



PLANNING AND DEVELOPMENT COMMITTEE

7 DECEMBER 2023

SUPPLEMENTARY AGENDA

PART I

8. 23/00107/OPM - 18 NORTH ROAD, STEVENAGE

To consider outline planning permission for the demolition of existing dwellinghouse and erection of an up to 76 bedroom care home (Use Class C2). Detailed design of access with appearance, landscaping, layout and scale as reserved matters.

ADDENDUM REPORT – Pages 3 - 44

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Supplemental Agenda

Meeting date	7 th December 2023
Officer	Thomas Frankland
Agenda Item	18 North Road, Stevenage, Herts, SG1 4AL
Proposal	Outline planning permission for the demolition of existing dwellinghouse and erection of an up to 76 bedroom care home (Use Class C2). Detailed design of access with appearance, landscaping, layout and scale as reserved matters.
Reference	23/00107/FPM
ADDENDUM INFORMATION	

Late Representations – 4 Daltry Road

Members will be aware that 4 Daltry Road, the neighbouring property immediately to the north of the site, is home to a young adult with severe and complex disabilities (hereinafter referred to as “A”). On 4th December, the Council received representations made on A’s behalf by her court-appointed deputy, in opposition to the application. This addendum summarises those representations and sets out officers’ advice regarding the weight that they should be given in the assessment of the application.

The representations are principally concerned with the nature of A’s disabilities and the particular impacts that the development would have on her as a result of those disabilities. Statements from a number of the professionals involved in her care are included. The full representations are enclosed as Appendices 1 and 2.

Background and Care Needs

A sustained a brain injury at birth, which resulted in a diagnosis of Dystonic Cerebral Palsy level IV, affecting all four limbs. She also has difficulties with executive function, language and feeding, as well as convergent squint and neuropathic bowel and bladder.

A’s cerebral palsy presents as extremely limited global and fine motor control, and involuntary full-body writhing motions. Her severe movement disorder results in uncoordinated movements of her arms and legs, involuntary movements, joint contractures, spasticity and muscle spasms. She requires the use of a powered wheelchair for all of her mobility, which she controls by using her foot to manipulate a joystick. She has extremely limited ability to use her arms or hands for functional activities and can only achieve a standing position when supported by two people.

A’s difficulties with executive function mean she has problems with areas such as memory, processing and fatigue. She also has impaired concentration, impulsivity and hyperactivity, and is extremely sensitive to loud and sudden noises, which cause her increased pain and further reductions in muscle control. She is non-verbal and requires the use of specialist devices to communicate, again controlled by her foot.

A lives with her family at 4 Daltry Road, which was purchased on her behalf in 2007. At the time of the purchase, it was considered to be the only property within a 50-mile radius that was both suitable for her needs at that time and capable of being adapted to meet her future needs. The property has since been adapted by way of single storey extensions to both sides and the rear, which provide specialist

accommodation in the form of a hydrotherapy pool, changing room, bedroom, physiotherapy room and assisted bathroom.

A's care is provided at 4 Daltry Road. In addition to the assistance of her family, she is reliant on an around-the-clock, 2:1 care package with a large number of professionals supporting her. This includes care workers, a physiotherapist, occupational therapist, speech and language therapist, psychologist, and care manager, who all have face-to-face engagement with A and attend the property regularly. They will generally attend to A in her room, which is a multi-functional dayroom, therapy room, changing room, activity room and bedroom. All personal and intimate care is carried out in this room and the adjoining assisted bathroom. Consequently, A's case manager estimates that A spends 90% of her time in this room.

Impact

The impacts that the proposed development would have on A is set out in detail in the statements from the various members of her care team. These impacts can be put into three categories: loss of natural light; loss of privacy; and noise.

Dealing with these in order, the loss of light to A's room would primarily affect her in the same way that it would any other person i.e. by making the room appear dark, dull and unappealing. This would be exacerbated by the fact that she spends such a significant amount of time in the room and there would also be an additional impact which would be highly specific to A, which is that the loss of light would make using the various devices she uses to communicate more difficult.

In the main report on the application, it is concluded that the loss of light to A's room would result in unacceptable living conditions for the occupiers of 4 Daltry Road. This conclusion was reached in view of the way in which the room is used, rather than the particular impacts that the loss of light would have on A as an individual. In other words, the impact would be equally unacceptable for anyone using the room in a similar way, for example an elderly person with limited mobility. The only truly specific impact resulting from A's circumstances arises as a result of her use of specialist communication devices and whilst this does perhaps exacerbate the issue further, it is not sufficient to materially alter officers' view.

Turning to privacy, the potential impact is that A would be required to keep the curtains drawn in her room for significant periods of time, owing to the extent of the activities that take place there. These include typical activities such as changing but also activities more specific to A's condition such as physiotherapy.

Again, officer's conclusions on this issue remain unchanged from the main report, for the reason that clear and unobstructed views into a neighbour's private living space would be unacceptable regardless of the intensity of the use of that particular room. In this case, officers view is that those views simply wouldn't exist, certainly not to the extent that would be materially harmful under ordinary circumstances or these more particular circumstances. Views over 4 Daltry Road would be limited to the front driveway or the far end of the rear garden even when views from very oblique angles are taken into account. The one potential exception being the windows in the flank gable end (which are shown on the plans but not on the elevations) but as explained in the main report, these could be fitted with obscure glass and fixed shut if necessary.

Turning finally to noise, the development would have a particular impact on A because of her sensitivities to loud and sudden noises, which trigger a strong startle reflex and excessive involuntary movements. Due to the strength of her muscles, these movements could be harmful both to A and those attending to her. They would also result in difficulty eating (due to a risk of choking), as well as using devices to move and communicate, and would disrupt physical therapy sessions. Continuous exposure to noises of this sort, for example during the construction phase of the development, would have a very significant impact on A's health and wellbeing.

In the main report, officers conclude that the impacts of noise from demolition and construction, as well as the ongoing noise from the use once operational, would be acceptable. Under normal circumstances, officers would maintain this view, since there is nothing particularly exceptional about the development works and the proposed use is not an inherently noisy one. However, it is clear that A's personal

circumstances are such that this activity, which would otherwise be quite ordinary, would have a significant adverse impact her living conditions. The question is then whether A's personal circumstances and the associated impacts of the development form a material consideration in the assessment of the application, since personal circumstances are typically immaterial.

Case Law

It is a widely-held belief that personal circumstances are not material to the determination of planning applications and as a general rule, this is true. Planning is concerned with the use of land in the public interest and the starting point for the assessment of any application is the development plan, which rarely, if ever, takes account of the circumstances of individuals. However, such circumstances can and on occasion should be held to be material.

In order to be material, the ultimate test for any consideration is whether it serves a planning purpose, where a "planning purpose" is one which relates to the character of the use of land, per Viscount Dilhorne in *Newbury District Council v. Secretary of State for the Environment* [1981] A.C. 578. It is well established that the personal circumstances of an individual may satisfy this test, as set out by Lord Scarman in *Westminster City Council v Great Portland Estates plc* [1985] AC 661:

"Personal circumstances of an occupier, personal hardship, the difficulties of businesses which are of value to the character of a community are not to be ignored in the administration of planning control. It would be inhuman pedantry to exclude from the control of our environment the human factor. The human factor is always present, of course, indirectly as the background to the consideration of the character of land use. It can, however, and sometimes should, be given direct effect as an exceptional or special circumstance. But such circumstances, when they arise, fall to be considered not as a general rule but as exceptions to a general rule to be met in special cases. If a planning authority is to give effect to them, a specific case has to be made and the planning authority must give reasons for accepting it. It follows that, though the existence of such cases may be mentioned in a plan, this will only be necessary where it is prudent to emphasise that, notwithstanding the general policy, exceptions cannot be wholly excluded from consideration in the administration of planning control."

