

Date:

4th September 2025.

Dear Planning Officer,

Re: Formal Objection to Planning Application 25/01765/FP – Change of Use from Use Class C3 (Dwellinghouse) to Use Class C2 (Children’s Care Home) at Hayes Cottage, 1 West Lodge, Putteridge Park, Luton, LU2 8LA

We, the undersigned residents, write to formally object to the above planning application submitted by Shine Social Care Ltd (Applicant: Ms Aneka Reid) in relation to the determination of the application under section 70 of the Town and Country Planning Act 1990 (as amended). The council’s initial consultation of only 6 West Lodge properties (notified end of July), expanded to 27 on 14 August with a deadline of 13 September after resident alerts, still omits schools despite woodland risks, reflecting minimal diligence for this C2 application. It has also come to our attention that the number of consulted properties increased today, 4 September 2025 from 27 to 42 today, though it remains unclear if schools are included despite their proximity and woodland risks.

Building on the existing 17 public objections already submitted via the Council’s portal—including a notable representation from the vice president of a local college highlighting broader educational, reputational, and community impacts—we urge the Council to recognise the widespread opposition.

The proposal contravenes multiple policies in the North Hertfordshire Local Plan 2011-2031 (adopted November 2022), including Policy SP9 (Design and Sustainability), Policy T1 (Assessment of Transport Matters), Policy NE1 (Landscape), Policy SP11 (Natural Resources and Sustainability), and Policy ETC8 (Mixed Uses), as well as saved policies from the District Local Plan No.2 with Alterations (1996), such as Policy 57 (Residential Guidelines and Standards). It also fails to align with the National Planning Policy Framework (NPPF) 2023, particularly paragraphs 130 (high-quality design and amenity), Chapter 9 (sustainable transport), Chapter 15 (conserving the natural environment), and paragraphs 92-93 (community facilities). Our objections are substantiated by the application’s supporting documents (e.g., Planning Statement submitted 11 July 2025, updated 14 July 2025. Operational Management Plan submitted 11 July 2025, and Site, Location, Images, and Parking Plans ref. 101AR-01, 101AR-02, 101AR-03), and draw on precedents from UK planning appeals where similar proposals have been refused.

1. Incompatibility with Residential Amenity and Neighbourhood Character (Contrary to Policy SP9, Saved Policy 57, and NPPF Paragraph 130)

The change from Use Class C3 (dwellinghouses) to Use Class C2 (residential institutions) introduces 24-hour operations with up to 11 full-time equivalent staff (9 full-time, 5 part-time), with peaks of 6 during handovers, frequent visitors (e.g., social workers for 72-hour

return interviews, therapists), and emergency responses, as detailed in the Operational Management Plan. This will generate elevated noise from emotional outbursts, shift discussions, mandatory fire drills (with alarms), and group activities, exceeding typical domestic levels despite the applicant's assertions in the Planning Statement (page 2: "noise... anticipated to be the same as from any family home"). The claim that the home will operate "like a normal family home" is contradicted by these institutional elements, which far exceed standard family dynamics and undermine the application's credibility. In a compact seven-house enclave bordering 170 hectares of parkland and woodlands, such disturbances will erode the area's historic rural tranquillity, causing chronic stress, sleep deprivation, and adverse mental health impacts for residents. Attached images of the front hedge, circled to highlight its significance, underscore its role in preserving privacy and character, threatened by the proposed use.

Policy SP9 requires developments to "protect, enhance or improve existing amenity... and not lead to unacceptable impacts on the indoor and outdoor environment of existing or new users or occupiers". Saved Policy 57 emphasises maintaining residential standards, including privacy and quiet enjoyment. NPPF paragraph 130 mandates that developments create places that are safe, inclusive, and accessible, with a high standard of amenity for existing and future users. The application's claim of "family-like" noise lacks a formal assessment, contravening NPPF guidance on evidence-based decision-making.

