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Date: 16th February 2025

To Whom it May Concern

Planning Application Reference: CM/DC/25/70200

Property Address: 32 Doulton Drive, Smethwick, West Midlands B66 1RA

Application Generally:

The application is for C2 planning (Residential Institution) only **NOT** C2A planning (Secure Residential Institution).

C2 (Residential Institutions):

This class includes places where people reside while receiving some form of care, like elderly care homes, residential colleges, or hospitals where overnight stays are necessary.

C2A (Secure Residential Institutions):

This subclass is specifically for facilities that require high security measures due to the nature of the residents, such as prisons, detention centres, or secure training centres.

The application itself is in accordance with Sandwell Council's Policy - SAD H4 - Housing for People with Specific Needs.

I note that the Council's own Policy states that:

The Council will encourage and negotiate the provision of housing to cater for the special needs of people, including the elderly, people with mental ill health, and those with physical and learning disabilities particularly where a need has been identified. Proposals for specific forms of housing, including care homes, nursing homes, extra care facilities, or any other identified need will be considered in relation to the following criteria:-

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- *Compatibility with adjacent uses;*
- *The suitability of the site and building;*
- *The character and quality of the resulting environment;*
- *Accessibility by a choice of means of transport;*
- *Proximity to facilities*

Letter from West Midlands Police:

Discriminatory & Prejudicial

The comments and observations from West Midlands Police detailed in the letter dated 10 February 2025 are wholly misguided, baseless, outrageous, discriminatory and deeply prejudicial.

I find the comments inflammatory and as a father of twin girls who have recognised disabilities, I find the remarks offensive, deeply prejudicial as well as discriminatory in nature.

NIMBYism:

The comments themselves have all the hallmarks of **NIMBYism (Not In My Back Yard)** and are reprehensible to say the least. I am sure as a local authority, Sandwell Council, will also condemn the comments which clearly contravene the provisions of the Disability Discrimination Act 1995 as well as the Equality Act 2010. I also have no doubt, the comments from West Midlands Police also fly in the face of their own Equality Policy as well as their diversity and inclusion strategy and I strongly feel that West Midlands Police (as a Public Body) and the author of the comments should be held to account.

Police forces across the Country have attracted numerous media headlines in recent months and years for various acts of misconduct and the prejudicial views officers have held. Unfortunately, this is yet another example of such prejudicial and discriminatory views.

Crime Rate:

As the letter from West Midlands Police is now a matter of public record, I fully intend to contact various disability charities as well as the local press, as there is a clear suggestion and insinuation by West Midlands Police that if a planning C2 was approved, for a small residential home, looking after no more than 3 individuals with disabilities/learning difficulties, that there would be an increase in vehicle crime, parking issues, community tensions and an increase in police demand in the area. In light of the aforesaid, **I would invite Sandwell Council to provide an unredacted copy of the letter from West Midlands Police.**

Are West Midlands Police seriously suggesting that if I, as one of the legal owners of 32 Doulton Drive, chose to occupy the property with my family that the crime rate or the need for police resources would suddenly increase as I have twin girls with recognised disabilities and delayed development?

These claims are baseless and frankly outrageous. The suggestion and inference being that those with disabilities and/or learning difficulties either commit or attract crime to an area.

There is simply no evidence, whatsoever, to support such a suggestion and the figures quoted in the letter from West Midlands Police (see section headed Supporting Data) do not support such a proposition. In fact, the figures (detailed within the letter from West Midlands Police) clearly state that there were **no ASB (anti-social behaviour) offences and no vehicle crimes** reported in the post code area or within a mile of it.

It goes without saying, that it is discriminatory and prejudicial to assume that children or individuals living in care would be more likely to be antisocial or create levels of noise over and above children living in a 'traditional' family unit.

Vehicles and Parking:

There is simply no evidence or basis to support the notion that approval of the planning application will result in parking issues. The property has a drive which can currently accommodate 2 vehicles (3 with the proposed changes) and there is also off-street parking. The property was recently let out to 4 to 5 adult occupants each of whom had their own vehicles and no such issues arose. The police's own figures detailed within their letter dated 10 February 2025 clearly states: ***Vehicle Crime 0 offences reported in the postcode area.***

Irrespective of whether planning is approved in respect of this application, one must bear in mind, that even if the property was let out privately and occupied by a single family, there is simply nothing to suggest that the parking issues detailed in letter from West Midlands Police would not arise in any event. Most conventional families have 2 cars, and this number can be significantly more in families who have adult children or multi-generational families living in the same household.

It is anticipated that the number of vehicle movements associated with the planning application would not be dissimilar to those associated with a 4-bedroom residential property occupied by two adults and two children who are old enough to drive themselves.

Staff handovers and shift changes would be in line with meeting the needs of the children or individuals placed within the home. These would be staggered to avoid several staff cars accessing or leaving the property at any one time.

Visitor Numbers:

The Police's comments with regards to visitors are preposterous. Virtually every household throughout the UK has visitors, however, this should not be a bar to granting planning permission on the off-chance parking may become an issue on the odd occasion.

If planning is approved, the comings and goings associated with the use of the property would be in accordance and within reasonable expectations for a property of its size.

