

Minutes

HILLINGDON PLANNING COMMITTEE

13 February 2025

Meeting held at Committee Room 5 - Civic Centre



	<p>Committee Members Present: Councillors Henry Higgins (Chair) Adam Bennett (Vice-Chair) Elizabeth Garelick Gursharan Mand Jagjit Singh Shehryar Ahmad-Wallana Darran Davies</p> <p>LBH Officers Present: Eoin Concannon, Planning Team Leader Katie Crosbie, Area Planning Service Manager - North Natalie Fairclough, Legal Advisor Mitchell Heaven, Planning Officer Roz Johnson, Head of Development Management and Building Control Liz Penny, Democratic Services Officer Haydon Richardson, Deputy Team Leader Dr Alan Tilly, Transport Planning and Development Manager</p> <p>Also Present: Ward Councillor Richard Lewis (item 6) Ward Councillor Peter Smallwood (item 8) Ward Councillor Jan Sweeting (item 7)</p>
13.	<p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>Apologies for absence were received from Councillor Keith Burrows with Councillor Shehryar Ahmad-Wallana substituting and from Councillor Roy Chamdal with Councillor Darran Davies substituting.</p>
14.	<p>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (<i>Agenda Item 2</i>)</p> <p>There were no declarations of interest.</p>
15.	<p>TO RECEIVE THE MINUTES OF THE PREVIOUS MEETING (<i>Agenda Item 3</i>)</p> <p>RESOLVED: That the minutes of the meeting dated 15 January 2025 be agreed as an accurate record.</p>
16.	<p>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (<i>Agenda Item 4</i>)</p> <p>None.</p>

17.	<p>TO CONFIRM THAT THE ITEMS OF BUSINESS MARKED PART I WILL BE CONSIDERED IN PUBLIC AND THE ITEMS MARKED PART II WILL BE CONSIDERED IN PRIVATE (<i>Agenda Item 5</i>)</p> <p>It was confirmed that all items of business were marked Part 1 and would be considered in public.</p>
18.	<p>36 MOOR PARK ROAD, NORTHWOOD - 77170/APP/2024/1240 (<i>Agenda Item 6</i>)</p> <p>Change of use from residential dwelling (Use Class C3) to children's care home (Use Class C2), to include a bike and bin store</p> <p>Officers introduced the application and highlighted the additional information in the addendum. The application was recommended for approval.</p> <p>Three petitions in objection to the application had been received and two lead petitioners were in attendance to address the Committee Members. Members were presented with a Notes of Evidence document for reference. The following points were highlighted:</p> <ul style="list-style-type: none"> • The site had previously been the subject of a National Crime Agency raid for drug dealing. • The applicant was the owner of the property, and First Chapter Homes was to care for the children despite having no track record in running a children's care home, as the company had been set up in March 2024. • There was significant opposition to the proposal from local residents, with three petitions and over 360 signatures, as well as support from Ward Councillor Lewis, local MP David Simmonds, and the headmaster of nearby Saint Martin's School. • The Committee was urged to refuse the application to protect the residents' right to quiet enjoyment of their homes. • Noise concerns were raised, with the Council's noise officer concluding that the noise would not be above the norm within a residential setting, which was contested by the residents. • The number of people in the home was expected to exceed the norm, with four children, four carers, a cleaner, a cook, social workers, youth workers, family members, and friends visiting regularly. • The use of restraining techniques was mentioned, with three pages dedicated to how they would be used. • The planning officer had conceded that the procedures suggested by the applicant would not necessarily prevent potential noise and disturbance. • Residents were expected to engage the police or local authority if there was antisocial behaviour, which was seen as impractical. • The garden was deemed unsuitable, and it was anticipated that children would play at the front of the house. • Valuable residential space would be lost to a commercial operation during a housing crisis. The Borough's housing buyback scheme had been announced by Councillor Eddie Lavery in 2024 and there was an acute need for housing in the Borough. • The location of the proposed Children's centre was unsuitable - Northwood had already lost its police station, and the nearest police presence some distance away.