The same point was made by Ouseley J in the more recent case of *Basildon District Council v The Secretary of State for the Environment, Transport and the Regions* [2001] JPL 1184:

"From that analysis I conclude, first, that quite apart from any considerations of common humanity, the needs of these particular gypsy families were a material consideration because they had a need for this development in this location. Those personal circumstances entitled the Secretary of State to have regard to them as relevant to the decision he had to make in the public interest about the use of the land for the stationing of residential caravans. Their particular need for stability in the interest of the education of the younger children can also reasonably be seen as an aspect of the wider land use interest in the provision of gypsy sites, which interest includes the need for stable educational opportunities. There is also a public interest in the planning system providing stable educational opportunities for gypsy families, including these gypsy families."

In summarising the relevance of these passages in *South Bucks District Council v Porter* [2003] 2 AC 558, Lord Bingham states:

"Thus the Secretary of State was entitled to have regard to the personal circumstances of the Gypsies"

South Bucks District Council v Porter [2004] UKHL 33 is also informative on the issue of personal circumstances, albeit the materiality of such circumstances was not in itself at stake in that judgement. As Lord Brown states:

"To my mind the inspector's reasoning was both clear and ample. Here was a woman of 62 in serious ill-health with a rooted fear of being put into permanent housing, with no alternative site to go to, whose displacement would imperil her continuing medical treatment and probably worsen her condition. All of this was fully explained in the decision letter (and, of course, described more

fully still in the reports produced in evidence at the public inquiry). Should she be dispossessed from the site onto the roadside or should she be granted a limited personal planning permission? The inspector thought the latter, taking the view that Mrs Porter's "very special circumstances" "clearly outweighed" the environmental harm involved. Not everyone would have reached the same decision but there is no mystery as to what moved the inspector."

In summary, personal circumstances may be material to the determination of planning applications, provided that they serve a planning purpose relating to the character of the use of land. In particular, the impact of development on the health of an individual and their prospects of avoiding those impacts may be of relevance but only in special cases where the impacts would be exceptional. In having regard to such circumstances, it is incumbent on a local planning authority to make a specific case and give reasons for accepting them, with the interests of the public remaining as the overriding consideration.

Applying the Case Law

In this case, A's personal circumstances are clearly inextricably linked with the character of the use of 4 Daltry Road. It was initially purchased and then subsequently extended and adapted specifically to meet her needs, and the particular way in which it is now used is dictated by her care. This use is not only of benefit to A and her family but is also of value to the local community, since it enables her to live at home as part of that community rather than in an institution. As such, officers are satisfied that consideration of A's personal circumstances serves a planning purpose.

From the statements provided by A's care team, there can be little doubt as to the seriousness or complexity of her disabilities, or her need to be provided with highly specialised care and accommodation. The evidence presented to officers also suggests that were the development to go ahead, it would compromise this care by affecting her physiotherapy and speech therapy sessions, as well as her ability to eat, sleep, and carry out other day-to-day tasks which are essential for her dignity and the already limited degree of independence she currently enjoys. These impacts would be most acute during the construction phase but could persist through the operational phase and would have serious and long-lasting effects on her health and wellbeing. Officers find this evidence to be compelling.

The prospects of A being able to avoid these impacts are extremely limited. Her room, which is located directly adjacent to the boundary shared with the application site, is the only space at the property which has been adapted to meet her needs. It is also highly unlikely that there are any other suitable properties within a reasonable distance, considering the availability of such properties when 4 Daltry Road was initially purchased and how extensively it has been adapted since.

It follows that A has a pressing need to continue her very specific use of 4 Daltry Road and could not reasonably carry out the same use elsewhere. The proposed development would effectively prohibit that use by imposing intolerable and unavoidable living conditions on A, which would be to the detriment of both her and by extension, the wider community.

A's circumstances are clearly exceptional. Dystonic Cerebral Palsy affects only around 24,000 people across the UK (representing less than 0.0004% of the total population) and the proportion of those who happen to live adjacent to the site of proposed major development is likely to be vanishingly small. A's living arrangements are the direct consequence of her disabilities and the particular impacts that she would suffer as a result of the proposed development would not be experienced by those without the same disabilities.

In light of the above, officers consider A's personal circumstances to be material to the assessment of the application and further consider that they should be afforded great weight. In contrast to the cases referenced above, this weight is not carried in favour of development on her own land but against the development of adjacent land. Nonetheless, the same principles apply and the relevant tests have been satisfied. A's personal circumstances have resulted in a particular use of 4 Daltry Road which is of significant value to the character of the community and the proposed development would compromise this use. It is by no means unreasonable to balance this against the potential benefits of the proposal, which are themselves considerable.

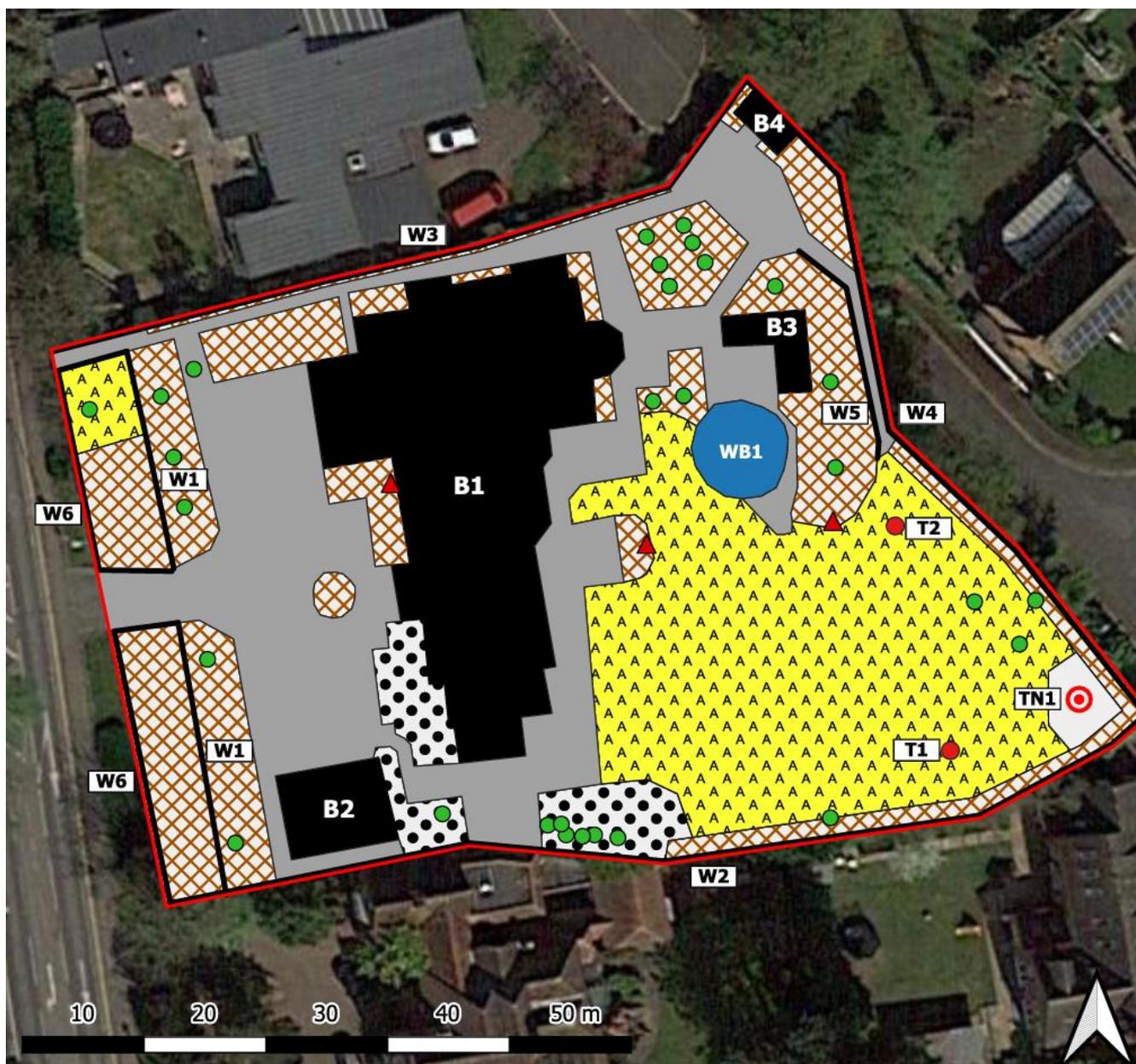
Consideration of A's personal circumstances therefore reinforces the recommendation to refuse planning permission for the proposal as set out in officers' main report. It is recommended that this be set out as an additional reason for refusal, as follows:

