

Planning statement

Proposal

**Change of use from dwelling house (C3) to Children's Care Home (C2) and
insertion of first floor flank window.**

At

53 Paddington Close, Hayes, UB4 9QH



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**Amendments to the original application are set out in red for ease of planning officers reading.
Appendix dropped from submission as principle has already been accepted.**

Introduction

The site comprises of a detached property, situated at the end of a residential estate road. The design of the host property is typical of other dwellings in the street. To the front is an area of hardstanding with parking. To the rear there is a garden. The site has access from Paddington Close and Wayfarer Road. According to the environment agency, this location is in flood zone 1. Land within flood zone 1 has a low probability of flooding from rivers and the sea. According to Hillingdon planning maps, the site is not known to be in a Conservation Area nor is it known to contain any listed buildings. Based on the council's mapping system, the location appears to be outside of the HMO article 4 directive.

The application site received planning permission for 'Change of use from dwelling house (Use Class C3) to Children's Care Home (Use Class C2) and insertion of first floor flank window' under reference 63753/APP/2024/2619. The following condition was put in place to ensure that the number of users of the site did not increase without prior approval from the Council: -

"5 Notwithstanding the provisions of the Town & Country Planning (Use Classes) Order 1987 and the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any orders revoking and re-enacting either of these orders with or without modification), and subject to Condition 1, the building shall be used only for the purpose of a Children's Care Home (for up to 3 residents/children aged 8-15 years old) and for no other purpose including any other purpose within Use Class C2 of the Town and Country Planning Use Classes Order 1987 (as amended)."

Whilst the numbers of children will not change the applicant proposes additional staff and to amend the age of the children. This application proposes an additional 2 staff and the age of the children to be varied from 7 – 17.

OFSTED does not prescribe specific staff-to-child ratios for children's homes. However, the Children's Homes (England) Regulations 2015 require providers to ensure staffing levels are sufficient to meet each child's needs. In this case, following discussions with the homes manager, it was agreed that staffing levels should be increased.

In response to the provisions of Section 73 Town and Country Planning Act 1990, the application is to be assessed to consider the question of the conditions subject to which planning permission should be granted. S.73 States:

(1) This section applies, subject to subsection (4), to applications for planning permission for the development of land without complying with conditions subject to which a previous planning permission was granted.

(2) On such an application the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted, and

(a) if they decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, they shall grant planning permission accordingly, and

(b) if they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application.

Specifically, s.73 does not apply if the previous planning permission was granted subject to a condition as to the time within which the development to which it related was to be begun and that time has expired without the development having been begun. Further to this, s.73 does not permit a change to a condition subject to which a previous planning permission was granted by extending the time within which the development must be started or an application of reserved matters to be received. The National Planning Practice Guidance directs the Local Planning Authority to consider the application against the development plan and material considerations, under section 38(6) of the Planning and Compulsory Purchase Act 2004 (determination shall be made in accordance with the plan unless material consideration indicates otherwise), and conditions attached to the existing permission.

Local planning authorities should, in making their decisions, focus their attention on national and development plan policies, and other material considerations which may have changed significantly since the original grant of permission.

The key issues to this application are: -

- Quality of Accommodation
- Impacts to Neighbouring Amenity
- Sustainable Transport

The principle of the development

The existing property is a 4-bedroom dwelling. At a national level the National Planning Policy Framework (NPPF) at paragraph 61 has specific regard to housing stating that to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment... [and] within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies.

Policy GG2 of the London Plan (2021) states that to create successful sustainable mixed-use places that make the best use of land, those involved in planning and development must enable the development of brownfield land, particularly on sites within and on the edge of town centres, as well as utilising small sites wherever possible. Sites which are well connected by existing or planned public transport should be prioritised, and options to intensify the use of land in well-connected area to support additional homes should be explored, promoting higher density development, particularly in locations that are well-connected to jobs, services, infrastructure, and amenities by public transport, walking and cycling. This should align with Policy D3 of the London Plan (2021) by applying a design-led approach to determine the optimum development capacity of a site.

The London Plan places a strong emphasis on accelerated housing growth. Objective GG4 states that to create a housing market that works better for all Londoners, those involved in planning and development must create mixed and inclusive communities, with good quality homes that meet high standards of design and provide for identified needs, including for specialist housing.

Policy GG3 of the London Plan (Creating a healthy city) requires developments to address mental and physical health in an integrated and co-ordinated way, reducing health inequality where possible, which includes planning for appropriate health and care infrastructure to address the needs of London's changing and growing population.