2. Adverse Traffic, Parking, and Highway Impacts (Contrary to Policy T1 and NPPF Chapter 9)

The proposal retains only seven on-site parking spaces (application form, page 6) but anticipates 10-30 daily vehicle trips from staffing, visitors, deliveries, and emergencies, overlapping with school peak hours (8:30 am-4:00 pm per OMP activities calendar). On narrow, unadopted private roads shared across the estate (e.g., with Home Farm Court and Putteridge Bury), this will cause congestion, overflows, and hazards, exacerbating existing speeding issues unaddressed by the Council. No new access is proposed, and reliance on staff walking (Planning Statement, page 2) is unrealistic in rural conditions or inclement weather. Furthermore, the narrow lane from Putteridge Road to West Lodge is unlit, posing significant safety risks in winter darkness (requiring torches for visibility), which raises concerns about staff safety and the feasibility of this approach under employer duties in the Health and Safety at Work Act 1974 (Section 2). The parking plan (ref. 101AR-01, scale 1:200) shows spaces numbered 1-7 within a red-outlined boundary, but this boundary appears to extend onto land potentially owned or managed by The Crown Estate, which holds significant rural and agricultural portions of Putteridge Park, including areas near Luton. As noted by Hertfordshire Police (August 21, 2025 consultee comment), the entrance lacks gates (fence only at rear), risking unauthorised access and requiring potential exterior amendments (e.g., secure doors/windows to PAS 24:2022 and fire standards for the repurposed garage office), which could necessitate further planning approval if altering the property's appearance, breaching compliance with the submitted plans and potentially

Policy SP9 (design compatibility in a rural setting) and Saved Policy 57 (residential standards). The application was submitted on 18 July 2025, yet consultation with The Crown Estate is noted as occurring only on 14 August 2025, after the plans were finalised. The outcome of this consultation remains unknown and undisclosed in public records. If the parking layout encroaches on Crown land without prior consent, this raises serious concerns regarding the accuracy of the Ownership Certificate B (served 9 July 2025) and compliance with the Crown Estate Act 1961 (section 3, requiring consents for developments on Crown holdings). We request that the Council verify ownership boundaries via HM Land Registry and disclose the consultation outcome before determination, as unresolved third-party land interests could invalidate the proposed parking mitigations under the Town and Country Planning (Development Management Procedure) (England) Order 2015 (Article 15). Attached images of the parking layout, showing two cars on the right potentially on Crown Estate land, and the proposed 4 front and 3 back spaces, confirm overflow onto the private lane. This exacerbates congestion and safety risks, breaching T1 and Reg 12.

2.1 Inaccuracies in Consultee Assessment

The HCC Highways response (dated August 2025) claims “no collisions” in a five-year period, but this is contradicted by verifiable incidents, including a 12-year-old boy injured in a hit-and-run on Putteridge Road near the school (April 3, 2024) and a teenager seriously injured in another hit-and-run (July 4, 2024), underscoring speeding risks and breaching T1 (unacceptable impacts) and NPPF para 110 (safe access). As residents, we’ve experienced or reported incidents including a moped crashing into 5 West Lodge’s wall (~4 years ago, police called), a crash at 6 West Lodge (vehicle ploughed into the driver’s side), a dumped car crash near Home Farm Court (recent, police involved), and a speeding Range Rover hitting a tree (broad daylight, residents walking, police attended), contradicting HCC’s assessment. HCC’s 60 mph claim on the private road, adjacent to a 20-mph school zone ending abruptly, lacks mitigation, breaches T1 safety, especially with unlit conditions and vulnerable children’s behavioural risks. Luton Council has implemented a 20-mph zone (confirmed by MP Sarah Owen’s August 4, 2025, petition and local signage), which typically extends to adjacent areas unless explicitly terminated. A 60-mph limit on an unlit, narrow private road adjacent to a 20-mph school zone is a glaring safety gap. Policy T1 (North Herts Local Plan) and NPPF Chapter 9 (para 110) require developments to ensure “safe and suitable access,” particularly for vulnerable groups. A sudden 40 mph increase on a private road with no traffic calming (e.g., speed bumps) or lighting breaches this, especially with school children and vulnerable residents (e.g., absconding children with behavioural issues per the OMP). The Children’s Homes Regulations 2015 (Reg 12) mandates minimising risks to children, and this sharp limit change heightens hit-and-run potential. Children with complex needs (6-18 years) may lack road awareness, and behavioural issues (e.g., impulsivity, absconding) increase unsupervised exposure. The open front entrance (per police comment) amplifies this risk, breaching Health and Safety at Work Act 1974 s.2 (employer duty to mitigate hazards) if staff cannot monitor exits. This minimal assessment fails NPPF para 39 (pre-app advice) and Order 2015

