

Development Management, Economic Development and Planning,
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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	Church Farm
Address Line 1	Brokerswood
Address Line 2	
Address Line 3	Wiltshire
Town/city	Brokerswood
Postcode	BA13 4EG

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

Easting (x)	Northing (y)
383457	152247
Description 	

Applicant Details

Name/Company

Title

Mrs

First name

Claire

Surname

Bates

Company Name

New Day Children's Services Ltd

Address

Address line 1

Church Farm Brokerswood

Address line 2

Address line 3

Town/City

Brokerswood

County

Wiltshire

Country

United Kingdom

Postcode

BA13 4EG

Are you an agent acting on behalf of the applicant?

- ☐ Yes
- ☒ No

Applicant 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

We are requesting a lawful development certificate to C3(b) for the use of the property to provide care for up to a maximum of three young people. There will be staff supporting these young people through the day with 3 staff and then 2 staff who will sleep overnight.

The proposed change of use from a C3 dwellinghouse to a C3(b) residential children's home will involve only minor internal alterations to ensure the property is suitable, safe, and compliant for the proposed care provision.

The works proposed are limited to:

- Installation of an upgraded fire alarm and detection system throughout the property;
- Replacement/upgrading of existing internal doors with fire-rated doors where required to meet fire safety standards.

No structural alterations, extensions, or significant external changes to the property are proposed. The residential appearance and character of the dwelling will remain unchanged.

The works will be carried out using standard domestic construction tools and equipment typically associated with minor internal refurbishment works. No heavy machinery or industrial equipment will be required.

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

This was a rental property used as a dwelling home and was vacated on the 25th April 2026. We took over tenancy of the home on the 8th May 2026.

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 itself is already established as a residential dwelling and is therefore suitable for continued residential occupation. The proposed use does not alter the fundamental residential nature of the property, being that of a family home and so would remain in the character of the property and its desired purpose.

In addition, the property's rural and secluded setting, together with adequate on-site parking and minimal external alterations, makes it well suited to providing a safe and stable home environment for children and young people requiring residential care.

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

Cover Letter
Statement of use
Planning statement

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.

C3 - Dwellinghouses

Is the proposed operation or use

- ☒ Permanent
☐ Temporary

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

I believe that a Lawful Development Certificate should be granted on the basis that the proposed use falls within an established and lawful planning use classification and does not constitute a material change. The existing property is in lawful Use Class C3(a) as a single dwellinghouse. The proposed use as a residential children's home accommodating up to three young people, supported by care staff, falls within Use Class C3(b), which permits up to six residents living together as a single household where care is provided.

As such, the proposed use remains residential in nature and does not introduce a separate or non-residential use. The essential character of the property as a private dwellinghouse is retained, with the addition of care provision which is expressly permitted within the C3(b) use class. The scale of occupation is modest, with a maximum of three young people and a small number of staff providing support on a rota basis. This level of occupation remains consistent with normal residential use and does not give rise to material operational or planning impacts that would alter the lawful use of the property.

Accordingly, the proposed use is lawful within the meaning of the Town and Country Planning Act 1990, and a Certificate of Lawfulness is therefore considered appropriate to confirm the existing and intended lawful use of the property.

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

Date (must be pre-application submission)

09/05/2025

Details of the pre-application advice received

On a previous application we spoke with Adam who sent this advice through to us.

Thank you for your recent enquiry, the use of the address is classed as C3 which allows “Uses as a dwellinghouse (whether or not as main residence) by: (a) a single person or single household; (b) a single household of not more than 6 residents where care is provided; or (c) a single household of not more than 6 residents where no care is (other than a use within class C4)”

“resident” would refer to all that stay at the address.

This is an extract from an email on the 10th April 2025.

This application went through and the law around the change of use hasn't changed.

We have also met with the Commissioning Officer for Wiltshire Claire Sampson. This was to confirm that there is a need in the area this has been confirmed and the commissioner is in full support of our application.

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

Claire Bates

Date

19/05/2026