2. The proposed development, by reason of its scale and siting, would cause excessive noise throughout the construction and operational phases, resulting in intolerable living conditions for the occupants of 4 Daltry Road. The proposal is therefore contrary to Policies GD1 and FP7 of the Stevenage Borough Local Plan 2019 and the aims and objectives of chapter 12 of the NPPF 2023.

Ecology

Officers are still awaiting updated advice from Herts and Middlesex Wildlife Trust regarding the submitted bat surveys, which were submitted part way through the determination period. Given that the application is recommended for refusal, with no prospect of further work being carried out on the application to overcome identified issues, it is necessary for officers to reach a conclusion on the bat surveys in the absence of any further advice.

A plan of the buildings on site is shown below.



The preliminary ecological appraisal, which was submitted at the outset, recommended two nocturnal bat surveys of building B1, three surveys of B2, and one survey of B4. Upon the identification of a roost, it was recommended that one further survey of B1 and two further surveys of B4 be carried out. All of the surveys were required to be carried out between May and September, with at least one survey of each building being carried out between May and August.

The submitted bat survey report shows that B1 was surveyed a total of three times, B2 twice, and B4 once. B1 was upgraded because of the discovery of a roost, while B2 was downgraded because internal access was gained (it had initially been assessed as having a high potential for bat roosts because access could not be gained).

Two bat roosts were identified within B1. These are assessed as being non-breeding summer roosts for common pipistrelle. No emergence or re-entry activity was recorded at B2 or B4.

The proposed development would involve the demolition of B1. It would therefore result in the destruction of a bat roost, for which a European Protected Species Licence would be required from Natural England.

As local planning authority, the Council is a competent authority for the purposes of the Conservation of Habitats and Species Regulations 2017. It is therefore necessary to consider whether the applicant has taken appropriate measures to avoid, mitigate and compensate for any negative effects on bats, and whether they would be likely to be granted a licence to carry out the works.

In terms of avoidance, the works affecting the bat roosts i.e. the demolition of B1, would be carried out between October and April to avoid the summer roosting period. Since no hibernation potential was identified on the site, this would minimise the potential for disturbance.

No mitigation is possible because the building must be entirely demolished to facilitate the development.

Compensation would be provided in the form of 1no. bat box attached to a nearby mature tree and 2no. bat bricks within the replacement building. This would ensure a like-for-like replacement of roost types with no net loss of roost sites. Given the proximity of the proposed compensation to the lost roosts, it is considered that the bat population would be able to continue to function as before. These avoidance and compensation measures are therefore considered to be appropriate and should be secured by condition in the event that planning permission is granted.

For a licence to be granted, two tests must be met: first, a licence must not be issued unless there is no satisfactory alternative; and second, it must not be issued unless the action authorised by the licence would not be detrimental to maintaining the population of the species concerned at a favourable conservation status in its natural range. A licence may be granted for reasons of overriding public interest, including those of a social or economic nature. This applies to the current proposal, which would confer significant public benefits through the provision of supported housing.

There is no satisfactory alternative to the granting of a licence because the works affecting the roosts must be carried out to facilitate the development. There is no realistic possibility of the proposal being designed in a way that retains the existing building on the site.

Given the proposed avoidance and compensation measures, officers are satisfied that the destruction of the roosts would not be detrimental to maintaining the species. It is noted that common pipistrelle is the most common species of bat in the UK.

Having regard to all of the above, officers are confident that a licence would be granted by Natural England. It follows that the impact on protected species is not an impediment to the granting of planning permission and there is no conflict with Policy SP12 in this respect.

The submitted bat survey report also recommends a sensitive lighting strategy for bats. This should also be secured by condition in the event that planning permission is granted.

Flood Risk and Drainage

Officers received a brief update from the LLFA on 6th December. They have advised that the development would likely have an acceptable risk on flood risk, subject to the provision of satisfactory drainage scheme and flood resilience measures. However, firm proposals have yet to be put forward as to the form the drainage system would take.

The reason for this is that in the absence of infiltration testing, it remains unclear whether infiltration would be capable of limiting surface water runoff to greenfield rates. The alternative, should infiltration prove not to be viable, would be to discharge to the surface water sewer on North Road, as the current drainage system on the site is assumed to do. This existing drainage system would need to be replaced but it has yet to be surveyed and it is unclear where it meets the public sewer. Additionally, there is no evidence of agreement to discharge rates from Thames Water.

Furthermore, the current scheme is reliant upon underground tanks for attenuation. This is among the least sustainable drainage system designs, with surface features being preferable.

Having failed to demonstrate a feasible drainage system, it is recommended that flood risk be added to the reasons for refusal, as follows:

3. The applicant has failed to demonstrate that the proposed development would adequately deal with surface water runoff, which could result in increased flood risk to the site itself and elsewhere. The proposal is therefore contrary to Policies FP11 and SP2 of the Stevenage Borough Local Plan 2019 and the aims and objectives of chapter 14 of the NPPF 2023.

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Heathervale House
2-4 Vale Avenue
Tunbridge Wells
Kent TN1 1DJ
DX 3914 Tunbridge Wells 1

Mr T Frankland
Principal Planning Officer
Development Management
Planning and Regulation Department
Stevenage Borough Council

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E carrie.bryce@ts-p.co.uk

Your ref
Our ref CAG/728295-0002
Date 04 December 2023

By Email only: Thomas.frankland@stevenage.gov.uk

Dear Mr Frankland

[REDACTED] of 4 Daltry Road, Stevenage SG1 4AW
Outline planning permission - Land at 18 North Road, Stevenage Hertfordshire SG1 4AL
Application Reference: 23/0007/OPM

I write regarding the above.

By way of background, this firm's Trust Corporation (Thomson Snell & Passmore Trust Corporation Ltd 'TSPTC') acts as Deputy for [REDACTED], under a Court of Protection Order dated 6 March 2018. This Order superseded an earlier, time-limited Order dated 24 July 2017. Copies of both these Orders are attached, for your information and reference.

Prior to the appointment of TSPTC, a former Partner of this firm, Edward Fardell, was appointed as [REDACTED]'s Deputy. Mr Fardell was appointed in December 2009. As a firm, therefore, we have been managing [REDACTED]'s property and financial affairs for over 13 years.

I am writing to put on record, our objection to the above application for planning permission for the demolition of the existing dwellinghouse and erection of an up to 76 bedroom care home. A formal objection to the work was lodged by Mr Colin Matraives on 16 February 2023, and this letter is intended to be read alongside this objection. A copy of Mr Matraives' objections are enclosed with this letter.