- It was a strategic objective to ensure that development contributed to a reduction in crime and disorder which this application would fail to do.
- Officers claimed there was no evidence that criminal activity or antisocial activity was more prevalent or extreme in a children's care home, but this was inaccurate as evidenced by Ofsted.
- The proposal would lead to an increase in antisocial behaviour.
- The location was unsuitable for teenagers due to its lack of entertainment and amenities.
- Existing housing stock should be prioritised unless there were exceptional circumstances.
- The application was deemed speculative and incoherent, with no guarantee that the adolescents housed there would be from the Borough.
- The application was almost universally opposed by residents.
- Parking on site would be inadequate.
- If approved, the application would set a very poor precedent.

Councillors sought further clarification from petitioners regarding the relevance of criminal activity statistics, including county lines and the exploitation of vulnerable people, to a change of use application for a children's home. It was explained that the details in the "Note of Evidence" paper provided to Members for reference, supplied general background information on the use of children's homes and the increasing problem with county lines. It was confirmed that, according to the British Transport Police, 38% of those involved in county lines were aged between 11 and 17, hence the relevance to this application.

Members also enquired about the relevance of anti-social behaviour statistics, such as noise nuisance, verbal abuse, and vandalism, to the application. Petitioners confirmed that this was additional general background information. It was noted that some children in care homes, including the one in question, were vulnerable and often caught up in crime. Petitioners mentioned that the report referenced the need for restraint techniques and multiple carers per child due to the challenging nature of some children in these homes.

In response to further questions from the Committee, petitioners acknowledged that it was preferable for vulnerable children to be housed in a family area. However, it was felt that the proposed location was not appropriate for a children's home due to issues with parking, numbers of residents in the home, noise, nuisance and disturbance to neighbours.

The applicants were in attendance and addressed the Committee Members. Key points highlighted included:

- A management plan would be provided to allay the fears of neighbouring residents.
- There were two state schools in close proximity to the application site.
- Many of the children would be tutored off site.
- The children's home would be regularly monitored by Ofsted to ensure compliance with all regulations.
- A maximum of 4 staff would be on site at any time.
- Highways officers had raised no concerns regarding parking – 5 spaces would be available for 4 staff hence there would be no requirement for on-street parking.
- Many meetings would be held virtually or off site – it was not anticipated that the

home would generate unacceptable levels of noise or cause disturbance of neighbours. A noise management plan would be provided.

- There was a stigma around children in care which was unjustified. The children at the home would have experienced neglect and abuse – they needed a safe environment to enable them to grow and flourish.

In response to questions from the Committee, it was confirmed that there would be a maximum of 4 staff and 4 children on site at any time. There would be no additional cleaner or cook at the premises as staff would undertake these duties themselves. Members heard that the children's social workers would visit the home once every six weeks and the premises would be inspected once a month. It was noted that contact with family would occur off site. No visitors would be allowed on site as the children needed a stable and safe environment.

Members sought further clarification regarding the schooling arrangements for the children at the home. It was confirmed that some children would attend mainstream schools, and staff would be responsible for dropping them off and collecting them. Other children might be schooled in a library environment or online.

Ward Councillor Richard Lewis was in attendance and addressed the Committee Members. Key points highlighted included:

- The application site was situated in a peaceful residential community.
- The impact on neighbours was a matter of concern.
- There would be constant disruption, and this was not the right location for such a facility.
- The proposed parking layout would not work in reality.
- If approved, the children's home would result in a loss of character to the local area and would create additional traffic, parking stress and pollution.
- The application site had very poor transport links.
- Young children in the nearby St Martin's School would be subjected to unacceptable swearing and noise emanating from the children's home.
- The Management Plan lacked detail, the directors lacked experience, and a better location could have been selected for this project.
- Planning concerns were cited.

In response to questions from the Committee, it was confirmed that there would not be two staff occupying one bedroom at nighttime as one would be on duty while the other was sleeping.

Members were reminded that the suitability of the applicants was a matter for Ofsted and was not a planning consideration.

