

APP/V2255/X/19/3224363 - Loyterton Farmhouse, Tickham Lane, Lynsted, Sittingbourne, Kent, ME9 OHW