



Planning Statement

From

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Project Reference:

18,
Blossom Way,
West Drayton.
UB7 9HF

In Reference with:

Planning Application applied for the Property.

Application Ref: **PP-**

Decision Status : **Application Submitted.**

Application Title:

Use of premises as a home for up to three children or young people with up to **two Full time resident carers working on **a rota basis** including overnight stay.**

Applicant : Mr. Daud Hussain

Agency: Humble Healthcare Ltd.

Email Add: humblehealthcare@gmail.com

1. Overview

1.1. Introduction: This **design and access statement** is developed to accompany **the planning application** applied for the proposal of the project.

1.1.1. The applicant **seeks a Lawful Development Certificate**, to use the site as a **small specialist children's home** falling within the **use class C2** of the class order.

1.1.2. No material changes are required for the proposed scheme and, therefore the proposal would **not require a planning** permission.

1.2. Content: The statement shall discuss the description of existing conditions, constraints, reviews received on the application and measures taken to accommodate the review.

1.3. Objective: The application is to ensure that the property acquired will meet the necessary planning requirements and also will be able to achieve Ofsted registration.

1.3.1. Our mission is to:

1.3.2. Provide stability through inclusive, safe, and nurturing care.

1.3.3. Develop resilience through creating trusting relationships to build attachments.

1.3.4. Facilitate transition through positive childhood experiences to support a bright future.

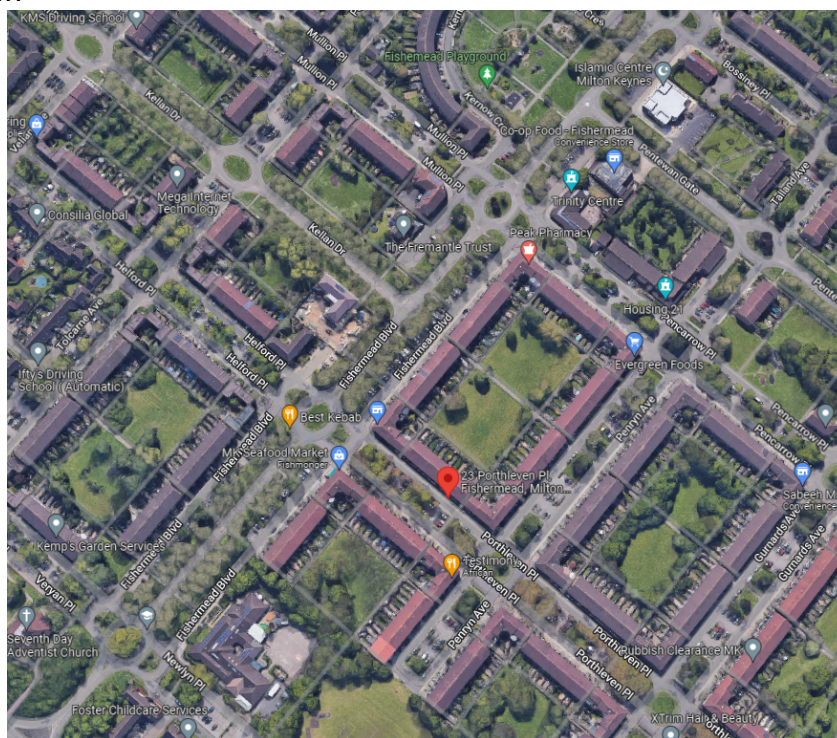
2. Site

2.1. Location Details:

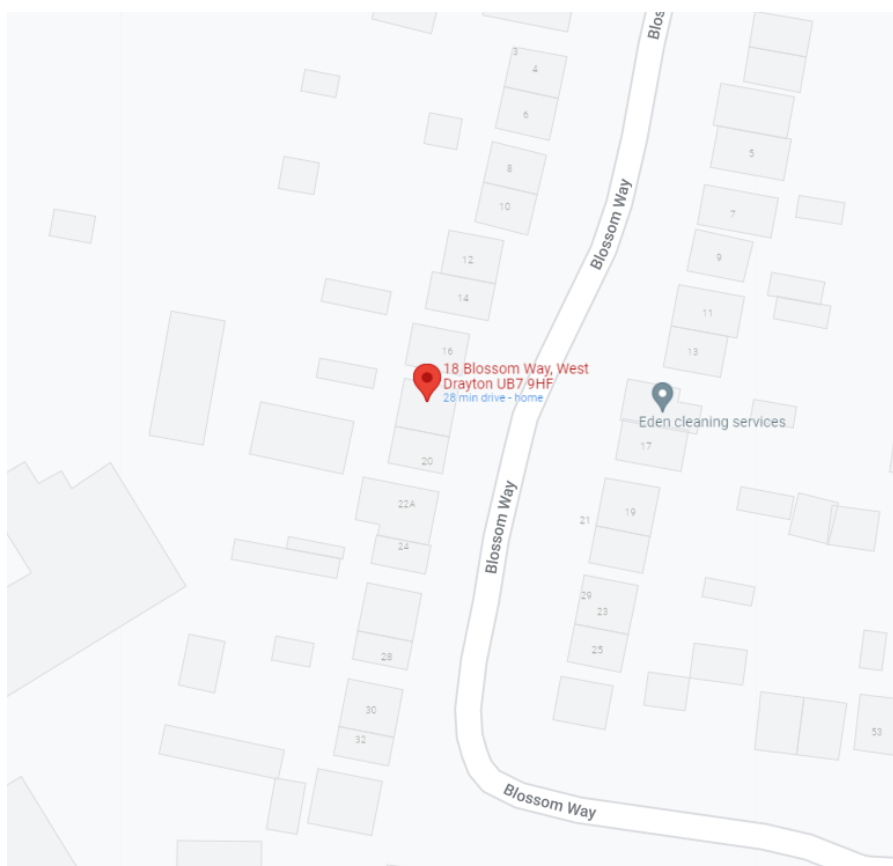
2.1.1. West Drayton.



