

PLANNING STATEMENT

Job No: 2693
Job Name: Change Of Use from C3a to C3b
Job Address: 329 Midland Road, Royston, S71 4AZ
Client: Blueprint Housing & Investment Ltd



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Bolton, BL6 6LB

1. Description of Proposed Development

Application is made for a Certificate of Lawful Development (Proposed) to confirm that the proposed change of use of the property at 329 Midland Road, Royston, Barnsley from Use Class C3(a) (dwellinghouse occupied by a single household) to Use Class C3(b) (dwellinghouse occupied by up to six residents living together as a single household while receiving care) is lawful.

No external building works are proposed as part of this application.

2. Existing Lawful Use

The application site comprises an existing two-storey, three-bedroom residential dwellinghouse within a row of terraced houses situated on Midland Road, within an established residential area characterised predominantly by dwellinghouses in residential use. The site lies within the defined settlement of Royston and benefits from access to local services and public transport routes.

The building is a self-contained dwellinghouse with its own entrance and associated residential curtilage. The property is currently and lawfully in Use Class C3(a) and functions as a single household dwelling.

3. Proposed Use

There are no external changes proposed to the building or the site as part of the application, and the property will retain its residential appearance and character. The proposed use would not alter the form, scale, or domestic nature of the property, nor would it result in any physical alteration to the street scene or surrounding area.

It is proposed that the dwelling will be occupied by no more than three residents, who will live together as a single household. Residents will receive care and support ancillary to the residential use.

The accommodation will operate as a domestic dwelling, with shared living, kitchen, bathroom and amenity spaces. The use will not have the characteristics of an institutional use, and the residential nature of the property will be retained.

3.1. *Domestic routine:* Residents will share kitchen and dining facilities and regularly prepare and take meals together, with support where required. Cleaning, laundry, and household chores are undertaken collectively, with staff encouragement to promote independent living skills.

3.2. *Communal areas:* All residents will have unrestricted access to shared living areas including the lounge, kitchen, dining space, bathrooms, and external

amenity space. These spaces are used informally and socially by residents in the same way as any domestic household.

3.3. *Group stability and turnover:* Occupancy will be planned, long-term and stable. Residents will only be accommodated following a structured matching process to ensure household compatibility. Resident turnover will be low and carefully managed, with agreed and planned move-on arrangements rather than short-term or emergency placements. At no time will the number of residents exceed four.

3.4. *Support staff:* No staff members will be housed permanently on site. Support workers will attend site on a visiting basis at times convenient and co-ordinated with residents.

All staff will be local to the property and will be encouraged to use sustainable means of transport for their visits. It is anticipated that there will be a maximum of two support staff on site at any one time.

4. Relevant Planning Legislation

Under the Town and Country Planning (Use Classes) Order 1987 (as amended), Use Class C3 includes:

C3(a): Use by a single person or a single household.

C3(b): Up to six residents living together as a single household where care is provided.

The proposed use falls squarely within Use Class C3(b).

Both the existing use (C3(a)) and proposed use (C3(b)) fall within the same use class (Use Class C3). As such, the proposal does not constitute a material change of use for the purposes of Section 55 of the Town and Country Planning Act 1990.

5. Permitted Development

As the proposal involves a change within the same use class, it does not amount to development requiring planning permission.

In accordance with the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), the proposed use is therefore permitted development.

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Barnsley Metropolitan Borough Council has consistently confirmed that a change from C3(a) to C3(b) is lawful and constitutes permitted development where residents form a single household and care is ancillary to the residential use.

6. Article 4 Direction

While Barnsley Metropolitan Borough Council has made a borough-wide Article 4 Direction, this applies only to the change of use from Class C3 to Class C4 (HMO).

The Article 4 Direction does not remove permitted development rights for changes within Class C3, including changes from C3(a) to C3(b). The proposed development is therefore not affected by the Article 4 Direction.

7. Planning Assessment

The determination of an application for a Certificate of Lawful Development must be based solely on the facts of the case and any relevant judicial authority. The planning merits of the proposal are not a material consideration in this process. It is the responsibility of the applicant to demonstrate, on the balance of probability, that the proposed use would be lawful.

Whether a proposal amounts to a material change of use is not defined in statute and is therefore a matter of fact and degree, to be assessed in the context of the individual circumstances of each case. In considering whether a material change of use would occur, the key test is whether there would be a significant change in the character of the use when compared with the lawful use of the property as a dwellinghouse. Any potential off-site effects arising from the proposed use may be relevant to that assessment, including impacts on residential amenity, highway safety and parking. However, such matters are not determinative in isolation and must instead be considered as part of the overall judgement as to whether the scale or nature of the use would result in materially different planning circumstances.

8. Conclusion

The proposed change of use of 329 Midland Road, Royston, Barnsley from Use Class C3(a) to Use Class C3(b):

- Is a change within the same use class.
- Does not constitute a material change of use.
- Is not restricted by any Article 4 Direction.
- Is therefore lawful and permitted development.

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In accordance with The Town and Country Planning (General Permitted Development) (England) Order 2015, the proposed residents of 329 Midland Road would be capable of forming a single household while receiving care i.e. supported housing, and as such the use would fall in use class C3b. The proposed change of use from C3a to C3b would be within the same use class and constitute permitted development.

The applicant respectfully requests that Barnsley Metropolitan Borough Council grants a Certificate of Lawful Development (Proposed) confirming the lawfulness of the proposed use.