



HILLINGDON

LONDON

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| Meeting: | Hillingdon Planning Committee | |
| Date: | 13th February 2025 | Time: 7:00pm |
| Venue: | Committee Room 5, Civic Centre | |

ADDENDUM SHEET

| Item: 6 | Pages: 23-78 | Location: 36 Moor Park Road, Northwood |
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| <i>Amendments/Additional Information:</i> | | <i>Officer Comments:</i> |
| <p>Since the publication of the committee report, one additional representation has been received from a neighbouring resident in support of the application. This representation states that they believe the proposed use would benefit from their stable community and believes that “protections are for all, not just some parts of the community”.</p> | | <p>This support is noted.</p> |
| <p>For the avoidance of doubt, representations have been received from the Headmaster at St Martin’s School (dated 20-06-24) and Councillor Richard Lewis (dated 21-11-24 and 04-09-24).</p> <p>Full copies of these responses have been made available separately to members. However, for clarity, these representations are as follows.</p> <p><u>St Martin’s School</u></p> <p>Whilst the school would wish to be supportive of a proposal to provide support for vulnerable children, there are concerns of a safeguarding nature with the proposed property being so close to the school where we care for 400 boys. Therefore, we would welcome the opportunity to engage with the relevant department at Hillingdon council to understand more about the proposal and any safeguarding implication before the planning application is decided.</p> | | <p>The safeguarding matter raised by St Martin’s School has been noted and is addressed within the committee report.</p> |

Councillor Richard Lewis (21 November 2024):

I completely support my residents in believing that this commercial for-profit activity will necessitate round the clock staff shift patterns, deliveries and visitors and as such is therefore totally unsuitable for this purely residential area.

My original concerns regarding loss of neighbourhood character, anti-social behaviour, crime, noise, disturbance, proximity to St Martins junior school, vehicular trip generation, parking and pollution still remain.

I would ask that my vehement opposition to this application is read out to the planning committee.

Councillor Richard Lewis (4 September 2024)

(originally reported in the addendum report for planning committee on 5 September 2024).

Councillor Lewis' comments are summarised as follows:

a) New Chapters Homes Ltd (Company number 15537503) was incorporated on 03-03-24. Therefore, it is stated that the company "was incorporated solely for this proposed care home and...as a company it totally lacking in history and experience of running childcare homes".

b) The four directors have each been officers in 1-3 companies previously (a total of 8 including New Chapters Homes Ltd). It is asserted that "this does raise some serious questions as to why there are so many companies". Furthermore, it is stated that "of the eight companies only 3 are trading as micro companies, 2 are dormant, including the applicant company and 3 have been struck off the register".

c) It is stated that "this would seem to paint the picture of very unstable business practice, and it would greatly concern me as to whether they can be entrusted with such a challenging responsibility".

d) The Councillor further states that: "I would suggest that having no track record that thorough due diligence needs to be carried out, or in the alternative, that at least the applicant is asked to provide considerably more information, especially in terms of relevant experience, safeguarding of children, control and prevention of anti-social behaviour towards pupils at the neighbouring junior school and the residents of Moor Park Road, as well as business plans. I am not sure whether the latter can be requested for a planning application".

The matters raised by Councillor Lewis in November 2024, are noted and have been addressed in the committee report.

In respect to Councillor Lewis' email from September 2024, these matters are addressed as follows:

Concerning **points (a) – (d)** the incorporation and dissolution of limited companies, the number of companies that officers are appointed to, and associated business activities are not material planning considerations. Therefore, these matters should not be considered when determining a planning application. Accordingly, business plans are not required to support an application for planning permission.

Notwithstanding that this is not a planning consideration, in further response to **point (d)** the submitted Management Plan provides details of the Directors involved in the company. The information demonstrates that there is a notable level of experience and knowledge amongst the four directors who would be responsible for the running of the care home. This provides a level of comfort that the operation of the care home would be managed carefully by people who have significant experience in the sector.