The use of previously developed land is supported by the Local Plan, London Plan and NPPF. London Plan Policy H12 states 'The delivery, retention and refurbishment of supported and specialised housing which meets an identified need should be supported. The form this takes will vary, and it should be designed to satisfy the requirements of the specific use or group it is intended for, whilst providing options within the accommodation offer for the diversity of London's population, including disabled Londoners (see Policy D7 Accessible housing) within a wider inclusive community setting. Boroughs should undertake assessments of the need for short-term, medium-term and permanent supported and specialised accommodation within their borough. Supported and specialised accommodation could include: -

1. accommodation for people leaving hostels, refuges and other supported housing, as well as care leavers and people leaving prison to enable them to live independently.
2. accommodation for young people with support needs
3. reablement accommodation (intensive short-term) for people who are ready to be discharged from hospital but who require additional support to be able to return safely to live independently at home, or to move into appropriate long-term accommodation.
4. accommodation for disabled people (including people with physical and sensory impairments and learning difficulties) who require additional support or for whom living independently is not possible
5. accommodation (short-term or long-term) for people with mental health issues who require intensive support
6. accommodation for rough sleepers
7. accommodation for victims of domestic abuse
8. accommodation for victims of violence against women and girls.

Policy DMH 1 of the Hillingdon Local Plan Part 2 - Development Management Policies (2020) states that 'The net loss of existing self-contained housing, including affordable housing, will be resisted unless the housing is replaced with at least equivalent residential floorspace. Under section B, policy DMH 1 states that the Council will grant planning permission for the subdivision of dwellings only if: -

- i) car parking standards can be met within the curtilage of the site without being detrimental to the street scene.
- ii) all units are self-contained with exclusive use of sanitary and kitchen facilities and provided with individual entrances and internal staircases to serve units above ground floor level;
- iii) adequate amenity space is provided for the benefit of residents; and
- iv) adequate living space standards are met.

The requirement of this policy is explored further in this report.

Policy DMH 8 of the Hillingdon Local Plan Part 2 - Development Management Policies (2020) states that the development of residential care homes and other types of supported housing will be permitted provided that: -

- i) it would not lead to an over concentration of similar uses detrimental to residential character or amenity and complies with Policy DMH 4: Residential Conversions.
 - ii) it caters for need identified in the Council's Housing Market Assessment, in a needs assessment of a recognised public body, or within an appropriate needs assessment and is deemed to be responding to the needs identified by the Council or other recognised public body such as the Mental Health Trust.
 - iii) the accommodation is fully integrated into the residential surroundings; and
 - iv) in the case of sheltered housing, it is located near to shops and community facilities and is easily accessible by public transport.
- B) Proposals for residential care establishments which fall under Use Class C2 must demonstrate that they would provide levels of care as defined in Article 2 of the Town and Country Planning (Use Classes) Order 1987 (as amended).

Compliance with this policy is explored below.

The proposed development is for a change of use from dwelling house (C3) to Children's Care Home (C2). Whilst it is acknowledged that there would be a loss of one C3 unit, this would enable the provision of a residential home for a specialised category as listed in the London Plan, the loss of one unit is acceptable in this instance.

Relative to the proposal there will be a maximum of three full-time members of staff (carers) on site at any given time. Staff (carers) will be on a day and night shift pattern. In addition, there will be a registered manager who will be present only during business hours typically from 9am to 5pm Monday to Friday. There will be up to three children receiving care. The age of the children will be 7 to 17. The total number of occupants at any time would be 6 which is akin to that what would be expected of a typical house of this size. The manager is not to be treated as an occupant as they leave the site and are only present during business hours.

The children come from a range of different backgrounds and have varied experiences in life. Everyone has their own different and specific sets of needs. They will all share one thing in common in that they are vulnerable individuals in need of care. The requirement for providing care to the children residing at the premises is set out below: -

- Previous experiences of abuse.
- Previous experiences of neglect.
- Emotional needs.
- Minor health needs such learning disabilities.
- Increased vulnerability.
- Lack of stable relationships.

The accommodation will not facilitate anyone who is physically or mentally incapacitated. The home is orientated at mainstream living. There is no need for specialist care for any incapacity or wheelchair provision. The home is not regarded as an institution in this respect. The aim of the care is to facilitate the following for the individuals involved: -

- Provide emotional wellbeing.
- Supporting emotional needs.
- Supporting mental health needs.
- Giving children a voice.
- Giving children influence.
- Improving understanding of how to identify damaging situations.
- Improving decision making.

There is a need to provide the type of accommodation within the area. The children are at risk and currently do not have a residence due to lack of capacity for such accommodation. Evidence for this need is documented below to reflect this.

Hillingdon Housing Strategy 2021/22 to 2025/26

The Housing Strategy states “during 2019-20, Hillingdon Safeguarding Adult Board’s (SAB) structure was aligned with the Safeguarding Children’s Arrangements. The partnership arrangements work to prevent abuse, neglect and self-neglect; and to ensure that, when it does occur, our multi-agency response is timely, proportionate, coordinated, effective and in accordance with the key principles of safeguarding children, young people and adults.”

The strategy states that “Hillingdon was corporate parent to 337 children at the end of 2019/20, including 89 Unaccompanied Asylum-Seeking Children (UASC). At 26% of the Looked After Children (LAC) population, Hillingdon has a much higher than average proportion of UASC, who are also on average older than other LAC and consequently form a higher proportion of care leavers. The care leaver population in Hillingdon stood at 454 on 01.04.2020.”