Article 15 (adequate consultation), especially for a C2 home where safety is paramount. Attached are images of end-of-school traffic outside Putteridge schools, captures before the primary school finished, highlighting unsafe conditions for vulnerable children and potential chaos for emergency services from Luton Borough. These conditions, worsened by icy winter access for staff on the unlit, narrow lane, suggest HCC's 'no collisions' assessment is inadequate, supporting our T1 breach and reg 12/13 risks, and Health and Safety at Work Act 1974 s.2 concerns.

3.Safeguarding Risks and Proximity to Educational Facilities (Contrary to Policies SP11 and ETC8, NPPF Paragraphs 92-93, and Children's Homes Regulations 2015)

The site is 0.5-1 km from Putteridge Primary School, High School, and Community Nursery, connected via informal paths through Great Hayes Wood used for outdoor learning, as evidenced by local landscape reports. The Operational Management Plan acknowledges risks like absconding (with police involvement and 72-hour return interviews), behavioural issues, and crises (e.g., self-harm, exploitation), potentially leading to unsupervised encounters, conflicts, or school lockdowns. No specific mitigations address this proximity in the application, burdening educational operations in a vulnerable community. Furthermore, the rural layout allows easy access to neighbouring homes, risking disturbances or safety issues for residents without boundary mitigations in the OMP, forcing lifestyle changes like restricted garden use. If an absconded child enters a school, it could trigger intruder protocols (e.g., full lockdown with hidden students/staff per DfE guidance). The absence of direct consultation with nearby Luton schools, and more residents of Putteridge Road, Selsey Drive despite their proximity and potential impacts, fails to meet NPPF para 40 best practice and risks inadequate assessment under Reg 12. As noted by Hertfordshire Police (August 21, 2025), response delays from Hitchin station are likely in this rural area, exacerbating risks for absconding into farmland/woodland or resident properties—breaching Regulation 12 (location suitability) and potentially the Health and Safety at Work Act 1974 (duty to minimise risks). Policy SP11 requires developments to “protect and enhance the natural environment and support health and wellbeing”, whilst ETC8 promotes compatible mixed uses without adverse impacts on community facilities. NPPF paragraphs 92-93 require planning decisions to support healthy communities and protect facilities like schools. Furthermore, the Children's Homes (England) Regulations 2015 (Regulation 12: Location of the home; Regulation 13: Protection of children) mandate that homes be sited to minimise risks to residents and the community, with Ofsted guidance emphasising compatibility with surrounding areas. UK planning decisions have refused similar proposals on safeguarding grounds; for instance, in a 2025 Bedfordshire case (Bedford Borough Council application 25/00362/FUL), a children's home was refused following police objections related to community safety and location risks.

