



Development Management
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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)

Description

Applicant Details

Name/Company

Title

MRS

First name

STELLA

Surname

ODUNUBI

Company Name

MASHDEL HEALTHCARE LTD

Address

Address line 1

Copper Oaks Sloe Hill

Address line 2

Address line 3

Town/City

Halstead

County

Essex

Country

United Kingdom

Postcode

CO9 1PA

Are you an agent acting on behalf of the applicant?

Yes

No

Contact Details

Primary number

***** REDACTED *****

Secondary number

**** REDACTED ****

Fax number

Email address

**** REDACTED ****

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 application is for change of use from a C3(a) private dwelling to a C3(b) supported accommodation for children with mental health needs and or learning disabilities. We are going to use the house as a children's residential home offering supported and or semi independent supported accommodation. This will be either long term placements for some and short term for others depending with the child's individual needs. There will be 4 or less children in the house at any given time and there will be 2 or less staff at any given time in the house. Staff will be working on a 12 hour shift pattern. Day shift runs from 0700 and finish at 1900 hrs and night shift runs from 1900hrs to 0700 hrs. There will not be unnecessary movements other than children being taken out to school, therapy sessions, activities and doctor appointment. Visitation from family members and professionals will be by appointment only. No staff will be staying on site. There is a large car park off road meaning traffic floor will not be compromised.

The Cooper Oaks house (Mashdel Healthcare) will be a children's home registered under Section 60 of the Children Act 1989 providing specialist residential care for up to 4 young people, of either gender, usually aged between 5 and 18 years (5-17 years on admission). Young people are usually placed on a 52-week care basis but in some cases 39-week placements or less may be considered if appropriate. Emergency referrals may be considered subject to a satisfactory impact risk assessment; all decisions are based on individual need and take into consideration the needs of the other young people already living in the home. In some circumstances young people may stay beyond the age of 18 years if onward placement could not be facilitated in time.

How this will work :-

1. 2 members of staff will attend to the site at any one time
2. Ages of the children residing at the site will be between 5 and 17 years
3. On a typical day staff will arrive at 0700 after which they will have handover from the night staff. On waking up children are encouraged to attend to their personal care before coming down to the kitchen where a staff member will help them to make their breakfast and have their medication. They then are encouraged to tidy their bedrooms after which activities for the day are discussed and agreed to. Those children who need escorting will be escorted to their therapy groups, walks/activities, doctors etc. On coming back midday staff encourage children to make their lunch and if there is shopping to be done then the child that need shopping will be taken out for shopping. Day shift ends at 1900 hours. The night shift staff will encourage children to interact, participate in activities before encouraging them to go to bed. If any of the children have medication they will be encouraged to take medication at the right time. Therefore there will not be unnecessary movement of traffic in and out of the premises.

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

The property is a 5 bedded detached house built on a spacious piece of land (0.23 hectares) in a quiet area in Halstead, Braintree. It is currently a private dwelling. It has 4 beds on the first floor and 1 bedroom in the annex at the back. Has 2 kitchens (One in the main house and a small kitchen in the annex). It has two reception areas one in the main house ground floor and one in the annex. It has 2 bathrooms (a family bathroom on the first floor and one on the ground floor. The annex has its own bathroom. One bedroom is ensuite. There is a laundry room and a spacious storage cupboard. There is also one addition room which will be used as an office.

Outside there is a large car park that accommodates up to 4 cars off road. There is a spacious large garden and playing area on the side that children can play.

This house is ideal for looking after children either with learning disabilities, special needs, mental health issues of behaviours that challenges.

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

This is an application to find out if we need planning permission to operate a supported home/residential accommodation for children between the ages of 5-17 years. The existing use of the house is lawful for the purpose of looking after children with mental health issues or learning disabilities because:-

1. Only up to 4 children at any given time will be in the house
2. Only up to 2 staff at any given time will be in the house except if there are visitors.
3. No building work or alteration of the existing structures will be made
4. The house will be used as it is at the moment.
5. There is enough space for 4 children
7. The house is detached and it has enough parking off road for 4 cars meaning there will not be noise to the neighbours
8. There is enough ground space for children's activities

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

The Cooper Oaks house (Mashdel Healthcare) will be a children's home registered under Section 60 of the Children Act 1989 providing specialist residential care for up to 4 young people, of either gender, usually aged between 5 and 18 years (5-17 years on admission). Young people are usually placed on a 52-week care basis but in some cases 39-week placements may be considered if appropriate. Emergency referrals may be considered subject to a satisfactory impact risk assessment; all decisions are based on individual need and take into consideration the needs of the other young people already living in the home. In some circumstances young people may stay beyond the age of 18 years if onward placement could not be facilitated in time.