With regard to the concerns raised in the Note of Evidence in relation to antisocial behaviour and crime, officers affirmed that these were generic statements. It was noted that the Development Plan supported the provision of care homes in the Borough, which should be embedded in a residential setting. Officers observed that parking provision was considered adequate and there was ample on-street parking available.

Members were advised that, were the matter to go to appeal, many of the proposed conditions which aimed to protect local residents, could be removed by the Inspector.

Members sought further clarification regarding staffing arrangements and were advised

that two staff would be in attendance at the home overnight – one on duty and one sleeping. Management would be on call if needed. Four staff members would be on day duty. Members were reminded that staffing arrangements were a matter for Ofsted and were not within the remit of the Planning Committee. The final decision as to whether the proposed children’s home went ahead ultimately lay with Ofsted.

At the request of Members, it was agreed that visiting times be reduced from 8pm to 6pm, except in the case of emergencies and visits from medical professionals.

Noting that the Committee was doing everything possible to protect residents, the officer’s recommendation was moved, seconded and, when put to a vote, unanimously approved.

RESOLVED: That the application be approved subject to the amendment of Condition 6 to reduce visiting hours from 8pm to 6pm except in the case of emergencies and visits from medical professionals.

19. **13 OAK AVENUE, WEST DRAYTON - 77097/APP/2024/2693** (*Agenda Item 7*)

Erection of a two storey, 2-bed attached dwelling with associated cycle storage and amenity space

Officers introduced the application and highlighted the additional information in the addendum.

A petition in objection to the application had been received. The lead petitioner had submitted a written representation which was read out for the attention of the Committee Members. Key points highlighted included:

- The report provided information that differed from the experiences of local residents.
- The current property had been extended significantly, increasing its capacity beyond the stated four bedrooms.
- The proposed new two-bedroom house would create overdevelopment and dominate the views of neighbouring homes.
- The new house had the potential to be converted into a four-bedroom property, leading to a large HMO (House in Multiple Occupation) with up to 20 persons.
- The description of the family home in the report was considered misleading as the current house accommodated many people.
- A large HMO would have serious consequences for residents, including parking issues, noise, litter, and disruption.
- The assessments made by officers in the report were based on an underestimate of the current and proposed building capacities.
- The Committee was requested to refuse the application or conduct a full site visit.

The agent for the application had also submitted a written statement which was read out for the consideration of the voting Members. Key points highlighted included:

- The importance of maintaining the integrity and character of the area was highlighted.
- It was alleged that No.13 was not, and would not be, used as a House in Multiple Occupation (HMO) but as a C3 dwellinghouse by a single family.

- Evidence, including a Shorthold Assured Tenancy Agreement, photographs, and a visit by Enforcement Officers on 11th February 2025, confirmed that the property remained a C3 dwellinghouse.
- The applicant's brother planned to move into No.13, while the applicant and his family would occupy the new dwelling.
- No. 13's location at the end of a cul-de-sac allowed the new dwelling to be a discrete addition, maintaining visual harmony.
- The new dwelling's scale, design, materials, and detailing had been chosen to complement the surrounding architecture.
- The design aimed to enhance the area's character and integrate seamlessly with the surroundings.
- Paddington Planning requested that the application be approved, emphasising the development's positive contribution to the neighbourhood.

Ward Councillor Jan Sweeting was in attendance and addressed Members in support of petitioners. Key points raised included:

- The report claimed that the proposed attached 2-bedroom property would be relatively modest, with sufficient roadside capacity to accommodate vehicles from the existing property.
- It stated that the proposal would not result in a reduction in residential amenity, a significant increase in activity or people movement, and the existing property was a family 4-bed home rented to a single family.
- However, a visit by the Council's enforcement team had found significant discrepancies, revealing that the property was being used as a third generous HMO with the potential of having 8, not 4, bedrooms.
- The proposed new 2-bedroom property could easily move into a four-bedroom property over three floors, potentially merging into one large property with the existing one, resulting in 12 bedrooms with a minimum capacity of 24 people.
- Specific planning issues were highlighted, including the first-floor bedroom window of the proposed new dwelling being only 7.5 meters away from the flanked wall at no.11, which was in direct contravention to the Council's minimum 15-metre requirement.
- The proposed window would directly look into the private rear garden of no.11, resulting in overlooking and loss of privacy.
- The application was requested to be refused due to inaccuracies in the interpretation of the capacity of both buildings and for legitimate planning reasons.