Further to **point (d)**, safety matters related to the proposed Child Care Home are discussed within paras 9.95-9.97 of the main committee report. There is no evidence that associated development would lead to an increase in safety

e) The registered company address nor the site address of New Chapters Homes Ltd is registered with the CQC (Care Quality Commission).

f) It is stated that “it may be the case that they are registered with OFSTED as Children Social Care Providers, in which case the applicants should be asked to provide their OFSTED registration details”.

g) The Councillor respectfully asks that the committee compare this application to another one at 14 Linksway (ref. 8475/APP/2020/672) which was refused on 22-04-2020.

h) The Councillor concludes that “many aspects of this application worry me greatly and I would respectfully ask that the planning committee notes my serious concerns and rejects this application”.

concerns to local children attending the nearby St Martin's Preparatory School.

The applicant has also provided a “Good Neighbouring Policy” document which also includes details of the company's commitment to maintain harmonious and supportive neighbourhood environments. There is a complaint procedure included which encourages the local community to raise issues with the care home in writing with a response promise within 2 business days.

In terms of impact on the local community, there is no evidence that the proposed use would lead to an increase in crime or anti-social behaviour. This is addressed within paras 9.87-9.94 of the committee report. It highlights appeal decision APP/R5510/C/21/3266292 – (31 Frithwood Avenue) within the Northwood area where the Inspectorate found insufficient evidence that ongoing behavioural issues associated with the proposed care home could not be resolved by the carers and there was no evidence the use would lead to anti-social behaviour or crime.

With respect to **points (e) and (f)** whilst also not a material planning consideration, it may be noted that in general terms, the provider can only register the house as a regulated service with Ofsted/CQC once the planning permission is granted. Any grant of planning permission would form part of the application pack to Ofsted/CQC and each property would have its own registration number with Ofsted.

The Ofsted assessment would review the suitability of the facility and the company as a childcare provider. Ofsted would examine whether the location is suitable, assess the level of staffing and management (DBS checks); consider whether the care home provides a stable home with local resources whilst minimising risks to children. Ofsted will also visit the premises to ensure it is suitable for

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| | <p>operation prior to allowing the home to operate.</p> <p>Again, this would be outside the remit of the planning assessment. Further details on the Ofsted criteria can be found on the following website: Registering children's homes – principles and hints and tips – Ofsted: social care.</p> <p>In respect to point (g) the subject application and that referenced are materially different. The application at 14 Linksway sought a Lawful Development Certificate for a change of use of the existing Dwelling House (Use Class C3) to a Children's Care Home (Use Class C2). This application sought to demonstrate that the proposal was not a material change of use and was therefore 'permitted development' under The Town and Country Planning (General Permitted Development) (England) Order 2015. The certificate of lawfulness was refused because it did involve a material change of use and would therefore require planning permission. The current application under consideration, is seeking planning permission.</p> <p>Point (h) is noted.</p> |
| <p>Item: 7</p> | <p>Pages: 79-118</p> |
| <p>Location: 13 Oak Avenue, West Drayton</p> | |
| <p>Amendments/Additional Information:</p> | <p>Officer Comments:</p> |
| <p>The Council's Planning Enforcement Team is currently investigating allegations that no. 13 Oak Avenue, West Drayton is in use as a House in Multiple Occupation (HMO), and that development works carried out do not accord with plans approved. Following an inspection carried out on 11/02/25 the Planning Enforcement Team Leader has provided an update on the investigation, which is set out below.</p> <p><u>Update on Planning Enforcement Investigation Provided by Planning Enforcement Team Leader</u></p> <p>'Further site visits have now been undertaken in conjunction with the Private Sector Housing Team.</p> <p>At a previous partially accessed site visit the occupant stated that he lived there as part of an extended family unit consisting of five adults and two children. During this limited</p> | <p>It is noted that the Council's Planning Enforcement Team is currently investigating alleged breaches of planning control at no. 13 Oak Avenue, West Drayton.</p> <p>In light of the findings of the planning enforcement investigation (as summarised by the Planning Enforcement Team Leader in their update), there is ambiguity over whether the use of 13 Oak Avenue may in fact be an HMO, as opposed to a single family dwellinghouse (as purported by the applicant). Furthermore, it is noted that discrepancies have been identified</p> |

