

Application for a Lawful Development Certificate for a Proposed Use or Development

Town and Country Planning Act 1990 (as amended)

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number

Suffix

Property Name

Address Line 1

Address Line 2

Address Line 3

Town/city

Postcode

Description of site location must be completed if postcode is not known:

Easting (x)	Northing (y)
<input type="text" value="441132"/>	<input type="text" value="410826"/>

Description

Applicant Details

Name/Company

Title

Mr

First name

Juan

Surname

Fite

Company Name

Avaia Care Ltd

Address

Address line 1

Bluebell Cottage Brierley Road

Address line 2

Brierley

Address line 3

Town/City

Barnsley

County

Barnsley

Country

United Kingdom

Postcode

S72 9JQ

Are you an agent acting on behalf of the applicant?

Yes

No

Contact Details

Primary number

***** REDACTED *****

Secondary number

Fax number

Email address

Description of Proposal

Does the proposal consist of, or include, the carrying out of building or other operations?

- Yes
 No

Does the proposal consist of, or include, a change of use of the land or building(s)?

- Yes
 No

If Yes, please give a full description of the scale and nature of the proposed use, including the processes to be carried out, any machinery to be installed and the hours the proposed use will be carried out

The proposal is for the change of use of the property from a dwellinghouse (Use Class C3) to a children's residential care home (Use Class C2).

The home will provide accommodation and care for up to 3 children aged 7–17, supported by 2 staff members on site at any one time working on a shift basis.

The property will continue to operate as a family-style residential home. No industrial processes will be carried out, and no machinery will be installed.

The home will operate on a 24-hour basis, consistent with its function as a place of residence. No external alterations to the building are proposed, and the residential character of the property will remain unchanged.

If Yes, please fully describe the existing or the last known use, with the date when this use ceased

The property is currently in use as a dwellinghouse (Use Class C3) providing residential accommodation for a single household.

This residential use is ongoing and has not ceased.

Has the proposal been started?

- Yes
 No

Grounds for Application

Information about the existing use(s)

Please explain why you consider the existing or last use of the land is lawful, or why you consider that any existing buildings, which it is proposed to alter or extend are lawful

The property is a lawful dwellinghouse (Use Class C3). It has been continuously occupied for residential purposes within this use class and has not been subject to any enforcement action or change of use.

No alterations or extensions are proposed. The existing building is therefore lawful in planning terms and remains in use in accordance with its established residential planning status.

Please list the supporting documentary evidence (such as a planning permission) which accompanies this application

There is no additional documentary evidence to submit. The property is in lawful use as a dwellinghouse (Use Class C3) and no alterations are proposed.

Select the use class that relates to the existing or last use.

C3 - Dwellinghouses

Information about the proposed use(s)

Select the use class that relates to the proposed use.

C2 - Residential institutions

Is the proposed operation or use

- Permanent
 Temporary

Why do you consider that a Lawful Development Certificate should be granted for this proposal?

The proposal seeks to change the use of the property from a dwellinghouse (Use Class C3) to a small children's residential care home (Use Class C2).

The change of use falls within Use Class C2 as it will provide accommodation and care for up to 3 children aged 7-17, supported by 2 staff on site at any one time. This use is consistent with the definition of a residential institution and has been recognised through planning case law and precedent as an appropriate C2 use.

No external alterations or building works are proposed. The residential character and appearance of the property will remain unchanged, and the scale of occupation is comparable to that of a family household.

Accordingly, the proposed use does not give rise to any material change in the external environment of the site, and it falls wholly within the scope of Class C2. A Lawful Development Certificate should therefore be granted.

Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

- Yes
 No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- The agent
 The applicant
 Other person

Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

Yes

No

Authority Employee/Member

With respect to the Authority, is the applicant and/or agent one of the following:

(a) a member of staff

(b) an elected member

(c) related to a member of staff

(d) related to an elected member

It is an important principle of decision-making that the process is open and transparent.

For the purposes of this question, "related to" means related, by birth or otherwise, closely enough that a fair-minded and informed observer, having considered the facts, would conclude that there was bias on the part of the decision-maker in the Local Planning Authority.

Do any of the above statements apply?

Yes

No

Interest in the Land

Please state the applicant's interest in the land

Owner

Lessee

Occupier

Other

If Lessee or Occupier, please give details of the owner and state whether they have been informed in writing of this application

***** REDACTED *****

Declaration

I/We hereby apply for Lawful development: Proposed use as described in the questions answered, details provided, and the accompanying plans/drawings and additional information.

I/We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

I/We also accept that, in accordance with the Planning Portal's terms and conditions:

- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published as part of a public register and on the authority's website;

- Our system will automatically generate and send you emails in regard to the submission of this application.

I / We agree to the outlined declaration

Signed

Juan Fite

Date

17/09/2025