In the summary of the Housing Strategy, priority five supporting Independent Living, a key outcome is that Hillingdon residents are supported to live as independently as possible. The document confirms that: -

“The council is committed to protecting vulnerable people and enabling people, as far as possible, to live independently. Many people require some help and support to do this either in specialist housing specifically provided for their needs or through floating support provided in general housing.”

This strategy shows that the council recognise that there are housing challenges for young people.

Hillingdon Charter and Pledge

This document states that “there are children and young people from a wide range of cultures and backgrounds in the borough who, for a number of reasons, are unable to live with their birth families and so, as their corporate parent, it is our responsibility to ensure that they receive the chance they deserve of a happy, fulfilled life.”

This shows the councils commitment to make sure that they provide the support our children and young people need to thrive.

Looked After Children & Care Leavers Annual Report 2017/18

The document states that “generally, outcomes for looked after children across the UK are poorer than those who have not been in the care system. Despite the good work and dedication of professionals (Children’s Social Care, Education and Health) and carers, challenges remain in improving the experiences and outcomes for looked after children and care leavers. Locally, the London Borough of Hillingdon closely monitors the progress and outcomes for each looked after child and care leaver and effectively plan services around the child/young person as well as wider service provision for our care population.”

The document goes on to say that “Hillingdon currently has 311 looked after children and 400 care leavers, an increase by 5% from April 2018. In numbers, this is an increase of 15 children from 296 in April to 316 in June 2018, (5 children removed from LAC status in July). Year on year, there has been a 5% increase in the number of LAC this June compared to June last year when there were 295 LAC.”

The document reflects the increasing numbers of looked after children and the year-on-year rise. This is further reflected in a document titled unprecedented payment and benefits package for foster carers. This document states that “there are currently 365 children in the council's care in Hillingdon, but with a national foster carer shortage, people are needed now more than ever to provide a loving, stable home for a child in need.”

The Ministerial Statement on planning for accommodation for looked after children' (May 2023, Statement UIN HCWS795), underscored the need for additional care homes, particularly for children and indicated that Local Authorities must work with commissioners to assess local need and closely engage to support applications, where appropriate, for accommodation for looked after children as part of the authority's statutory duties for looked after children.

This highlights a pressing national issue.

An article published in April 2023 in the Guardian reveals the following: -

- “Some of Britain’s most vulnerable children are being moved to care homes more than 300 miles away from the neighbourhoods they grew up in, according to an Observer investigation revealing a “national scandal”.
- “Dozens of children from London alone are in foster or care homes more than 250 miles from the city, as councils battle a significant shortfall in provision. Children from the capital have been placed in homes near Perth, Glasgow, Knowsley, Leeds and Carlisle.”
- “About 600 children from London are in foster or residential care more than 50 miles from their home neighbourhoods. Councils have warned they often have to compete for limited places, and face “rising costs and profiteering on the backs of vulnerable children”.
- “Experts warn that relocating children removed them from schools, friends and extended family, as well as clubs and activities that were often key to their wellbeing. They warned it also put some at greater risk of exploitation.”
- “According to the Observer’s findings, uncovered using the Freedom of Information Act, at least 37 children from the capital are placed more than 250 miles away. The figure is likely to be far higher, as some councils did not reveal precise numbers. At least 600 are more than 50 miles away.”
- “There is a crisis in the residential care home sector, where a scarcity of places means that it can be extremely hard to find a suitable home for children – especially if they have complex or specific needs,” said Anntoinette Bramble, deputy mayor of Hackney. A Greenwich borough council spokesperson said that a “lack of sufficient placement options is a national issue for children in care”.

The above highlights a **pressing and longstanding national issue**, i.e. a lack of local placements for the children in care. It is symptomatic of a broken system which places children far away from their homes which is detrimental to wellbeing. The article reinforces the issue is prevalent in London and at a national level.

An article by nyas published in July 2023 reveals the following: -

- “Ofsted’s data shows that since March 2022, there has been a 9% increase in the number of children’s residential homes across the country, meaning that there are more places for children to live. Although this sounds promising, residential homes remain unevenly distributed across the country. In the North-West of England, there are 746 children’s homes compared to only 164 in the London area.”
- “When local authorities cannot find suitable accommodation for children, it is likely that the child will be moved to live outside of their local area. This means that children are moved far from their support circles and unable to attend their normal education settings or have regular contact with friends and family.”

This shows that there remains a shortage of suitable accommodation for children in the London area. It again demonstrates the disproportionate balance of such homes across England.

An article by OFSTED published in September 2023 reveals the following: -

- “As at 31 March 2023, there was a 9% increase in the number of children’s homes (to 2,880) and a 7% increase in the number of places (to 10,818) compared with 31 March 2022. This continues the long-standing trend of the number of homes rising faster than the number of places.”
- “Although all regions had an increase in the number of children’s homes this year, homes are still not evenly distributed across England. Similar to last year, the North West accounts for a quarter of all children’s homes and almost a quarter of all places.”
- “As in previous years, children’s homes are not distributed evenly across the country. All regions saw an increase in homes and places. As at 31 March 2023, the North West had the most children’s homes (746) and places (2,458), while London had the fewest settings (164), and the South West had the fewest places (600).”