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| <p>access visit there were no blatantly obvious signs of sui generis HMO use on site such as locked or numbered bedrooms.</p> <p>Despite this a further arranged visit with full access was undertaken on 11th February 2025. On this occasion there were a number of discrepancies that lead us to believe that the property may be in use as a sui generis HMO. There was a potential of up to 8 bedrooms on site, in contrast to plan layouts as put forward previously, with some rooms being presented as lounge areas in excess of what would be expected for a busy family dwelling.</p> <p>As such, at this time we cannot positively assert that the property at 13 Oak Avenue is in use as a single-family dwelling and believe it more likely to be in use as a sui generis HMO. Whilst the information gathered thus far would be considered more circumstantial than definitive, we do believe that further investigation is required which may ultimately result in enforcement action being taken.</p> <p>With regard to the extension built on site we are aware of discrepancies in the build from that as approved under Ref: 77097/APP/2022/3630 and the side extension which was to be lawfully built in line with Ref: 77097/APP/2023/2640. This matter is subject to further planning enforcement consideration. In Planning Enforcement we are obligated to work within the established national guidelines and policies including the National Planning Policy Framework (Paragraph 60) and Planning Practice Guidance (Ensuring effective enforcement) (http://planningguidance.communities.gov.uk/blog/guidance/ensuring-effective-enforcement/) in order to resolve breaches of planning control. Planning Practice Guidance states explicitly that in deciding, in each case, what is the most appropriate way forward, local planning authorities should usually assess prior to taking action whether the breach causes material harm or adverse impact on the amenity of the site or the surrounding area.</p> <p>As such we will now be contacting the property owners in order to bring about suitable remedy of the built structure concerns prior to any enforcement action being taken where warranted.'</p> | <p>between the as-built extension and previous planning permissions.</p> <p>For the avoidance of doubt, the aforementioned planning enforcement matters are separate and are not material to the determination of planning application 77097/APP/2024/2693. Accordingly, Officers' recommendation to grant planning permission for the two storey, 2-bed attached dwelling with associated cycle storage and amenity space remains as set out within the Committee Report (with the additional conditions as set out below).</p> <p>Regardless of the outcome of the planning application, the Council's Planning Enforcement Team will continue with their investigation at 13 Oak Avenue as reported by the Planning Enforcement Team Leader in his update.</p> |
| <p><u>Additional Planning Conditions Proposed</u></p> <p>The proposed development includes a first floor bathroom window facing 11 Oak Avenue. The applicant has indicated that it will be obscure glazed. For the avoidance of doubt the following planning condition is recommended:</p> <p><i>The first floor bathroom window shown on Plan No. 1031-13_Rev05 Rev 06 shall be glazed with permanently obscured glass to at least scale 4 on the Pilkington scale and be non-</i></p> | |

opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

REASON

To prevent overlooking to adjoining properties in accordance with policy DHMB 11 of the Hillingdon Local Plan Part 2 (2020).

The following planning condition is recommended to remove permitted development rights for the conversion of the proposed new dwelling to a small HMO (use Class C4) in the future, without planning permission:

Notwithstanding the provisions of Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the dwelling hereby permitted shall only be used as a dwellinghouse (Class C3), and shall not be used as a house in multiple occupation (HMO) (Class C4).

REASON

To ensure that the development is occupied in accordance with the submitted plans and to protect the residential amenities of adjoining properties in accordance with Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

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| Item: 8 | Pages: 119-156 | Location: Ruislip Lido |
| Amendments/Additional Information: | | Officer Comments: |
| N/A | | N/A |