As mentioned above, our client is [REDACTED], who sustained a brain injury as a result of medical malpractice at her birth, and now has cerebral palsy. She is wheelchair bound, has poor head and trunk control, learning difficulties resulting in developmental delay, language impairment with impaired communication capacity, feeding difficulties, convergent squint and neuropathic bowel and bladder. A claim was brought by her mother (as litigation friend) against East & North Herts NHS Trust and this settled on 21 April 2009. The Deputy now manages all aspects of [REDACTED]'s property and financial affairs.

[REDACTED] lives at 4 Daltry Road, with her parents, Claire Taylor and Colin Matraives, and her younger brother, [REDACTED], who himself has a diagnosis of Autism Spectrum Disorder. The property was purchased in 2007 (prior to our appointment as [REDACTED]'s Deputy) with funds provided by way of an interim payment from the Defendants in [REDACTED]'s personal injury

case. I understand that exhaustive research was carried out at the time to locate a property that would be suitable for extensive adaptation works and which was in a convenient location, to enable easy access to educational placements, friends and family and local support services. An important consideration, as with any property purchase, but particularly with this one, was the location of the property. [REDACTED] and her parents have lived in the area for many years. The familiarity of the area and proximity to friends and family were very important to the family. The family felt the quiet nature of Daltry Road, i.e. few neighbours and minimal traffic, would not only be safer for [REDACTED] but also provide a calmer environment for her, which is crucial to her sense of wellbeing. 4 Daltry Road was considered to be the only property which was suitable for adaptation within a 50 mile radius. A copy of correspondence from Brian Towers at Bush & Co confirming this is enclosed.

4 Daltry Road was purchased using funds received by way of an interim payment from the Defendants, along with guidance to find a suitable property. There were no available adapted properties held by the local authority, and there still are not to this day. The property was ideal because its layout meant that the family could move straight-into it, and utilise the existing layout whilst [REDACTED] was young. However, it was purchased with a view to carrying out a number of disabled adaptation works to make the property suitable for [REDACTED]'s long term complex care needs. These works were significant, and consisted of constructing a single storey extension to both sides and rear of the property which provided specialist accommodation for disabled use, including a hydrotherapy pool, changing room, new bedroom, physiotherapy room and assisted bathroom. The scope of these works were significant, and extremely expensive.

[REDACTED] requires a full time care package to be in place 24/7, which consists of directly employed staff members, agency staff and various therapists. As a result of [REDACTED] having such complex needs, her care and therapy is provided at home, and [REDACTED]'s room is multi-functional and has several uses. It is not simply a "bedroom" – it is a dayroom, therapy room, changing room, activity room and bedroom. [REDACTED] spends the majority of her days in this room, with her staff attending to her there. They carry out all personal and intimate care in this room and the assisted bathroom, which is connected. If the current proposals are to go ahead, there will be clear sightlines into these areas from the new building and [REDACTED] will be unable to maintain any level of privacy or dignity. As indicated above, a key factor when choosing this property was the privacy and seclusion of the plot. A written statement from [REDACTED]'s Care Team Leader is attached to this letter, confirming how the support workers' day to day support of [REDACTED] would be impacted, should the planning proposals go ahead.

As mentioned above, [REDACTED] has a large team of professionals supporting her. This consists of not only the family and care workers, but also a physiotherapist, occupational therapist, speech and language therapist, psychologist, and case manager. Social workers from the Local Authority are also involved with [REDACTED]'s care package in that she receives direct payments to help fund her care. All those involved with [REDACTED]'s care have regular, face to face involvement with her, and members of her team attend the property at 4 Daltry Road on a daily basis. It is essential that they are able to continue to carry out their jobs of supporting [REDACTED] without being overlooked or observed and to maintain patient confidentiality at all times. It is also imperative that they have sufficient lighting to be able to safely conduct care and therapy each day, which is essential for [REDACTED]'s wellbeing. We attach written statements from medical professionals involved in [REDACTED]'s care, detailing their concerns over the planning proposals and the way in which they are likely to impact their support of [REDACTED].

The treating Neuropsychologist has expressed reservations about documenting clinical findings in writing, due to the issue of patient confidentiality, but she fully supports the objections. She would be happy to speak with someone from your office to discuss her concerns however, and please do get in touch with her – contact details are as follows:-

Dr Rachael Parry - Neurolink
Telephone Number: 0207 467 1509
Mobile Number: 07879 491511
Email address: dr.parry@neurolinkpsych.co.uk

One of the significant concerns that we have with regard to the proposed building at 18 North Road is the detrimental effect that, not only the demolition and subsequent construction, but the day to day running of a care home in such close proximity to ██████'s living quarters, will have on her mental health. ██████ does have a level of understanding in relation to the planned works, and as a result, she is already becoming increasingly agitated. As a consequence of her brain injury, she is unable to tolerate loud noises for any length of time, and the thought of the planned building work going ahead is already making her severely anxious. Please see attached note of how the planned work will have an effect on ██████, both physically and mentally.

The noise level will be significantly heightened as a result of the proposed building, and not just due to the actual construction work, but to the increased footfall as a result of the number of residents, staff, families, and other workers in and around the facility, 24/7. ██████ has significant Obsessive Compulsive Disorder, and is highly unsettled by a change in routine and can often obsess about things that to some may appear to be illogical. However, the Obsessive Compulsive Disorder is a result of her brain injury, and she is unable to control these thoughts herself. She has regular input from a psychologist to assist her to manage and cope with this, but her obsessive thoughts and actions are often extreme and uncontrollable.

Mr Matraves has gone into a significant level of detail in his substantive comments regarding this planning application. However, I would like to confirm that I share these grave concerns about the proposed building, and the impact that this will have on our client and her family for the foreseeable future.

██████ needs to be within reach of her extended family, local support services and infrastructure, and given the circumstances, it would be extremely difficult to find another property within the area that would be suitable to meet her complex needs. The cost of any move would also be significant, given our professional involvement in the management of ██████'s property and financial affairs. ██████ would also be at risk of losing long standing members of her care team should she be required to relocate. This would be devastating for ██████, as she has known some of her carers for many years and has formed very close bonds with them. As you will no doubt be aware from reports in the media, it is extremely difficult to recruit care staff at present, and even more difficult to recruit staff who are suitably qualified and experienced to care for someone with ██████'s level of complex needs.

4 Daltry Road is a family home, and when the Court of Protection authorised the Deputy to purchase this on behalf of ██████, it did so on the understanding that this property would remain ██████'s home for the remainder of her lifetime.

In light of the above, I trust that you will consider the contents of this letter and accompanying documents very carefully. These comments should be read in conjunction with Mr Matraves' formal objections to the proposal for the building work at 18 North Road.

If you have any queries regarding the contents of this letter, please do not hesitate to contact me, or Mrs Carrie Bryce, who manages the day to day administration of ██████'s Deputyship.

Thank you for your assistance.

Yours sincerely



Mea North
Director of Thomson Snell & Passmore Trust Corporation
Deputy for [REDACTED]

Enclosures: Copy Court of Protection Order dated 24/07/17;
Copy Court of Protection Order dated 06/03/2018;
Objections by Colin Matraves
Copy correspondence from Bush & Co;
Statement of Abbierose Baker (Team Leader);
Statement of Pam Clarke (Case Manager);
Statement from Phoenix (Occupational Therapy);
Statement from Centaur (Physiotherapy); and
Effects on [REDACTED]'s Needs

COURT OF PROTECTION
MENTAL CAPACITY ACT 2005



No. 11440645

In the matter of

[REDACTED]

**ORDER APPOINTING A NEW DEPUTY FOR
PROPERTY AND AFFAIRS**

made by Her Honour Judge Hilder
at First Avenue House, 42 - 49 High Holborn, London, WC1V 6NP
on 24 July 2017

WHEREAS

- (1) By an order dated the 21st January 2010 Edward Fardell was appointed as deputy for property and affairs for [REDACTED]
- (2) And it appearing that the said Edward Fardell desires to retire from the deputyship, and an application has been made for an order under the Mental Capacity Act 2005 ("the Act").
- (3) The court is satisfied that [REDACTED] continues to lack capacity to make various decisions for herself in relation to a matter or matters concerning her property and affairs, and that the purpose for which the order is needed cannot be as effectively achieved in a way that is less restrictive of her rights and freedom of action.