This shows that there remains a **shortage of suitable accommodation in London.**

A BBC report dated annuary 2023 has emphasised the lack of suitable childcare. It states: -

- “Severe care home shortages across England are forcing vulnerable children to be sent away for specialist care.”

An article by community care dated March 2022 further illustrates a lack of appropriate arrangements in this regard: -

- “Local authorities are struggling to manage the children’s homes market, amid a shortage of suitable placements.”
- Almost half (44%) had either no publicly available or no up-to-date strategy to secure sufficient local accommodation for looked-after children.”

The above reflects the wider increase in the number of looked-after children and highlights a need for children’s care homes (i.e., justifying the need). It illustrates that stock is not meeting current requirement. Further details can be found in the appendix section of this report.

An article by LBC published in September 2024 states that there is a national emergency' as hundreds of children 'contained' illegally in holiday lets. The article outlines:-

- Data seen by LBC, from the Nuffield Family Justice Observatory, shows the number of young people this has happened to has rocketed by more than 500% since 2020.
- 1,249 children were subjected to such orders in one year, between June 2022 and July 2023.
- But because of the huge lack of secure places, at least half - approximately 600 - were sent to live in the ad hoc properties, including holiday lets. They are illegal for under 16s because they're not regulated by Ofsted.
- Data from the Ministry of Justice estimates around half of the children deprived of their liberty between July and September 2023 were under 16. A quarter were aged between 16-18, while 7.2% were under 12-years-old.

This shows that hundreds of vulnerable children are being "contained" illegally in holiday lets, Airbnbs and caravans across the UK, because of a chronic national shortage of children's secure care placements.

A search off the wider area reveals a lack of such care in the area.

- Elm Lodge Care Home is 1.4 miles away from the site and is a retirement home.
- Swanage Lodge is 1.9 miles away from the site and provides assisted living.
- Manor Court Care Home is 2.4 miles away from the site and is a nursing home.
- Hayes Cottage Nursing Home is 2.5 miles away from the site and is a nursing home.
- Ashwood Care Centre is 2.8 miles away from the site and is a nursing home.
- Aston House Care Home is 3.0 miles away from the site and provides assisted living.
- Petts Hill Care Home is 3.4 miles away from the site and is a nursing home.
- The Meadows Residential Care Home is 3.7 miles away from the site and provides assisted living.
- Parkfield House is 4.1 miles away from the site and is a nursing home.
- Marian House Care Home is 4.7 miles away from the site and provides aged care.
- Sweetcroft is 5.0 miles away from the site and provides assisted living.
- Ryefield Court is 5.3 miles away from the site and is a nursing home.

The above shows that there is an abundance of nursing homes and assisted living support. It is considered that the proposed development would not result in an over concentration of care homes or similar C2 uses in the area.

The care home will be operated by a registered provider who will manage this children's care home. The company is a limited by guarantee not-for-profit Social Enterprise company and an approved provider of housing and support to vulnerable people aged 16 plus by the Commissioning Alliance (formerly West London Alliance).

The provider takes a collaborative approach to the care and support, helping children and young people lead healthy, happy and fulfilled lives. The company's purpose is to support children, providing them with hope, freedom of choice and the opportunity to be able to succeed. The company's goal is to provide exceptional quality of care for children. This includes empowering, supporting, and striving for inclusion. They provide excellent residential support and health care to children who are experiencing emotional and behavioural difficulties (EBD), neglect and abuse, feelings of rejection and challenges in life such as disabilities.

The provider will deliver the children with all the care and support children need from their highly trained carers and support workers. The property will be staffed by a team of experienced, dedicated and fully trained support workers of whom combine this professional experience with a family perspective to create a dynamic service that strives to offer children with better outcomes and wider horizons. **The provider has multiple staff on hand however only 3 members of staff will be present at the property at any time; in addition, a manager will be present but only during business and hours from Monday to Friday.**

An application to OFSTED has been submitted for review. The provider has confirmed that the proposed living environment is designed to safely support the children's behaviours and there is 24-hour care provided by qualified and well-trained staff. The care home will be closely monitored and continually risk-assessed to ensure the utmost level of safety for the children in care.

Based on the above it is considered that the principle of development is acceptable. The proposed use is C2 use class, a change of use to another type of residential use would be deemed acceptable. There would be a loss of one C3 unit, however, given that this would enable the provision of a residential home for a specialised category as listed in the London Plan, the loss of one unit is acceptable in this instance. It has been shown that there will not be an overconcentration of similar uses in the area. The proposals have demonstrated the need for this type of accommodation at a national, regional and local level. OFSTED have confirmed that there is a shortage of such accommodation. Other Reputable sources have been cited. An audit of existing accommodation options available have been assessed and there is a clear shortage in capacity for children's care homes.

Non-borough residents

In terms of non-borough residents, the care home provider will be applying to sit on the LB Hillingdon's children's home Framework. The care home provider will be working very closely with borough officers to ensure that the property is utilised by the local authority to its utmost. They would also be happy to work with officers in terms of supporting them to bring back people who have been placed 'out of borough' due to lack of service provision in the locality. This would help contribute to meeting a local need for the borough's population and help ensure that non- borough residents are not given priority over locals. Such an arrangement would not have a detrimental impact on local welfare services.