4. Inadequate Environmental and Biodiversity Considerations (Contrary to Policy NE1, NPPF Chapter 15, and Environment Act 2021)

The application claims exemption from biodiversity net gain under the de minimis threshold (application form, page 8: “no physical changes”), asserting no impact on existing biodiversity. However, this is undermined by the applicant’s “No” response on page 6 regarding trees and hedges, despite a significant hedge at the front of Hayes Cottage adjacent to Great Hayes Wood indicating a lack of due diligence and breaching Order 2015 Article 7 accuracy requirements. Attached are images of the front hedge, circled in yellow to highlight its significance, contradicting the applicant’s ‘No’ response on page 6. The applicants own planning drawings omit the hedge by focussing on internal views, highlighting the oversight. These images also highlight the hedge’s role as a sustainable natural barrier, threatened by increased activity. Heightened activity from 24/7 operations will degrade parkland biodiversity (e.g., wildlife displacement in adjacent woods) without a required tree/hedge survey, exacerbating the lack of due diligence. This omission risks unassessed impacts on the hedge, a potential biodiversity asset, contravening NE1’s demand to protect landscapes/habitats and NPPF para 174’s net gain mandate. The Environment Act 2021 (Schedule 7A) imposes mandatory biodiversity net gain, with exemptions narrowly defined under the 2024 Regulations; a change of use with indirect impacts (e.g., hedge removal) may not qualify, necessitating assessment.

Furthermore, the application’s assertion that waste production will not increase beyond current domestic levels (Planning Statement) is unrealistic given the proposed occupancy and operations, including up to five children, staff shifts, and visitors. With North Hertfordshire’s bin collection changes effective August 4, 2025—implementing a three-weekly cycle for general waste, paper/cardboard, and mixed recycling (using standard 240-litre bins)—waste volumes could exceed capacity, leading to overflows, odors, litter, or vermin attraction in this rural setting. No waste management assessment addresses this, potentially exacerbating environmental and amenity impacts. Policy NE1 demands protection of landscapes and habitats, requiring developments to “avoid, mitigate or compensate for significant harm to biodiversity”). NPPF Chapter 15 requires conserving biodiversity, with paragraph 174 emphasising net gains. The Environment Act 2021 (Schedule 7A) imposes mandatory biodiversity net gain for developments, with exemptions narrowly defined under the Biodiversity Gain Requirements (Exemptions) Regulations 2024; change of use with indirect impacts may not qualify, necessitating assessment.

5. Inconsistencies and Lack of Robust Evidence (Potential Invalidity under Town and Country Planning Act 1990)

Discrepancies between the application form (five beds/up to five children) and supporting statement (three beds/max four children) undermine transparency, potentially rendering the application invalid under Article 7 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The initial submission on 11 July 2025 contained inconsistencies, requiring an updated planning statement on 14 July 2025 to match the 5 children claim, further evidencing lack of due diligence. No pre-application advice was sought (application form, page 12: “No”), contrary to NPPF paragraph 39, and the

absence of noise, traffic, or contamination assessments is particularly concerning given the proposed C2 use as a children's care home, which would involve vulnerable groups. The form incorrectly states "No" to a proposed use vulnerable to contamination on page 5, despite the presence of children who are highly susceptible to environmental hazards, contradicting the purpose and breaching NPPF Chapter 15 (para 183) requirements for contamination assessments. Shine Social Care Ltd lacks published Ofsted inspection reports for children's homes, raising compliance doubts under the Children's Homes (England) Regulations 2015. Notably, the applicant (Ms Aneka Reid) was formerly a director of Strive and Succeed Ltd, which received permission for a similar children's home at 1 Mount Grace Road, Luton (Luton Borough Council ref. 22/00911/FUL, approved October 26, 2022), yet nearly three years later, there is no evidence of commencement, Ofsted registration, or operational activity at that site, despite the permission remaining valid until approximately October 2025. This pattern further questions the operator's ability to implement and manage such facilities effectively. The Operational Management Plan submitted for this application is identical to that used in Shine SC's refused application at 4 Wild Cherry Drive (Luton ref. 25/00039/COU), demonstrating no site-specific due diligence or customisation, breaching Regulation 12 of the Children's Homes Regulations 2015 and NPPF evidence-based requirements. The applicants planning drawings assume the boundary (awaiting clarification on this) and omit the hedge, further evidencing this lack of accuracy. The generic OMP and lack of pre-app assessments suggest a tick-box approach, inadequate for a C2 home, breaching NPPF para 39 and Reg 12 due diligence. Appeals have dismissed proposals where unproven operators could not assure minimal impacts; for instance, in *Pratt v Secretary of State* [2016] EWHC 637 (Admin), an appeal was dismissed because the appellant failed to prove facts on minimal impacts, confirming inspectors are not required to determine unproven claims.