Members sought further clarification as to whether the existing property had been found to be operating as an HMO.

In response, officers advised Members that the planning application purported that the existing dwelling was a single-family dwelling, and the report had been written on that basis. Enforcement complaints alleging a change of use to an HMO had been received in May 2024 by private sector housing, and the planning enforcement team had only become aware of the situation during the processing of the planning application.

It was confirmed that a site inspection had been carried out by the Planning Enforcement Officer on 11 February 2025, post-publication of the Committee agenda report. The Planning Enforcement Officer had noted that the property could potentially have 8 bedrooms, but further investigation was required, and no conclusion had been reached.

The Committee heard that officers believed that, whether the property was an HMO or a single-family dwelling, did not materially affect the recommendation that planning permission should be granted.

Councillors sought clarity on the distance between the 1st floor window and the existing dwelling. It was confirmed that the distance was around 7.5 metres, similar to the existing dwelling, and it was noted that the HDASS document with a 15-metre requirement was no longer in use. Members recommended the inclusion of a condition to obscure the window for residents' peace of mind.

Councillors enquired about the number of people living in the property and its extension history. It was stated that the number of residents was not material to the planning consideration. Members heard that the property had a single-story side extension and a first-floor rear extension.

Councillors discussed the proposed new dwelling and the planning conditions to prevent its change of use to a small HMO and the addition of extensions without express planning permission. Officers explained that the planning enforcement team was investigating the use of no.13 and would address any breaches of planning control.

Members sought further clarification regarding photographic evidence of people living in the property and prior notice of visits. The ongoing Planning Enforcement investigation was highlighted, and Councillors were advised that the number of people living in the existing property was not material to the planning decision.

Councillors sought advice on the linking of the two properties internally. It was noted that merging two properties without planning permission was ordinarily possible but converting them into a large HMO would require planning permission.

The Committee Members thanked officers for their comprehensive report and it was noted that the planning enforcement investigation could take a considerable length of time to conclude.

Officers noted the potential risk of a non-determination appeal if the application were to be deferred for a site visit. However, Councillors felt a site visit was important to enable them to fully assess the potential overdevelopment of the site, street parking issues and the impact on the character of the area.

The recommendation to defer the item to allow for a site visit was moved, seconded and, when put to a vote, unanimously agreed.

RESOLVED: That the item be deferred to allow a site visit to take place.

20. **RUISLIP LIDO, RESERVOIR ROAD - 78998/APP/2024/2281** (*Agenda Item 8*)

Replacement of existing 2 x single storey toilet facilities at Willow Lawn and Woody Bay, provision of replacement single storey 2 x toilets and changing facility buildings, and associated works and landscaping.

Officers presented the report noting that the application was recommended for approval.

	<p>Ward Councillor Peter Smallwood was in attendance and addressed the Committee in support of the application. Councillor Smallwood outlined the importance of the landscaping condition. He noted that the toilets at the Lido had often been closed which had been inconvenient and had led to antisocial behaviour.</p> <p>Members enquired why changing facilities were needed given that swimming at the Lido was forbidden. It was explained that the proposed changing facilities would be for the use of families and those with disabilities.</p> <p>In response to further questions from Councillors, it was explained that a large tank would provide emergency overflow back up if needed.</p> <p>Members welcomed the proposal. The officer's recommendation was moved, seconded and, when put to a vote, unanimously agreed.</p> <p>RESOLVED: That the application be approved.</p>
	<p>The meeting, which commenced at 7.00 pm, closed at 9.11 pm.</p>

These are the minutes of the above meeting. For more information on any of the resolutions please contact Democratic Services - Email: democratic@hillingdon.gov.uk on . Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.