Risk and management plan

The care home will be operated by a registered provider as stated above. The provider has confirmed that the proposed living environment is designed to safely support the children's behaviours and there is 24-hour care provided by qualified and well-trained staff. The provider has multiple staff on hand. **Three carers will be present on site (shift pattern) at any time. In addition, a registered manager.** The care home will be closely monitored and continually risk-assessed to ensure the utmost level of safety for the people in care. The provider's mission is as follows: -

- To provide a motivating environment where children can achieve, build positive friendships with their peers and most importantly call home.
- Promote equality for its occupants to ensure they are viewed and heard as individuals.
- Promote the safety and wellbeing of people who use their services.
- Build self-assurance and self-esteem in children.
- To generate a culture of openness and trust.
- Support individuals in their education and meaningful activities.
- Encourage long term healthy lifestyles.

The main objective of the provider is to create a place to live, learn and thrive with all the care and support children need from their highly trained carers and support workers. The property will be staffed by a team of experienced, dedicated and fully trained support workers of whom combine this professional experience with a family perspective to create a dynamic service that strives to offer children with better outcomes and wider horizons.

The provider has procedures to be followed to conduct a risk assessment of the location of the Homes to identify and subsequently minimise safeguarding risks to the children. This is to ensure compliance with the Children's Homes (England) Regulations 2015, and the Children's Homes and Looked After Children (Miscellaneous Amendments) (England) Regulations 2013.

It is Company policy that the premises of the Children's Homes will be situated in an appropriate location that is safe and secure. By developing a clear understanding of the benefits and disadvantages of living in a specific location it will be possible to establish whether the area is suitable for a Home, ensuring that the children are safe and are able to benefit from good quality services. Therefore, through these location assessments it is the providers objective that the children cared for by the Homes will be: -

- effectively safeguarded from potential harm.
- able to access services to meet their needs as identified in their placement or care plans.

To achieve these objectives, management of the Homes will implement the following 3 strategies:

- Undertake a Location Risk Assessment of the area prior to the opening of the Home, and subsequently at regular intervals. These Assessments will be regularly reviewed to consider any new risks that are identified.
- Where risks have been identified before the home opens, or where new risks appear with time, putting in place appropriate safeguarding strategies.
- Collaborate with the police and the LSCB (Local Safeguarding Children's Board) at all stages of this process, not just in putting the safeguards in place, but also in trying to identify the risks from the outset.

The Location Risk Assessment will include considerations of the following: -

- Whether there is a likelihood of children placed in the Home being drawn into gang crime or anti-social behaviour in the local area.
- Whether the location of the Home influences the potential for an already vulnerable child to be a victim of crime, including being targeted or groomed for sexual exploitation.
- The suitability of the local neighbourhood as a location to care for children who may have already been victims of abuse and neglect.
- Any environmental factors that could present a hazard to children, such as locations near busy roads, level crossings, and un-fenced ponds.
- Any positive features in the local community that would benefit children from the Home. These include leisure, sporting or cultural activities, or links with services that could support a child's ethnic or religious identity.
- Collection of publicly available local data, involving internet-based searches of local crime statistics, obtaining the indices of deprivation, data about local schools, and other relevant data.
- Consultation with appropriate local services that have a statutory responsibility for safeguarding children in the neighbourhood where the Home is located. These will include the police, Children's Services, probation service providers, public transport that the children may use and, where relevant, voluntary services that support victims of crime or young runaways.
- Obtaining service user feedback, talking to the children in the Home's care about their perception of the quality of life in the area to establish whether they feel safe, and how to manage any risks they identify. Children will also be able to offer valuable insights about the quality of local services that they use.

Where Risk Assessments identify concerns about the location, strategies will be developed to support the children to manage any safeguarding concerns and, where necessary, to enable them to access appropriate local services. The following list summarises a range of activities that could contribute to managing risks: -

- Educating children in the Home about risks and supporting them in developing skills and strategies to manage those risks.
- Providing children with access to relevant support services to make them more aware of risks, and to make them more resilient.
- Ensuring that children have access to sources of confidential advice and advocacy so that they feel safe to disclose any risks they face.
- Recording evidence of children's vulnerability to sexual exploitation / grooming that could be used by the police as the basis for taking enforcement action against predatory adults or by probation service providers in connection with the management of offenders.
- Improving the perimeter security for the Home so that individuals or vehicles approaching the Home can be recorded, acting as a deterrent to potential predators.
- Convening multi-agency Risk Management meetings, involving local services, placing authorities, and individual children to develop strategies for managing and minimising the risks faced by the children.

This Risk Assessment must be undertaken and recorded every 6 months.