AND UPON the court being satisfied that [REDACTED] interests and position can be properly secured without being joined to these proceedings and without making any further direction concerning [REDACTED] participation in these proceedings.

IT IS ORDERED that:

1. Discharge of deputy

- (a) The said Edward Fardell is discharged from the deputyship and his powers are terminated.
- (b) The said Edward Fardell is to provide the deputy hereinafter appointed with a final account to the date of this order by the 24th August 2017.
- (c) The said Edward Fardell shall disclose to the deputy hereinafter appointed copies of all documents, correspondence or records that he holds, or has access to, that relate to [REDACTED] property and affairs.

- (d) The said Edward Fardell is to transfer all property belonging to [REDACTED] which remains under his control to the deputy hereinafter appointed.

2. Appointment of new deputy

- (a) Thomson Snell & Passmore Trust Coporation of 3 Lonsdale Gardens, Tunbridge Wells, Kent TN1 1NX is appointed as deputy (“the deputy”) to make decisions on behalf of [REDACTED] that she is unable to make for herself in relation to her property and affairs, subject to any conditions or restrictions set out in this order.
- (b) The appointment will last until 24 July 2018.
- (c) The deputy must apply the principles set out in section 1 of the Act and have regard to the guidance in the Code of Practice to the Act.

3. Authority of deputy

- (a) The court confers general authority on the deputy to take possession or control of the property and affairs of [REDACTED] and to exercise the same powers of management and investment as she has as beneficial owner, subject to the terms and conditions set out in this order.
- (b) The deputy cannot purchase any freehold or leasehold property on [REDACTED] behalf without obtaining further authority from the court.
- (c) The deputy must not sell, charge or otherwise dispose of any freehold or leasehold property in which [REDACTED] has a beneficial interest without obtaining further authority from the court.
- (d) If the deputy considers it in [REDACTED] best interests to do so the deputy may appoint an investment manager, who is regulated and authorised to undertake investment business, to manage her assets on a discretionary basis under the standard terms and conditions applicable to such service from time-to-time, and to permit the investments to be held in the name of the investment manager nominee company.
- (e) The deputy may make provision for the needs of anyone who is related to or connected with [REDACTED] if she provided for, or might be expected to provide for, that person’s needs by doing whatever she did, or might reasonably be expected to do, to meet those needs.
- (f) The deputy may (without obtaining any further authority from the court) dispose of [REDACTED] money or property by way of gift to any charity to which she made, or might have been expected to make, such gifts, and, on customary occasions, to persons who are related to or connected with her, provided that the value of each such gift is not unreasonable having regard to all the circumstances and, in particular, the size of her estate.
- (g) For the purpose of giving effect to any decision the deputy may execute or sign any necessary deeds or documents.

4. Reports

- (a) The deputy is required to keep statements, vouchers, receipts and other financial records.
- (b) The deputy must submit a report to the Public Guardian as and when required.

5. Costs and expenses

- (a) The deputy is entitled to receive fixed costs in relation to this application, and to receive fixed costs for the general management of [REDACTED] affairs. If the deputy would prefer the costs to be assessed, this order is to be treated as authority to the Senior Courts Costs Office to carry out a detailed assessment on the standard basis.

6. Security

- (a) The deputy is required forthwith to obtain and maintain security in the sum of £350,000 in accordance with the standard requirements as to the giving of security.
- (b) The deputy must ensure that the level of security ordered by the court is in place before discharging any of the functions conferred by this order.

7. Notification

The deputy must, within 14 days of service of this order by the court, notify [REDACTED] personally that the court has made a decision by providing her with a notice of proceedings about you in the Court of Protection (form COP14) and a copy of this order. The requirement for the person providing notification to provide evidence of such notification is dispensed with.

8. Right to apply for reconsideration of order

Any person who is affected by this order may apply to the court for reconsideration of the order within 21 days of the order being served by filing an application notice (form COP9) in accordance with Part 10 of the Court of Protection Rules 2007.

COURT OF PROTECTION
MENTAL CAPACITY ACT 2005



No. 11440645

In the matter of



ORDER

made by Her Honour Judge Hilder
at First Avenue House, 42 - 49 High Holborn, London, WC1V 6NP
made on 6 March 2018

WHEREAS

- (1) By an order dated the 24th July 2017, Thomson Snell & Passmore Trust Corporation Limited was appointed as deputy for property and affairs for [REDACTED] with the appointment to last until 24th July 2018.
- (2) The Court is mindful of the decision of HHJ Hilder in *Various Incapacitated Persons and the Appointment of Trust Corporations as Deputies [2018] COP 3*.
- (3) The deputy has filed an amended COP4 Deputy's declaration form containing further information and undertakings on behalf of the trust corporation.
- (4) The deputy has applied for an order under the Mental Capacity Act 2005 to remove the time limit on the order appointing them as deputy.

IT IS ORDERED as follows:

1. Paragraph 2(b) of the order of 24th July 2017 shall be varied so that the appointment will last until further order.
2. Paragraph 1(b) of the order dated 24th July 2017 is revoked.
3. In all other respects the order of 24th July 2017 stands.
4. This order was made by way of reconsideration. Pursuant to Rule 13.4(11) no further application may be made for its reconsideration.

PROPOSED RE-DEVELOPMENT OF 18 NORTH ROAD

First and foremost, this is our family home, and its situated at 4 DALTRY ROAD, (NOT Granby Road).

IT IS A BUNGALOW... It is a fully adapted, disabled accessible property, for a severely complex disabled young adult and her family, living at home 24/7. Also living here are Mum, Dad, and sibling who has Autism.

When we purchased this bungalow 15+ years ago, The Court of Protection deemed this, the only property suitable to be adapted, to meet their needs within a 50 mile radius. The criteria, with support from family, specialists and carers, and includes maximizing the potential of their quality of life, mental health, their access and independence to the wheelchair friendly home and accessible landscaped garden, providing a quiet relaxed environment, bathed in light and sunshine, from dawn until dusk, to be enjoyed by themselves and with family. Its location is also vital, to enable access to school, college, extended family and friends in the town, and local support services. This also means that the pathways and cycle tracks are a vital connectivity for getting out and about safely into the surrounding area, and countryside.

With all the reports, maps and tables of information compiled, there are numerous inconsistencies, inaccuracies, and omissions. This raises major red flags of concern, and diminishes confidence at this stage in proceedings, that it will be handled in a manner of which accuracy and transparency is of the utmost importance. Some examples include: basic road names incorrect, calling Daltry Road, Granby Road, and then doing the same to the other Daltry Road too. Where is the information showing and telling you the actual height of the proposed development? Contradictions in the number of proposed rooms and in footprint size and position on the plot. The number of windows in the roof, privacy, and screening. The omission of North Boundary photos and artist impressions. The omission of Light Impact and Sunlight Report, Pre Demolition asbestos report and arguably concerns over the biodiversity of wildlife report too.

So, needless to say, we have many questions, thoughts and genuine concerns to raise. It's a long read, but this isn't about picking holes, this is our thought process on a daily basis, having to second guess and plan for all eventualities when providing the right care and support to our children's lives and their complex daily needs. This is why it is especially important for us to thoroughly raise our objections, as we would be the most affected by the proposals if railroaded through.