2.1.2. Aerial View:



2.2. Block View:





2.3. Planning History: As per the online search conducted on the planning search portal of Hillingdon Council no Planning Applications are applied for the property as of now.

2.4. Location: The site is on Blossom Way in West Drayton.

2.4.1. The nearest Public Transport link can be offered by the **TFL Bus Service at Cherry Lane** which is less than 5mins away from the site.

2.4.2. The nearest national rail and TFL can be boarded from **West Drayton Station**.

2.5. Context:

2.5.1. The site is located in a residential neighbourhood in West Drayton.

2.5.2. The block contains semidetached residential units.

2.5.3. Public Transport options provide efficient connectivity to the site.

2.5.4. The building profile of the block are double storey semi detached dwelling house units.

2.5.5. The block has a pitched roof profile.

2.5.6. The site is near to Cherry Lane Primary School and Heathrow boxing Club.

3. Design:

3.1. Strategy: The proposal was developed after considering of the following aspects which support the vision of a safe and secure **C2** residential unit **for three children**.

3.1.1. **Appointed Care Takers** will be allocated for taking **care** of the children on a **rota basis**.

3.1.2. Care takers will also be working night shifts and sleeping overnight, tending to the children.

3.1.3. A site manager will be monitoring the working hours/Conditions of the carers and children and visits from a social worker will be made on their basis.

3.1.4. It is expected that the young adults or children will also engage in various activities supporting their education and growth. They will either attend a DfES registered school or a mainstream school and can also be home tutored depending on the necessity of the pupil.

3.2. Design Considerations:

3.2.1. The site layout require **no change** in any layout, **material**, services etc and it can be used in its existing state.

3.2.2. **Use Class C3 allows** dwelling house to be occupied by not more than six (6) occupants irrespective of their relation, and would be considered a Household.

3.2.3. Article 2 of the Town and Country Planning (Use Classes) Order 1987 as amended (UCO) indicates that 'care' means personal care' for the people who are in a need of such efforts.

3.2.4. **Use Class C2** also includes the personal care for children and young adults.

3.2.5. Some cases the **Law establishes** that since the care workers do not live at the property permanently and even though they may provide a 24 hours care service , they are not regarded as a 'Permanent Residents' .

3.2.6. The number of residents in total (even with overnight care takers) are less than 6 residents and therefore would not be capable of being regarded as a household.

3.2.7. In the judgement of Mr. Justice Collins in North Devon District Council v First Secretary of State [2003]. 24hour care cannot be considered as living together and therefore would not be a true sense of a household, where three children would reside and be cared for by non-resident staff in a three-bedroom semi-detached property, the use would seem to clearly fall within Class C2 of the 'UCO 1987' as a 'residential institution' which includes a home that provides care for children. As such it is accepted that the proposed use here is C2.

3.2.8. Therefore to carry out the vision, the building use clearly falls under C2 of the 'UCO 1987' as a '**residential institution**' ' which includes a home that provides care for children. As such it is accepted that the proposed use here is C2 and **not C3b**.

3.2.9. In terms of the nature of the proposed use, as opposed to its Use Class, **paragraph 25 of Circular 05/2010** is relevant. It states that the criteria for determining whether the use of particular premises should be classified within the C3 use class include both the manner of the use and the physical condition of the premises. The circular states that the premises can properly be regarded as being used as a single dwelling house where they are either a self-contained planning unit distinct from any other part of the building containing them or to be designed or adapted for residential purposes.