Operation management

Staff rota

Staff X3, Day shift – 7.30am to 19.15pm

Staff X2. Night shift – 19.30pm to 7.15am

Registered manager – 9.00am to 5.00pm, Monday to Friday

The work schedule patterns have been designed to ensure that there is always at least three staff members on duty during the day and two at night. No sleeping accommodation is provided for staff. This will ensure that there is no possibility of any antisocial behaviour, and that the children's needs are always met. During the annual and sick leaves of permanent employees, interim staff and reserve team members will cover their duties. The staff handover will take place between 7.15am and 7.30am and between 19.15pm and 19.30pm. This will not be during school hours thus not impacting the staff's ability to take children to school.

OFSTED inspector

Once a year during office working hours between Monday and Friday: 9am and 5pm.

The OFSTED inspector can use public transportation.

Social worker visit

This depends on the individual child's plan but once a month, as the children settle the visits will be less. They visit during office working hours Monday to Friday between 9am and 5pm.

The social workers can also use public transport.

Regulation 44 inspector

Once a year during office working hours Monday to Friday between 9am and 5pm.

The regulator 44 inspector can also use public transport.

LAC Nurse

Once a year for annual health check or never as the child can be asked to visit GP for the check. The nurse may never visit the health check can be taken at an offsite location like a school or a GP practice.

Family visit

These depend on the child's plan. Family will be encouraged to arrive by public transport.

The property is served by buses stopping just a few metres away. Consequently, employees and visitors can access the property via bus. There will be no visitations during staff handover time. Visits will be secured by a booking system and managed to ensure that there is no overlap. During handover time, the staff will be focused on exchanging information between those leaving and those beginning their shifts; therefore, visits will not be appropriate by others.

As a provider of social care services understanding public transport helps the provider structure the shift patterns to allow staff to access transport to travel to and from work. The staff and visitors have access to reliable public transportation, and the majority of visits will occur between Monday and Friday during working hours. Important information for residents, personnel, and visitors will be posted on the bulletin board, including specifics about local transportation.

Care provided

The primary purpose of the residential home is to assist children in need and provide them with the direction they need to become productive members of society. Regular supervision sessions will be held with them to assess their progress. Issues will be discussed with them and Social Services, who continue to have a responsibility for their welfare. The children will be assisted in gaining access to education, healthcare, and any other community services they may require.

Security measures

To ensure the safety of the property and its residents, CCTVs will be installed at the property's front and rear. In addition, a fire alarm system will be implemented. Fire doors are currently in place. These will be upgraded as necessary to comply with the building regulations.

Quality of Accommodation

The existing dwelling will be replaced by a care home which is similar in nature to the dwelling. Its size will be of an equivalent space. As existing, the site is currently a 4-bedroom dwelling. The care home would only be a 3-bedroom dwelling. One of the existing bedrooms would form a study at ground floor. Another bedroom would be integrated into the living kitchen and dining space. Upstairs the large bathroom would form a third bedroom. A further shower room is proposed. All rooms are of adequate size, shape and proportion. They all have at least one large window, therefore access to sufficient daylight. A rear garden is retained providing adequate outdoor space. The unit will continue to be self-contained throughout. **Staff do reside at the site and are on a shift pattern. No sleeping accommodation is provided for staff and owing to the shift pattern it is not required. On this basis the observation that this is a 3-bedroom dwelling remains accurate. This variation therefore does not impact the quality of accommodation provided.**

Design and Quality of Materials

Paragraphs 130 and 134 of the NPPF outline that planning policies and decisions should aim to ensure that developments function well and add to the overall quality of an area not just for the short term, but over the lifetime of the development. Paragraph 130 advises that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

London Plan policy D4 all echo the principles of the NPPF with regards to well-designed spaces. Policy D4 of the London Plan emphasizes that all development should have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. At a borough level, Policy BE1 of the Hillingdon Local Plan: Strategic Policies (Built Environment) sets out that, in order to create successful and sustainable neighbourhoods, new development (including new buildings, alterations and extensions) should be of a high-quality design which enhances the local distinctiveness of the area and contributes to a sense of place. As such, proposals should be designed to be appropriate to the context of Hillingdon's buildings, townscapes, landscapes and views, and make a positive contribution to the local area in terms of layout, form, scale and materials.

The proposal only involves one new window to the flank elevation facing Wayfarer Road. The window would be of a similar appearance to the existing windows and therefore in keeping. Therefore, it is not considered that the proposal would generate any harm upon the character and appearance of the existing dwellinghouse. The accommodation remains fully integrated into the residential surroundings. The proposed development is therefore acceptable and policy compliant in terms of design.

Impacts to Neighbouring Amenity

Part D in Policy D6 of the London Plan requires development to provide sufficient daylight and sunlight to surrounding housing that is appropriate for its context. The proposal involves one new flank wall window. The window is adequately separated from the properties opposite the site and as such, there will be no material loss of outlook, light or overbearingness for surrounding properties.

The proposal is to incorporate 3 bedrooms for 3 no. of children. The future users of the site will share the ground floor communal areas. Considering that the existing property is a 4-bedroom dwelling which can provide accommodation for 5 persons the number of residents will be similar to the current situation.