I have to question whether it is standard practice for West Midlands Police to send similar letters in all planning applications throughout the borough or just those involving individuals with disabilities and learning needs? Of particular significance is the absence of such a letter in respect of the identical application for this property in 2019.

I would also express the view that increased comings and goings to the area would undoubtedly increase the natural surveillance within the area (as opposed to increasing crime as has been suggested by the Police), unless West Midlands Police are suggesting the majority of people are criminals.

Whilst I cannot categorically confirm (as they are specific to the individual(s)), we are led to believe, that family visits are rare and that the care staff would be directly responsible for the care and welfare of the individuals by supporting them in their daily routine.

Public Transport Links:

The Police's comments about care staff/workers parking outside the property are speculation are supposition at best. There is nothing to suggest the staff or care workers would all drive and park outside the property. The property itself has **excellent public transport links** on its doorstep:

There are **two bus stops** conveniently located at the **end of Doulton Drive along Brasshouse Lane**. The bus stops are approximately a **2-minute walk** from the property.

Doulton Drive is shown to the left in the photo below and the two bus stops can clearly be seen on either side of the road. The local bus operator offers regular bus services from the early hours until late at night.



In addition, there are also a network of buses operating along **Smethwick High Street** which is short walk from the property - only 0.3 miles which is approximately a **6-minute walk**.

There are also **two separate train stations** in close proximity to the property offering further transport links and regular services across the West Midlands region and further afield:

- **Rolfe Street Station** is short walk from the property – only 0.3 miles which is approximately a **6-minute walk**.
- **Hawthorns Train Station** is also a short walk from the property – 0.7 miles which is approximately a **14-minute walk**.

IMPACT Area & Security Measures:

For the avoidance of doubt, the property is **NOT** intended to be used as a home for young offenders or a secure institution, which appears to be the implication from West Midlands Police in view of the security measures referred to in their letter.

The planning application makes it clear that the proposed use of the property, is to house individuals, who need full time care and support due to having learning needs and/or disabilities. The home will be regulated by the Care Quality Commission (CQC).

It is outrageous to suggest that because a home houses children or individuals who require full time care with disabilities or learning needs, extra security measures are required beyond that which the CQC would require. The application is for C2 planning (Residential Institution) **not** C2A planning (Secure Residential Institution).

Do those with disabilities and learning needs have fewer rights than those without such needs or disabilities? If the answer is no, then there should be no need for questions or enquiries about:

- Boundary Treatment;
- CCTV;
- Security Lighting;
- Access Control; and
- Locks on internal or external doors

These individuals are not criminals and are not being held prisoner. They have the same rights as every other individual. The mere fact an individual has a disability or learning difficulties, does not mean they are more likely to commit a crime or that there is an increased likelihood that the child/individual will go missing and that a MISPER policy is required. These are deeply flawed, prejudicial and discriminatory views expressed by West Midlands Police and should be utterly condemned by Sandwell Council.

We do not live in a nanny state. It is immaterial which part of the UK the children or individuals are from. The fact is they have learning needs and/or disabilities which require full time care. If the property housed private individuals or tenants would West Midlands Police seek to impose the same restrictions and require the same policies and procedures as well as ascertaining which part of the UK they were from?

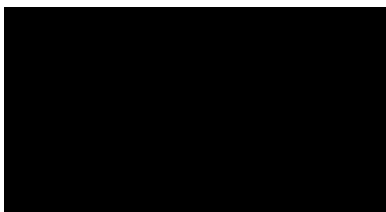
If the considerations outlined by West Midlands Police are relevant, I would expect them to be a factor in all planning applications in police defined IMPACT Areas across the borough and throughout the Country.

As is evident from the aforesaid, I feel strongly that about the application and would request that the application is permitted/approved for C2 planning without any restrictions on the class of individuals being homed i.e. irrespective of whether the property homes children or adults with disabilities or learning needs. **Imposing such a limitation is discriminatory in nature and therefore subject to a planning appeal**, after all both adults and children need care and assistance.

I would also emphasise that an identical planning application was previously approved in respect of this property in November 2019 and I find it odd that no concerns were raised at that stage. Surely similar considerations would have applied in 2019? Is the suggestion here that the neighbourhood has significantly deteriorated in the intervening period such that parking issues, community tensions, crime levels and the need for police resources have reached endemic levels?

For the avoidance of doubt, planning is **not** being sought for class C2A (Secure Residential Institution) only class C2 (Residential Institution) and we have no objections to a restriction being imposed in respect of class C2A. Hopefully this will allay any concerns the residents or West Midlands Police may have.

It is imperative that as a branch of the local Government, Sandwell MBC, does not give into the prejudicial and discriminatory views expressed by West Midlands Police about increased crime, anti-social behaviour and/or an increase in police demand merely because a property houses individuals with learning needs and/or disabilities. This is nothing more than fearmongering and as a society we should hold individuals and organisations to account against such prejudices and discriminatory views. **Those less able should not be treated as second class citizens**. Accordingly, I would respectfully request that the application be permitted to avoid costly planning appeals.




Solicitor
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