The Cooper Oaks (Mashdel Healthcare) will care for young people with complex social, emotional and behavioural needs who require attachment aware, trauma informed care, education and clinical support in a therapeutic friendly environment. These children could be suffering from a range of mental health issues that includes: - depression, ADHD, ASD, drug related issues, anxiety disorders, emotional and behavioural difficulty, mood disorder and behaviour that challenges and also learning disabilities. Their difficulties may include: -

- o Sexualised behaviours
- o Sexually harmful behaviours
- o Sexual exploitation
- o Moderate learning disabilities (Asperger's, Autism)
- o Mental health (Self-harm, Anxiety, Depression, Post-traumatic stress, Oppositional disorder)
- o Physical aggression/violent behaviour
- o At risk of becoming criminalised
- o Running away behaviours
- o Alcohol abuse
- o Drug abuse

The home will not provide accommodation for children or young people with physical disabilities however, at referral stage a child or young person with a physical disability may be considered if it is assessed that all their needs can be met in the placement. Children and young people with severe learning disabilities and serious mental health problems including those at risk of life-threatening self-harm would not be suitably placed at Cooper Oaks.

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

C3 - Dwellinghouses

Please note that following changes to Use Classes on 1 September 2020: The list includes the now revoked Use Classes A1-5, B1, and D1-2 that should not be used in most cases. Also, the list does not include the newly introduced Use Classes E and F1-2. To provide details in relation to these or any 'Sui Generis' use, select 'Other' and specify the use where prompted. See help for more details on Use Classes.

Information about the proposed use(s)

Select the use class that relates to the proposed use.

C3 - Dwellinghouses

Please note that following changes to Use Classes on 1 September 2020: The list includes the now revoked Use Classes A1-5, B1, and D1-2 that should not be used in most cases. Also, the list does not include the newly introduced Use Classes E and F1-2. To provide details in relation to these or any 'Sui Generis' use, select 'Other' and specify the use where prompted. See help for more details on Use Classes.

Is the proposed operation or use

- Permanent
 Temporary

If Temporary please give details

The house currently is a normal house for a normal family to live. According to the classification currently it falls under C3(a) meaning use by either a single person or a family. We intent to use it to accommodate up to 4 children as described above (semi independent supported or and supported accommodation)

We do not intend to make alterations to the house but we will be looking after 4 children aged between 5 and 17 in the house. The house will either be a long placement or short term placement while children recover from their illnesses. We understand that this is covered under class C3(b) a classification that covers 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.

Therefore the Lawful Development Certificate will provide legal confirmation that the council agrees that the our use of the house as a supported accommodation for children does not need full planning permission.

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

YES, We are only asking for a written confirmation/authorisation from the council to the effect that we can look after children as described above as it is an Ofsted requirement to get this authorisation or write up from the council before we register.

1. Because we are not changing the use of the house completely. However we are asking a change from class C3(a) to C3(b).
2. We are not going to have more than 4 residents in the house
3. We will not have more than 2 staff members on site at any given time
4. We are not making alterations to the current structure. All structure remains the same
5. Therefore we are looking for a written authorisation that we can offer supported accommodation to children with mental health issues.

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

If Yes, please complete the following information about the advice you were given (this will help the authority to deal with this application more efficiently):

Officer name:

Title

***** REDACTED *****

First Name

***** REDACTED *****

Surname

***** REDACTED *****

Reference

23/60136/PREAPP

Date (must be pre-application submission)

17/05/2023

Details of the pre-application advice received

We were advised to apply for a lawful development certificate

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 Other, please give the names and addresses of anyone who has an interest in the land and state the nature of their interest (if known)

***** REDACTED *****

Have they been informed of the application?

- Yes
- No

Declaration

I / We hereby apply for Lawful development: Proposed use as described in this form and 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 options of the persons giving them. I / We also accept that: Once submitted, this information will be transmitted to the Local Planning Authority and, once validated by them, be made available 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

Stella Odunubi

Date

21/07/2023