The proposed situation is what one would expect from a family home containing shared facilities. The children and staff members on duty would live together as a family unit albeit that the carers would be on a shift pattern. The proposed floor plans clearly demonstrate that the premises would be laid out in a fashion akin to a single dwelling with a shared lounge, a kitchen and a dining space, a bathroom, and 3 bedrooms as well as a garden. It would be expected that the residents for the premises would eat breakfast, lunch and dinner together, watch TV together, relax together, sit in the garden together and so on.

The only difference in the case of specialist housing is that the children are vulnerable and thus require special care from specially trained adults. Therefore, it can be said that there is no material difference between a house used as a small children's care home and a conventional family dwellinghouse. In 2024 there have been several Inspectors who have corroborated this approach when determining certificates of lawful proposed use / planning applications at appeal. These are set out below.

No. 98 Westbury Road – Royal Borough of Kingston Upon Thames Certificate of lawful use.

The inspector concluded that the proposed C2 use did not result in a material change of use from the existing class C3 use as a dwellinghouse with the change of use therefore not amounting to development for which planning permission would be required. The appeal therefore succeeded.

No. 61 Shaw Road – London Borough of Lewisham. Certificate of lawful use.

The Inspector found that a house of this size could accommodate a typical family with two/three children and two adults. The use of the house as a home for a maximum of three young people and their carers would not be materially different from the authorised use as a family home.

No. 105 The Crescent – Royal Borough of Kingston Upon Thames. Certificate of lawful use

The Inspector found that the proposed use would not result in a material difference in the character of the activities at the site. Consequently, the proposal would not result in a material change of use from the existing Class C3 use as a dwellinghouse. The appeal therefore succeeded.

No. 58 Cartwright Road – London Borough of Barking and Dagenham. A full planning application

The Inspector concluded that the care home's intended use would maintain essential residential functions such as shared meals, a structured routine, and involvement in household tasks, thus it is not considered that the proposal would adversely affect the availability of family-sized homes in the area.

Living within such a densely populated residential region, it would typically be expected to hear, and normally tolerate, noises from the properties around you, such as traffic noise, voices, music, DIY noise, etc. Whilst the use class would change in planning terms, the property would still be in residential occupation with people using the dwelling and garden as anyone else would in any residential property. In this regard the change of use is not material.

It is acknowledged that the proposed care home is to be staffed by care workers on alternating shifts. This is to provide 24-hour care 7 days of the week. There will be 3 members of staff at one time during the day and with the addition of a registered manager, only 2 staff will be present at night. It is accepted that there could be an overlap in staff, but this would be for a matter of minutes whilst a shift change occurs. It is unlikely that this would be determinantal in terms of noise impact.

During the day there would be 3 children and 3 carers occupying the property. In addition, during the day (Monday to Friday only) a manager would be present. This would mean a maximum of 7 persons at the property (daytime). In the evenings and during the night there would be 3 children and 2 staff present. This would mean a maximum of 5 persons.

The existing house could easily accommodate a family of 5. The increased staffing levels would generally occur on weekdays during standard daytime hours, when neighbouring residents are likely to be at work or school. As such, while the proposal may lead to a modest rise in activity, including comings and goings and general disturbance, it is limited in nature and unlikely to give rise to significant harm to residential amenity. It is therefore concluded that this amendment would not result in unacceptable impacts to neighbouring properties.

The shift change in staff is not material to the numbers on site occupying the premises. It is accepted that sporadic visits may occur at the property i.e. OFSTED inspector once a year, Regulation 44 inspector once a year, social workers and family (dependant on the child's plan). These visits would be intermittent and no different to friends and family visiting a traditional home setting.

The proposal is unlikely to generate more noise in this regard. The comings and goings would be similar to a single dwellinghouse. As previously stated, the existing 4-bedroom home could potentially house a large family of up to 5 people with associated comings and goings. Friends and family could visit the premises at any time. It is considered that at the scale proposed, the development would not result in harmful levels of noise and disturbance that would be out of keeping with a residential area. Additionally, the facility is to be managed by staff which will assist with minimising the potential for adverse impacts upon the amenity of occupiers of neighbouring dwellings by way of noise or anti-social behaviour. External CCTV will be in operation at the premises.

Highways

The public transport accessibility level (PTAL) is 1B and hence some dependency on the use of private motor transport to and from the site would be anticipated. **It is to be made clear that whilst the children are aged 7 – 17 (under 17's cannot drive) car ownership is strictly prohibited. The applicant has submitted a letter as part of this application and has made the following clear: -**

- **Children in our care will not own or drive cars: Under no circumstances we will be accepting placements of children who are employed or living with a level of independence that would make car ownership or regular driving a possibility.**
- **Any young person who progresses to a stage of independence where such considerations become relevant will be transitioned to high-stage supported accommodation, not retained in this residential home.**
- **Dedicated transport provision by the home: Our home will be provided a dedicated vehicle for manager/staff use to meet the day-to-day transport needs of the children, including appointments, education, and recreational activities. We will fully fund the purchase, insurance, maintenance, and running costs of this vehicle. This means there will be no expectation or necessity for any child to own or bring a car to the property.**

Staff will mainly be using public transport. In any instance site is well positioned in terms of access to local amenities.

