

Lawful Development Certificate Supporting Statement – Super Young Minds (Children’s Residential Care Home)

Property Address:

Super Young Minds, 19 The Fairway, Gravesend, Kent, DA11 7LN

1. Introduction

This statement has been prepared in support of an application for a **Lawful Development Certificate (LDC)** for the use of 19 The Fairway, Gravesend, as a small children’s residential care home. It sets out how the proposed use:

- Falls within **Class C3(b) (Dwellinghouse)** of the Town and Country Planning (Use Classes) Order 1987 (as amended);
- Complies with relevant **Nationally Described Space Standards (NDSS)**; and
- Addresses any potential concerns regarding noise, staffing, parking, and neighbourhood impact.

2. Description of the Proposed Use

- The property will provide a home for **up to two children aged 4–18**.
- Care will be provided by a team of eight staff members, but with only **2–3 staff present on site at any one time** due to a strict shift rota system.
- The property will operate as a **family-style dwelling**, with children supported in a nurturing environment that replicates household living.
- No external or internal structural alterations are proposed.

3. Planning Use Class Justification (C3(b) vs C2)

- **C3(b):** Allows use by up to six people living together as a single household where care is provided.
- **C2:** Reserved for larger institutional uses such as hospitals, nursing homes, or boarding schools.

Given that:

- Only **two children** will reside in the property;
- A maximum of **2–3 staff** are present at any one time;
- The property retains its **residential character** with no structural changes; and
- The operation mirrors the scale and character of a typical family household,

The use is appropriately classified as **C3(b)**. This position is supported by case law and precedents confirming that small children’s homes of this scale fall within the C3(b) classification.

4. Compliance with Nationally Described Space Standards (NDSS)

- **Bedroom Sizes:** Each of the three en-suite bedrooms exceeds the NDSS minimums (6.51 m² for a single under 10, 7.51 m² for a single over 10, and 11.5 m² for a double). The rooms comfortably meet these requirements, ensuring sufficient space for children and staff.
- **Living Areas:** The kitchen/dining room and living room provide ample shared space exceeding minimum standards for a dwelling of this size.
- **Outdoor Space:** The rear garden provides safe and usable amenity space well in excess of the requirements for a two-child household, suitable for play and relaxation.

5. Management Statement

Shift Management & Protocols

- Staff operate on a **rotational shift system**, ensuring only 2–3 staff are present on-site at one time.
- Shift handovers are staggered to avoid multiple vehicle arrivals or departures simultaneously.
- Staff are trained in maintaining a quiet, family-like environment and respecting the amenity of neighbours.

Staff Conduct

- Staff follow protocols on noise, safeguarding, and community respect.
- Staff are instructed to minimise outdoor noise during garden supervision and ensure quiet hours are strictly maintained.

Parking Arrangements

- Two dedicated off-street bays are available for staff
- Any additional staff or visitors will use nearby unrestricted on-street parking, with staggered shifts ensuring no clustering of vehicles.
- Staff are encouraged to car-share or use sustainable travel methods where possible.

6. Noise & Neighbourhood Impact

- **Quiet Hours:** 9:00 PM to 7:00 AM daily.
- **Noise Control:** All outdoor activity supervised and limited to daytime hours (9am – 7pm). Noise logs maintained for transparency.
- **Neighbour Liaison:** Direct contact number for the Care Home Manager provided to neighbours. Advance notice of special occasions (e.g., birthdays) will be given if activity may exceed normal quiet hours.

- **Community Engagement:** Quarterly updates via meetings or letters to maintain open communication.

7. Safeguarding & Security

- Controlled access and visitor sign-in procedures in place.
- All staff are DBS-checked and trained in safeguarding policies.

8. Relevant Case Precedents

- **Muskwe & Anor v Cochrane [2023] UKUT 262 (Lands Chamber):** Confirmed children's homes can be consistent with residential character.
- **CWJ (Dec 2024):** Reinforced that small children's homes should be treated pragmatically where community impact is minimal.
- **Local Authority Decisions:** Numerous councils across Kent and the South East have accepted two-child care homes with shift staff as C3(b) dwellinghouses.

9. Conclusion

This proposal for a two-child residential care home at 19 The Fairway:

- Falls within **Class C3(b)**, being small-scale, family-style, and residential in character.
- Complies fully with **NDSS bedroom and amenity space standards**.
- Operates under a clear **management system** addressing staff shifts, parking, and neighbour impact.
- Includes robust **noise, safeguarding, and community engagement measures**.
- Is consistent with **case law and planning precedents**.

For these reasons, the proposed use should be confirmed as lawful via the granting of a **Lawful Development Certificate**.