

Planning Statement

Proposed Lawful Development Certificate: Confirmation of Lawful Use as a Residential Care Home (Use Class C2)

Existing Lawful Use: Residential Dwelling with Care (Use Class C3(b))

Address: 7 Glennon Close, Reading, RG30 3HT

Prepared on behalf of: Nehal Ahmed

Local Planning Authority: Reading Borough Council

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1.0 Introduction

This Planning Statement has been prepared in support of an application for a **Certificate of Lawfulness** to confirm the lawful use of 7 Glennon Close, Reading as a **residential care home falling within Use Class C2 (Residential Institutions)**.

The property already benefits from lawful planning status under **Use Class C3(b)**, which allows the occupation of a dwellinghouse by up to six residents living together as a single household where care is provided.

The purpose of this application is therefore **not to introduce a fundamentally new or intensified use**, but rather to confirm that the operation of a small children's residential care home for **three young people aged 7–16 with Emotional and Behavioural Difficulties (EBD)** falls lawfully within **Use Class C2**, and that the change from C3(b) to C2 does **not constitute a material change of use in planning terms**.

The applicant seeks legal certainty through a Lawful Development Certificate confirming that the proposed care provision is lawful.

It is important to emphasise that the property **already has an established lawful use involving residential care provision**. The proposed operational model will remain highly comparable in terms of scale, residential character, and intensity of use.

2.0 Site and Context

7 Glennon Close is a semi-detached residential property situated within a quiet suburban residential area of Reading. The surrounding streets are characterised by traditional family housing including semi-detached and terraced dwellings typical of suburban neighbourhoods.

The property sits within the administrative boundary of **Reading Borough Council** and currently benefits from lawful planning status as **Use Class C3(b)**.

The dwelling retains a conventional residential appearance and form and will continue to operate as a domestic dwelling. No extensions, structural alterations, or changes to the building's external appearance are proposed as part of this application.

The proposal therefore maintains the residential character of both the property and the surrounding street scene.

3.0 Existing Lawful Use – Class C3(b)

Under the **Town and Country Planning (Use Classes) Order 1987 (as amended)**, Use Class C3(b) allows a dwellinghouse to be occupied by up to six residents living together as a single household where care is provided for residents.

The lawful status of the property under C3(b) is highly significant in planning terms.

This classification already recognises that the property may lawfully operate as a **care-based residential setting**, with residents supported by carers or support workers.

The operational characteristics of such a use include:

- The provision of care and supervision
- Staff attendance to support residents
- Structured routines within a domestic setting
- Residential occupation by vulnerable individuals

These characteristics are **already inherent within the C3(b) planning permission**.

As such, the presence of staff, structured care provision, and safeguarding oversight **cannot be considered novel or materially different** from the existing lawful use.

4.0 Proposed Operation of the Home

The applicant proposes to operate the property as a **small residential children's home accommodating three young people aged 7–16**.

The residents will present with **Emotional and Behavioural Difficulties (EBD)** and will be supported within a structured and nurturing residential environment.

The care model is designed to replicate the atmosphere of a family home while ensuring that appropriate professional support is available.

Key operational characteristics include:

- A maximum of **three young residents** at any one time
- **24-hour staffing presence** with carers working extended **24–48 hour shifts**

- Dedicated office space and **sleep-in accommodation for staff**
- Structured daily routines including education, activities, and therapeutic support

The staffing model intentionally uses longer shifts in order to **minimise staff turnover and vehicle movements**, thereby reducing potential disturbance to neighbouring properties.

Importantly, the number of residents proposed is **significantly below the six-person threshold commonly associated with shared residential living**.

The scale of the operation therefore remains entirely consistent with a typical family dwelling.

5.0 C3(b) to C2 – Planning Considerations

The key planning consideration in this application is whether the proposed use represents a **material change of use** from the existing lawful C3(b) use.

In this case, the proposal simply seeks to operate the property as a **small residential care home for children**, which falls within **Use Class C2**.

The defining distinction between C3(b) and C2 relates primarily to the **formalised provision of care**.

However, where a property already has lawful C3(b) status, care provision is **already authorised and expected within the use**.

Therefore:

- The property already accommodates **residents receiving care**
- The presence of **staff supporting residents is already permitted**
- The residential scale and character of the property remain unchanged

The proposed operation is therefore **highly comparable to the existing authorised use**.

In practical planning terms, the day-to-day activities within the home will be materially similar to those already permitted under C3(b).

The property will continue to function as a residential dwelling, occupied by a small group of residents living together with professional care support.

6.0 Relevant Planning Case Law

Planning case law has consistently emphasised that the determination of a material change of use depends upon the **character and intensity of the use**, rather than simply the classification of the use within the Use Classes Order.

In **North Devon District Council v First Secretary of State & Southern Child Care Ltd [2003]**, the High Court confirmed that a children's residential home accommodating a small number of residents with support staff may not represent a material change from a

residential use where the character of occupation remains comparable to a normal household.

Similarly, numerous planning appeal decisions have confirmed that the operation of small children's homes within residential properties often mirrors the characteristics of ordinary domestic living.

The courts and inspectors have therefore repeatedly emphasised that **the presence of care staff alone does not create a materially different planning use**.

This principle is particularly relevant where a property **already has planning permission for C3(b)**.

7.0 Residential Character and Amenity

The proposal will maintain the residential character of the property and the surrounding neighbourhood.

Key factors supporting this include:

- A **very small resident population** of only three children
- No external alterations to the building
- Long staff shift patterns to **reduce comings and goings**
- Dedicated on-site staff space including an office and sleep-in room
- A stable long-term residential environment

The day-to-day activity levels associated with the home will be comparable to those of a family household.

Children living at the property will attend education, participate in structured activities, and live within a supervised residential setting.

The use therefore remains entirely consistent with the surrounding residential environment.

8.0 Sustainable Travel

The property will provide **secure cycle storage for three bicycles**, encouraging staff to travel to work via sustainable means where possible.

The use of extended staffing shifts will further minimise travel movements associated with shift changes.

This operational model therefore supports sustainable transport objectives and reduces traffic impact within the surrounding residential streets.

9.0 Conclusion

The application seeks confirmation that the operation of a small children's residential care home at 7 Glennon Close falls lawfully within **Use Class C2**.

Crucially, the property already benefits from lawful planning status under **Use Class C3(b)**, which explicitly allows residential occupation by individuals receiving care.

The proposed operation:

- Maintains a **small residential scale**
- Retains the **domestic character of the property**
- Does not introduce significant intensification of use
- Mirrors the characteristics of the existing lawful care-based use

As such, the transition from C3(b) to C2 **does not represent a material change of use in planning terms**.

The proposal simply formalises the classification of a residential care setting that is already lawful in principle.

In light of the above, the applicant respectfully requests that **Reading Borough Council issue a Certificate of Lawfulness confirming that the use of the property as a children's residential care home within Use Class C2 is lawful**.

The applicant remains committed to operating the home responsibly and in a manner fully consistent with the residential character of the area.