IMPACT ON OUR FAMILY HOME 4 DALTRY ROAD

- We cannot stress enough... The height, size, and overall scale of the proposed redevelopment of 18 North Road is absolutely enormous beyond belief, for the plot, and location it would stand in, and would completely over shadow the whole of 4 Daltry Road on the north boundary, and every aspect of the bungalow, including both the front and rear gardens.
- The level of sun light that will be lost to our family home and the shadows it will cast, from a 4-storey development of this size, will be catastrophic!!! Even more so during the season of winter, where the sun is lower in the sky.

- The application and associated reports have not included a 'like for like' or 'old to new' comparison of elevations, to show how the redevelopment would drastically increase in size and footprint in all directions towards the boundaries, and completely unnecessarily over develop the site.
- The planned expansion sideways of floors 2 and 3 towards the furthest ground floor footprint, and then to build vertically upwards, then add a 4th floor in a steep unbroken roof line through floors 3 to 4, with gable windows, is completely inappropriate, towering over the North Boundary of our family home, which is the bungalow at 4 Daltry Road.
- 18 North Road would become completely oversized, over developed, both physically and visually for the plot, and out of place for the position and history of the west face of North Road.
- Where is the Light and Sunlight Impact Report?
- The Local Authority Planning Department has a duty to submit a 'Daylight and Sunlight Assessment' with every planning application. Measures must be taken to reduce and not adversely affect the neighbouring properties.
- In relation to the path of the sun, your report doesn't give a true representation of its path or impact. Approx 75% of the sunshine we currently enjoy, which floods our disabled home and gardens, would be obscured, and lost forever.
- The loss of light and heat of the sun will also have a huge detrimental impact on our disabled persons mental health, as all their rooms are currently flooded by sunshine throughout the day, and are situated closest to the boundary line. If the proposals were to go ahead, the current single storey aspect and roof of 18 North Road, that allows so much light and blue sky views for one sat in a wheelchair, would become a massive vertical brick wall and steep unbroken roof line.
- Nighttime... We are also concerned that due to the nature and proposed use of the property, would there be extra lighting around the grounds and car park? Especially along the pedestrian access and path through the West entrance along the North boundary? There is also a proposed car park and pathways to the rear of the property, will this also have additional lighting? When looking at the North and East elevation plans, it implies that the light from what looks like 28 full size patio door windows, would be shining through our bedroom windows opposite. That also does not take into account, albeit to a lesser extent, how many more patio sized windows on every floor will also flood light into our rooms from the West elevation too.
- Due to our disabled person's needs, it's a major concern if there will be high levels of artificial light at night flooding through their windows, as it is not going to help with restful sleep.
- Noise levels will be infinitely raised from all aspects of the development, and the resulting accommodation of residents, visitors, and staffing levels. This is intended to be operating every day, 24 hours a day, 7 days a week.
- Due to our disabled person's needs, it's a major concern that there will be higher levels of noise all day every day, and talking and shouting, that can be heard within the home from along the boundary fence line, where the proposed public access pathways will be. This will be a massive issue, more so especially at night.
- Please consider that we are a family home, and we have major concerns about the position of the Bin Store. A Care Home will have a commercial amount of medical waste, bodily waste and refuse waste. If not moved, will be positioned right next to our young adults bedroom windows

and garden fence line. I think it might need to be reconsidered, to avoid health and safety concerns, vermin, and foul odours.

- If you switched the Bin Store in the front car park, with a car parking space at the back entrance car park, you will find there is already a small existing store sized out building that could be restyled accordingly. It would keep any issues away from the main buildings, and neighbours, and be positioned ready for the bin men collection on their regular route, down the Daltry Road Cul-de-sac. It also means you don't have an unsightly bin store sat at the front of a brand new redevelopment for everyone to walk past.

A huge concern to us would also be the potential impact of enormous lengthy building works. Although this redevelopment is only at the planning application stage, both our children, who have disabilities with their own complexities, have major sensory issues around noise and disruption. Please be aware that this is a special needs family home, and will be for decades to come. It is occupied 24/7 and any redevelopment works would have a huge detrimental effect on their mental health and wellbeing, and the invasion of our privacy from construction and site traffic.

PRIVACY IMPACT

- The invasion of our privacy due to the proposed erection of this 4-storey property, upon our single storey bungalow would be incalculable. No amount of strategically placed shrubs and trees will be able to mitigate the situation it would cause from all windows on both the North and West elevations, from all these massive patio door sized windows on all floors and from the roof gable windows.
- Look at the drawings for all the proposed elevations. The North and East Elevations drawings propose 3 levels of windows, a total of 28 patio door sized windows and doors, of which 18 of them will be overlooking, and looking down into our bedrooms and bathroom. This is not a circus show!!!
- Our disabled person also has a raised floor in their bedroom and a very large window facing to the garden to the west. It is raised to help the wheelchair position, and is parallel to the north boundary, but is quite exposed. So any staff and visitors entering and leaving the development will see straight into their rooms and home. Therefore, boundary fencing height would also need to be addressed, as may be insufficient in height.
- The same also applies to the back garden as well. Literally any privacy, and quiet time our disabled person and the family wish to enjoy, is going to feel like the double threat of overbearing resident windows and staff and visitors entering and leaving the premises.
- The west elevation drawings, which is the front of the building, proposes 4 levels of windows, which has a total of 38 patio door sized windows. 27 of which do have a line of sight, but only 15 of these windows will definitely overlook and intrude on the privacy of our back garden.
- Confusingly, there is one solitary window that appears on some plans, but not on others. At the end of the fourth floor roof, facing the North boundary, this Gable window, if this is what it suggests it maybe, would overlook our whole bungalow and plot!!
- The increase in footfall along the north boundary fence/wall, is also very much of a concern. Both the front west entrance and car park, and the rear north entrance car park, and all the associated joining pathways, give virtually no privacy at all. They will be able to see right into our home, our bedrooms, bathrooms, living space and front and rear gardens.

- Even the rear car park elevation drawings show it to be raised, and at the level it is showing, if you are either standing in the car park, or sat in you car, you would be able to see over the top of the fence into our bedrooms, and our disabled persons bathroom. Even the artist impression images and elevations clearly show how much this residential home would tower over our little single storey bungalow. Again, I draw your attention to how part of the ground floor windows are obscured because the rear car park ground level has been raised.
- Another concern raised in one of the flood reports, mentions the need for landscaping and to raise the footings or ground floor level up higher to avoid any potential pooling of surface flooding. This adds another bit of height onto the proposals, which in turn raises the window height, line of vision and raises privacy issues.
- The North boundary line fence and walls will need to be addressed along its full length as it falls below height level, to mitigate invasion of privacy and prying eyes, especially when bathing and changing.