6. Loss of Family Housing and Lack of Demonstrated Need (Contrary to Policies HS2, SP2, and NPPF Housing Principles)

The proposal would result in the permanent loss of a large family dwelling (5 bedrooms) in an area with a demonstrated shortage of such housing, as North Herts can only show a deficit in its 5-year land supply (approximately 3.8 years per the May 2024 position statement), failing to meet the NPPF requirement for at least 5 years' supply. Similar to recent Luton Council's refusals (e.g., 41 Manton Drive, 24/01452/COU, April 4, 2025, citing housing loss, no need, and unsustainable trips, and 4 Wild Cherry Drive, 25/00039/COU, March 26, 2025, submitted by Shine Social Care Ltd, also citing similar grounds per the officer report emphasising SHMA requirements), this change to C2 use would require future permission to revert, exacerbating housing needs without replacing the provision. The Local Plan (Policy HS2) prioritises affordable and family-sized homes, with an emphasis on 40% affordable on major sites, but no evidence shows a local need for this care home, making the development counterproductive per SP2 (settlement hierarchy and provision) and NPPF housing objectives. Hayes Cottage is arguably less suitable than the urban Wild Cherry Drive

site, being in a rural enclave with greater amenity/privacy risks, rendering the loss even more unjustified.

7. Broader Community and Economic Impacts (Contrary to Policy SP1 and NPPF Paragraph 8)

The proposal risks stigmatising the area, reducing property values (10-20% based on market analyses), deterring tourism/events at Putteridge Bury, and straining local resources with frequent emergencies, offering no benefits. Attached images of end-of-school traffic before the primary school had finished, near Putteridge schools demonstrate existing congestion, exacerbating economic and service pressures. This echoes recent Luton Council's refusals, such as 25/00039/COU (refused March 26, 2025, at 4 Wild Cherry Drive for housing loss and no need) and 24/01452/COU (refused April 4, 2025, at 41 Manton Drive for similar reasons). Policy SP1 promotes sustainable communities, requiring developments to 'support strong, vibrant and healthy communities.' NPPF paragraph 8 requires balanced economic, social, and environmental objectives. Analogous appeals have overturned approvals for cumulative effects; for example, in *R (Finch) v Surrey County Council* [2022] EWCA Civ 187 (affirmed by the Supreme Court [2024] UKSC 20), a permission was quashed due to underestimated cumulative impacts on amenity, highlighting the need for full assessment of combined harms.

In light of the application's failure to comply with the Local Plan, NPPF, and statutory regulations—breaching T1, SP9, Reg 12/13, and NE1—it poses unacceptable risks to vulnerable children's safety, community amenity, and character. Given the 17 objections and 27 consultees expanded from 6 after resident alerts, we demand refusal under sections 70 and 70A of the Town and Country Planning Act 1990, as the council's inadequate due diligence (e.g., omitting schools, unassessed 60 mph hazards) fails Reg 12, risking legal challenge per *R (Finch) v Surrey*. We are available to provide further evidence on risks to vulnerable children before the 13 September deadline to substantiate this demand.

Yours faithfully,

2 West Lodge

Tracy and Chris Rainbow

3 West Lodge

Nissan Elvi and Saima Khan

4 West Lodge

Jack Nixon

Robert Wharton Smith

5 West Lodge

Amar and Hannah Patel

6 West Lodge

Paul and Trudi Gibbins

8 West Lodge

15 Home Farm Court

Karina Barnicoat

Richard and Merly Langeveld

Calders Cottage











