

Meeting:	Development Control Committee
Date:	Wednesday 26 July 2006
Subject:	Notification Procedures - Planning Applications on Residential Care Homes
Responsible Officer:	Andy Parsons, Head of Planning
Contact Officer:	Frank Stocks
Portfolio Holder:	Councillor Marilyn Ashton
Key Decision:	No
Status:	Public

Section 1: Summary

1.1 This report considers a process for notification of residents living in residential care homes where a planning application seeks a change of use of the particular care home.

Decision Required

Recommendation (for decision by the Development Control Committee):

Members instruct officers to undertake the notification process indicated in paragraphs 2.2.2 and 2.2.3 of this report, in order to secure appropriate notification of care home residents.

Reason for report

To ensure that residents of care homes are notified about planning applications for changes of use of their care home.

Benefits

To enhance the environment of the Borough and to safeguard the amenity of neighbouring residents.

Cost of Proposals

Contained within the existing budget.

Risks

In the absence of being advised by the care home owner(s), lack of notification on planning applications for change of use could have an extremely distressing effect on the care home residents.

Implications if recommendations rejected

Care home residents could be excluded from the engaging in the formal process of determination of planning applications.

Section 2: Report

2.1 Brief History

- 2.1.1 A recent appeal decision was issued in respect of a change of use of a residential care home to self-contained flats. In accordance with our adopted publicity procedure neighbouring residents had been notified of the change of use application. These procedures do not include notification of the building that is the subject of the planning application. In this particular case the residents were not informed by the owner(s) of the building and therefore remained ignorant of the proposals. Planning permission was refused for this application.
- 2.1.2 A further application was submitted for a reduced proposal, and an appeal was lodged against the initial refusal. Again, no notification of residents within the residential care home was undertaken.
- 2.1.3 The appeal against the original scheme was allowed and development commenced. It was only prior to this point that residents of the care home became aware of the proposals, and were understandably upset.
- 2.1.4 Following this the development Control Committee on 11 April resolved to instruct Officers to prepare a report setting out details of a notification process that would allow residents of care homes to be advised of any planning applications involving change of use of their own care homes.

2.2 Planning Considerations

2.2.1 The suggested process for future notifications is suggested below. Planning applications for change of use of residential care homes are readily identifiable - the application form (and any covering letter) should indicate the current use of the premises [in this case a care home within either Use Class C2 or C3 of the Town & Country Planning (Use Classes) Order 1987].

2.2.2 Having identified the relevant change of use applications, there are three mechanisms by which residents could be notified:

- 1) Every applicant will be requested to confirm that all of the residents of the care home have been advised about the proposed change of use.
- 2) The application case officer will visit the application site as soon as possible after the application is registered and ascertain how many residents live at the premises. Notification letters will then be either left for, or sent to, those residents.
- 3) The case officer will post a site notice on each road frontage outside the premises.

2.2.3 The proposal is that all of these mechanisms should be used upon the receipt of any residential care home change of use application.

Conclusions

2.2.26 The introduction of the procedures set out above should ensure that all of the residents within a particular care home premises are notified about a proposed change of use. Subject to the Committee's agreement the process could commence with immediate effect.

2.3 Consultation

2.3.1 None.

2.4 Financial Implications

2.4.1 None.

2.5 Legal Implications

2.5.1 None.

2.6 Equalities Impact

2.6.1 None.

2.7 Section 17 Crime and Disorder Act 1998 Considerations

2.7.1 None.

Section 3: Supporting Information/Background Documents

Background Documents:

Publicity Practice Note - Re-issued December 2004 - see Planning pages of Harrow's website:

<http://www.harrow.gov.uk/ccm/content/housing-and-planning/planning/planning-and-building-control-downloads.en>