ROADS, PARKING AND TRAVEL

- Despite all the best intentions, the cul-de-sac of Daltry Road that we live in, already has day to day parking restrictions, and your 'Travel Assessment' and 'Travel Plan' doesn't reflect the real world we live in with regard to vehicle use, be it, staff or visitors, and how much our road and the surrounding streets will be compromised.
- The recommendations talking about the use of public transport and cycling, along with the stated '1 in 5', one car parking space to every five staff members model, just isn't realistic.
- We know how the care industry works, due to our disabled young adult needing fulltime support from care staff. Care Homes would be looking to employ agency staff who travel from job to job, so time is of the essence. They could also be looking to employ long term carers for which the profession is more of a vocation, these are few and far between, so driving would likely be their only choice of transport.
- If, as the application and associated Care Plans and Travel Plans suggest, staff are only allocated 15 parking spaces in total for both the front and rear designated car parks. How do you honestly expect that to work? 75 fulltime staff, working a 3 shift pattern, 24 hours a day.
- The application states that residents of the Care Home will not need car parking spaces as is the nature of their condition. But End of Life care residents are more likely to have loved ones visit, not less!! So 19 parking spaces for 75/76 residents, would mean yet again overspill into the surrounding area.
- End of Life care doesn't fit round bus timetables, Taxis and cycling, it often means unplanned long visits for all manner of staff, specialists, Paramedics and doctors let alone family and relatives.
- This parking provision also does not take into account, or allow for the staff to staff handover period when their shifts change over.
- This parking provision also doesn't take into account all manner of associated medical staff; Doctors, Specialists, Ambulances and Coroners that would need access at all hours.
- Also add to this, the additional traffic and parking required for delivery drivers, maintenance Personal, Gardeners, or Bin collections. We will be subject to a massive increase in traffic, be it

cars, vans, bicycles and footfall. If the spaces aren't available or provided for at the outset, this is only going to compound the ongoing parking problems in the area.

- The housing estate is already overrun by Lister Hospital staff, visitors, and patients, all fighting to find a space to park. More often than not, their vehicles appear to be more abandoned than parked, as they rush to get to their destination.
- The Daltry Road cul-de-sac, has a turning circle at the end, which meets the north boundary and the proposed rear car park entrance. Currently opportunist parkers, try and hide their cars here from parking wardens but to no avail. Unfortunately for us, the knock on effect is that, everyone then gets to the end of the cul-de-sac road, and end up using our whole driveway to turn their vehicles around. It is likely that visitors and staff would try and do the same if the development went ahead.
- The same applies when parking restrictions end, during the week and at weekends. Parents and children, and Gym goers arrive to park up and head off for a session. When these restrictions end, the usual free for all happens, not thinking, or double parking, parking up pavements blocking wheelchair and pedestrian access, parking across the end of your driveway, and on numerous occasions, we have not been able to get our car and wheelchair accessible vehicle off our own driveway.
- This behaviour, and blocking the roads also causes unnecessary complications for the access of emergency vehicles.
- Ultimately, this development does not have the infrastructure to support its purpose. A total of 30 car parking spaces, is completely inappropriate and inadequate for the demands of a residential care home of this size and nature.

NOISE CONCERNS

- The level of noise, all day every day, will have a detrimental impact to us and our complex living circumstances, and our Disabled persons life and Mental Health.
- Increased noise levels on The North Road side of the property from staff, residents, visitors, cars, deliveries, and refuse collections, all aspects of gardening, maintenance, and the care homes management, etc.
- The level of noise will also be drastically increased on the Daltry Road cul-de-sac side, due to the rear staff car park. We will go from minimal, to major amounts of continual daily vehicular traffic and footfall. If you only consider this plan of 75 staff, and 3 daily shift changes and handovers throughout the day and night, without including anyone else, like those mentioned above.
- 18 North Road is currently a family home, and like our own has minimal noise levels. You're lucky if you hear 2 cars go about their business on a day to day basis... now scale that up, times 100!!!
- Being the closest neighbour to this proposed redevelopment, will impact and affect all aspects of our young Disabled persons life, let alone our own, or our Autistic son.
- I can't stress this enough, Approx. 100 times more people frequenting the property, which equates to a very hefty increase in overall sound and noise levels, of traffic and footfall, up to 24 hours a day, every day.
- How are we meant to maintain the correct levels of care and support for our disabled person with the noise impact? Whether in the home, or especially when trying to enjoy our garden spaces, and help with therapies or just enjoy the peace and quiet, with the sound of a pond, and a water

fountain. Whether you are alone or with family and friends, all you would be able to hear, all day every day, is the noise of arriving and leaving, and slamming doors, and talking and shouting and crying. I would like to be wrong, but we all know what the level of disruption will be.

CONCERNS OVER THE PROPOSED PLANS

- At no point have you attempted to show a scaled visual representation of what this new development would look like from our side of the North Boundary, looking down Daltry Road from the Granby Road T-junction, or what impact it could have on us at 4 Daltry Road, let alone our surrounding neighbours from both roads. This is a huge behemoth of a 4-storey, 75? Or 76? Room Residential care home, and we're guessing it is a lot harder to promote this aspect in a favourable light, especially as it towers over our bungalow.
- Where is the Light and Sunlight Impact Report? The Local Authority Planning Department has a duty to submit a 'Daylight and Sunlight Assessment' with every planning application. Measures must be taken to reduce and not adversely affect the neighbouring properties.
- Its always a good idea to get the road names correct, so not to offend. We live in a 2 property cul-de-sac called Daltry Road, on the northern boundary, this is, and never has been called Granby Road. There is also another Daltry Road off of two of the other boundaries of 18 North Road as you are aware, but you have also called that Granby Road in some reports. If you examine the historical maps included in your own reports, you will see that both roads have always been called Daltry Road since circa 1975. Google Maps is never a good default to use.
- Surely only notifying your intentions of redevelopment to only 4 of the neighbouring properties that you believe will be affected, is quite an eye opener. The size and scale of the plans for a 4-storey building will have much more far reaching implications and impact on the rest of the neighbourhood, not just both the Daltry Road housing and gardens, but also Daltry Close and a lot of Granby Road too, due to its humungus size.
- In your Reports you refer to 12 North Road, the new luxury apartment complex that was completed in 2022, and you incorrectly state that the old purpose of the property was a Care Home to help justify building this one. 12 North Road was never a Care Home, it was predominantly used as a Hostel to families needing to be rehomed and supported, for decades. Before that it was a nursery.
- You state a new Care Home of this type is much needed in the Town, but it's also interesting to observe that none of the existing Care Homes in Stevenage are anywhere near at full capacity, partially due to staffing issues, of which we are all too aware of. Good reliable caring carers, who go the extra mile, are few and far between.
- How can cramming such a huge building into a such a small residential plot by comparison, justify or create the end of life care you envisage for the residents. Surely they would deserve better, and in a different location, or downsize the project accordingly to make it more in keeping with the area.
- We're all for progress, but when 18 North Road was expanded many years ago, its design had to be in keeping with the look and scale of all the other properties facing west along that road, which all date back to circa 1890s, We can't help thinking, Its only because of the towering, out

of place, 12 North Road 4-storey Luxury apartment development, that got its approval, that this design proposal is now up for consideration. It will have all the same embellishments on it from houses you've cherry picked from around the surrounding streets to use, to set as a new precedent. Call us cynical, but we are sure, if given the go ahead, it won't be long before the 18 North Road, will then be followed by 14 North Road, currently boarded up, and has already been granted demolition, and will soon be built on and turned into another soulless creation to match the luxury apartments and this proposed redevelopment.

- Again it will change the beauty and heritage of North Road and surrounding areas of interest, that's part of our towns history, and a main artery of our road network, and part of the Great North Road, it's just as important like the Old Town High Street, that runs up country, along the A1(m) to York and beyond. In the same respect, it's important to recognize the green belt boundary, and the remnants of Cuckoo Wood that only has a few mature trees left within and along the 18 North Road plot boundary, which have stood since before 1893. We should also try to protect the fields of Forster Country behind Granby Road, where the book Howards End was written. It is imperative that we cherish the individuality and character and history of these many buildings and land, for generations to come.