3.2.10. In an appeal at Crewe & Nantwich (24/4/06) and inspector noticed that the building has an office and a Fire Alarm but this would not be considered any different from a dwelling house which was the original character of the building. Hence it was decided that it would not materially alter the basic character of the property.

3.2.11. Planning Permission shall not be required if there are no 'quantifiable material change' or 'material change of use'.

3.2.12. Any differences which might be considered 'material' are those which are measurable or quantifiable as resulting in a significant or substantial change or step up in the character or impact of a use.

3.2.13. By comparing the 'baseline' character of the land use proposed by the applicant. In so many respects the use would operate in a way that is very similar to a normal family home.

3.2.14. The property would provide the young people with their sole and main residence, with free and shared access to living.

3.2.15. The residents would be taken to and brought home from school each day and with their carers they would interact with the property and the residence in a way that is very similar to an adult resident, parent or guardian.

3.2.16. The residents would eat together and get ready on a daily basis to attend school.

- 3.2.17. The home seeks to foster lifestyles which would be the same as if the residents were normal teenage children living in a family home.
- 3.2.18. Facilities such as the bathroom/water closet, kitchen and living rooms, would be shared and the living mode would be communal.
- 3.2.19. The comings and goings associated with the use would not be materially different from a typical residential household.
- 3.2.20. With regards to schooling, it is often the case that when young people come into care, they have missed a proportion of their education or are affected in a way that they could not work effectively in a large classroom environment. Given this, they would be tutored from home initially. They may then progress to a specialist unit (smaller class sizes) then hopefully onto mainstream. In some circumstances the children may have a home tutor. However, this is no different from an ordinary family who chose to have their children educated at home. It makes no difference to the planning status of the use.
- 3.2.21. The applicant wishes to provide a stable environment for the occupants as they would have the property as their main and sole residence for a long period of stay. Even though the house will have a circulation in the team of the carer there would not be any type of emergency stay or lodging.
- 3.2.22. Even though , in cases such as Blackpool BC v Secretary of State for the Environment(1980) and Moore v Secretary of State for the Environment(1998) have established that even though a house is used as a lodging allowing multiple periods of stay it would not be considered material change as it would not facilitate any differently from the existing activity.
- 3.2.23. Following Gravesham BC v Secretary of State for the Environment [1982], the court accepted that the distinctive characteristic is its ability to accommodate the requirements for the domestic existence of the occupants and it would not lose its character even if it was occupied for only a part of the year or infrequent intervals. Therefore it will not lose its character even though it is under commercial management.
- 3.2.24. The prevailing character of the proposed use would be that of a small group of children living together and using the property in a way similar to that of a family home where they would be supervised and cared for by adult guardians.
- 3.2.25. While there might be identifiable differences, between proposed and existing uses, these would not be 'material' or easily measurable and quantifiable against the rather flexible characteristics and impacts of a lawful dwellinghouse.
- 3.2.26. In addition to the above, the comings and goings are not considered to be any different from that associated with many dwelling houses. The comings and goings associated with the use will not be materially different from a typical residential household.
- 3.2.27. It should be considered that all movements will not be vehicular in nature.

3.3. Massing and Scale: The design and access shall cause no dominance or not superimpose on any of the neighbouring structures existing or proposed.

3.3.1. Existing Layout:

- 3.3.1.1. The property is a two storey three bed dwellinghouse.
- 3.3.1.2. The unit is a Semidetached dwelling house.
- 3.3.1.3. The Ground Floor comprises of all the semi-private spaces such as kitchen,lounge and reception.
- 3.3.1.4. The First Floor comprises of all the private spaces such as Three Bedroom and a Family Bathroom.
- 3.3.1.5. The **site** offers 2 Parking spaces.

3.3.2. Proposed Layout:

- 3.3.2.1. The layout proposes **No change** in the internal or external layout in any manner.

4. **Access:** There is no change in the existing access of the property i.e.:
 - 4.1. The access to the building is achieved through the front driveway.
 - 4.2. The Garden can be accessed via the building and additional side access is provided from the street.
5. **Conclusion:**
 - 5.1. The proposal is designed may accommodate the considerations and guidelines required under the application.
 - 5.2. It does not obstruct any existing public roads, passages and other means of access and transportation.
 - 5.3. There is no alteration or material change proposed to the property.
 - 5.4. The proposed use shall not cause any disturbance or problems to the neighbourhood as it would be similar to the typical dwelling house in the area.
 - 5.5. The site provides ample parking spaces for vehicular access.
 - 5.6. The proposal does not overpower or superimpose any mass on its neighbouring properties.
 - 5.7. The layout provides ample space for the functioning of the units for the occupants and visitors.
 - 5.8. The council is respectfully requested to support the application to allow this important facility to be established.