Parking

Local Plan: Part 2 Policy - DMT 6 requires that new development will only be permitted where it accords with the council's adopted parking standards unless it can be demonstrated that a deviation from the standard would not result in a deleterious impact on the surrounding road network. There is space for 2 on-site frontage parking places and on streetcar parking on Wayfarer Road where there is an existing cross over. This gives a total of 3 spaces. The nearest and most appropriate council standard requires appraisal either by virtue of a Transport Assessment or 1 space per 4 dwelling units/occupants (with a minimum of 2 spaces) to be provided for a care home use (plus 1 warden/carer space). When applying the latter, this would therefore equate to a requirement of 3 spaces **as per the approved situation. The submitted block plan shows that the proposal accords to this. Regardless it is company policy that should carers arrive by car then carpooling must be utilised. On balance it is realistic to observe that whilst 3 spaces are available only 2 would be used in so much that 1 space is needed for the 2 carers and 1 space for the manager. External visits are sporadic at best and no different to family or friends visiting the property.**

Cars are able to enter the site through Paddington Close and leave in a forward gear along Wayfarer Road.

Electric charging points

In accord with the Local Plan: Part 2 DMT 6 policy and parking standard, there is a requirement for EVCPs which would equate to a minimum facility of 5% of the total parking quantum for 'active' provision with a further 5% acting as 'passive' provision for future activation. As there is a strong move toward hybrid and fully electrified vehicles which will only increase in time, the proposal will incorporate 1 'active' and 1 'passive' space to futureproof for anticipated demand.

Cycle parking

In terms of cycle parking, there should be a provision of 1 space secure and accessible spaces per 3 staff (maximum on-site at any one time) to conform to the adopted borough cycle parking standard. 3 lockers have been provided. **This remains as per the approved situation.**

Vehicular trips

Local Plan: Part 2 Policies - DMT 1 and DMT 2 require the council to consider whether the traffic generated by proposed developments is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety. Owing to the traditionally 'low traffic generator' user profile the proposal would not be expected to generate measurable traffic burden on the surrounding roadways both during and outside of the most sensitive and therefore crucial peak morning and evening hours given the anticipated low car usage levels which can, therefore can be absorbed within the local road network without notable detriment to traffic congestion and road safety.

Refuse Collection

The plans show refuse collection would continue via the roadway and bin storage placement is generally placed within 10m of the collection point on the public highway to accord with the council's maximum waste collection distance standard.

Fire safety

The use of the property as defined within statutory Approved Document B volume 1, is a dwelling. The use will not change. The work will be classed as a material alteration to a dwelling and will require no substantial alteration from the current layouts. This is because it is occupied by no more than 6 people, including where an element of care is provided.

The scheme will include an automatic fire detection system designed to BS5839-6 to at least an LD1 standard and to a class A standard. LD1 maximum protection which is the highest level of protection of all occupants who might occupy the dwelling over the lifetime of the fire detection and fire alarm system. This will be installed throughout the premises, incorporating detectors in all circulation areas that form part of the escape routes from the premises, and in all rooms and areas, other than those with negligible sources of ignition, such as toilets, bathrooms, and shower rooms. Separate detectors, sounders and central control and indicating equipment with back-up power supply that conforms to British Standards BS EN 54. Installation by a specialist and certification to be provided throughout.

Fire alarm call points will be installed by the exists. A fire blanket and extinguisher is to be provided in the kitchen.

The building will have a protected escape route within the dwelling at ground and first floors leading to a final exit. All rooms and cupboards aside from bathrooms will have provision of FD30s doorsets. These are to be appropriately certified and installed by a specialist with hinges tested as part of the door set. As per BCA Technical Guidance Note 9 edge gaps to the Jambs and head of the door should be a maximum 4mm. The gap at the bottom of the door should be restricted to maximum of 10mm from a finished floor (BCA guidance). The smoke seals will work by acting as a smoke barrier, helping block the smoke, preventing it from seeping around door frames. The intumescent strips seal off gaps in between doors and door frames, to prevent the spread of fire. These measures will allow occupants to escape more safely in the event of a fire.

All parts of the dwelling are within 45m of a fire appliance positioned on the highway. The dwelling meets the provision of B5 albeit the measures stated above demonstrate an improved setting.

Emergency lighting is proposed to the exits and will be designed to an NM3 standard to BS5266-1. No fire signage will be required within the dwelling.

The property due its use as providing an element of foster care or similar will be an environment will require a reasonable and adequate fire risk assessment to be undertaken from the point of occupation. The contractor will pass on all the fire safety certificates he collects to inform the responsible person's decisions when the Fire Risk Assessment is drawn together. This will mean the Design, Installation and Commissioning Certificates to BS5839-6 to show the LD1 Cat A standard is achieved, and the technical information for the intumescent strips and cold smoke seals from the manufacturer. The certificates will make it quite clear what the maintenance obligations are for those elements of the build.

Other Issues

There only external change involves a new window. As such, there are no flooding, drainage, trees, landscaping or ecology issues. Air quality is unimpacted given that limited operations are taking place. The proposal is considered not be CIL liable or require planning obligations.