WILDLIFE IN THE AREA

- Looking at The Biodiversity Report, we find it concerning about how little you seemed to have researched the area and the local wildlife, making assumptions and using incorrect information.
- Hedgehogs do live in the area, and both ourselves at 4 Daltry Road and our neighbours at 2 Daltry Road, have them frequent our gardens, flowerbeds and lawns on a regular basis. I even had to contact the Hedgehog hospital in 2022 with concerns for the wellbeing of one of our prickly little friends. You incorrectly state that there is no record of any Hedgehogs within 60m of the boundaries to 18 North Road. Its blatantly obvious to us that Hedgehogs can be found within 0m of the 18 North Road boundary.
- If you spoke to the locals and neighbours, you would also find out a lot more about local wildlife. We regularly see and hear every year, breeding pairs of Jays and Little Owls, bats, Green Woodpecker, and Spotted Woodpecker, Thrushes, and Pheasants, Grey Herons and Buzzards too. We also see Hedgehogs, Black Squirrels, Foxes, Badgers, Shrews and mice. We also have toads, newts and occasionally frogs too. All of this is just in our gardens, front and rear at 4 Daltry Road.
- We're very lucky to have some of the original big old mature trees that remind us of how large Cuckoo Wood used to be. Its still in close proximity to ourselves and 18 North Road, and once upon a time the wood was part of the 18 North Road East boundary, and we know that all these creatures frequent the property too. I'm sure you'd agree that the proposed redevelopment of 18 North Road would very much affect most, if not all of those creatures and their habitats.
- One set of plans shows some sort of proposed wheelchair ramp being added to the public footpath entrance off the North Road west entrance. This raises concern, as it implies its behind our west boundary fence, BUT would imply that the tall mature trees that currently reside there, overlooking our back garden, from North Road, would be need to be removed.

- If the proposal was for a smaller development, with only 3 floors maximum, and properly protected neighbours privacy, light, and noise issues, and access concerns, and if it attempted to be more in keeping with the area and character, and wanted to preserve the biodiversity and wildlife, and make people feel like you were willing to listen, I'm sure you would get a warmer reception about the proposed redevelopment, from the neighbours, and understandably from ourselves also.

Bush & Company Rehabilitation LLP

Our Ref: BT/SN/5047BT
Your Ref: FM/HB/[REDACTED]/135420-1

- 4 APR 2007

Ms Fiona Mills
Messrs Pictons Solicitors LLP
Ashton House
409 Silbury Boulevard
Milton Keynes
MK9 2LJ

3 April 2007

By post and email info@pictons.co.uk

Dear Ms Mills

Re [REDACTED]

Further to our telephone conversation today, I am pleased to confirm my views on the purchase of 4 Daltry Road Stevenage:-

I understand that an initial offer of £469,995.00 was made on behalf of [REDACTED] and was accepted.

The surveyor valued the property between £440,000.00 and £450,000.00. A revised offer of £450,000.00 was made and rejected. As a result, I understand that the property is likely to be sold to a third party.

Prior to my recommending the purchase of 4 Daltry Road, I had carried out an extensive property search (as had [REDACTED]s). I found three bungalows that I considered could be suitable. Having visited all three I concluded that 4 Daltry Road was the only one offering accommodation that would meet the particular needs of [REDACTED] now, with the capability of being adapted to suit her needs as she grew to adulthood. In my view, 4 Daltry Road is ideally suited to [REDACTED] present and future needs.

Since our conversation, I have looked again at property available within Stevenage. There is nothing I could recommend. There are no bungalows available with accommodation that could be adapted for [REDACTED].

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Messrs Pictons Solicitors LLP
3 April 2007

- 2 -

Given the ideal location and accommodation of 4 Daltry Road, I strongly recommend its purchase. To find a suitable alternative is likely to take a considerable time and result in the purchase of a property requiring more extensive adaptation. It will almost certainly result in a final cost in excess of the £19,995.00 difference between the surveyor's valuation and the cost of acquiring 4 Daltry Road.

Yours sincerely

A handwritten signature in black ink that reads "Brian Towers". The signature is written in a cursive, slightly slanted style.

Brian Towers Dip Arch (Oxford) ARIBA NRAC

To whom it concerns,

I am writing this letter to express my deep concerns about the proposed building work planned to happen next to my client, [REDACTED], permanent place of residence - 4 Daltry Road, Off Granby Road, Stevenage, SG1 4AW.

There are many reasons this bring concern to me but [REDACTED] health and well-being is the centre of it. The building work that is currently proposed is going to take a very long time to be completed, as in years. This then means years of excessive noise disruption and accessibility issues due to the road layout close by, and the inevitable amount of work vehicles and materials that will regularly need dropping off.

The constant noise disruption is the biggest concern as this will be what immediately starts effecting [REDACTED] health and wellbeing.

She needs to sleep and rest her body for more hours than average due to her condition, and with the building works happening next door this will massively be disrupted and she will get less sleep each night then she needs, which will then have a huge knock on effect for the rest of her day, leading into weeks and then months and years. She will be more tired throughout the days which has an extremely negative effect on her body - her muscles will be tighter, her movement will be worse, which alone will add to her tiredness and fatigue levels because she will be trying to control them. This will then lead in to a negative effect on her mood and she will express higher levels of agitation and possible aggression towards others through pure frustration. She is a 20-year-old young woman so earlier nights to bed aren't even in the question, she should not have go through years of early nights in her own home just so that her body can rest the amount it needs to, all just because of unnecessary building works happening next door.

I Can't even begin to imagine how 2 years of disturbed sleep alone could affect [REDACTED], before even taking everything else into consideration too.

I say unnecessary building work because I don't really see the urgent need to squeeze such a huge residential home into such a small area, in such a built-up area. It is already very apparent the access issues that home will have, why can it not be built somewhere else?

Because of [REDACTED] disability, she has to take extra care of her body physically by doing multiple different therapies, all of which happen at her own home in her living area. Her living area of the house is what you seem to think is just her bedroom, it is not. One of these therapies include daily stretches on her mats, she already has to work really hard to just relax enough for these to take place so with the building work happening next door it worries me deeply how we are going to get around this issue. The reason this is going to be so hard is because [REDACTED] has a startle reflex and reacts hugely to any sudden loud noise. This means the stretches and therapies will be constantly disrupted and not be beneficial for [REDACTED] at all.

[REDACTED] reacts to any sudden loud noise and due to her disability, these movements are very excessive and involuntary, also because of her disability her muscles are extremely strong and could end up doing a lot of damage to herself, as well as the member of staff performing the stretches because of the positions they both need to be in. If [REDACTED] has a sudden movement, she could cause serious harm and damage to staff which could end up in them needing time off, or to come to work and be on light duties so not being able to fulfil their duty and care for [REDACTED] properly.

Unfortunately, [REDACTED] doesn't have a full team of staff yet due to her needing such specialist care, so for her to lose a member of staff from an injury at work will also have a huge negative

effect on her health and well-being, and the chances of this being a recurring incident whilst the building work is happening is really quite high.

Another reason [REDACTED] not having a full team of staff yet is worrying is because of the staffs own mental health and well-being! The constant noise from the building work is going to create an unpleasant working environment for staff members which could end in them not being willing or able to work as many hours in a day, or as many days as usual. Even though they care for [REDACTED] they have to look after themselves first and if working in a noisy environment doesn't do their own mental health any good, they are not going to be able to care for [REDACTED] in the same or right way.

[REDACTED] not having a full team of staff member means that we don't even have the option of creating new shift patterns to look after staff, if we had enough people, we could perhaps split shifts up into shorter ones so staff aren't having to deal with all the noise for such long periods of time. But that's just the staff, we don't even have that option for [REDACTED] herself as she will be living right next door to it all, 24/7.

[REDACTED] not having a full team of staff means that we don't even have the option of getting her out the house regularly enough to have a break from all the noise disruptions. She has been assessed and requires 2-1 care, she can just about be managed by one member of staff when she is at home, (because parents are around to help out) but she cannot go with only one member of staff when she is out and about, which just goes to show how much support she really needs every day because of her movements.

The constant noise from the building work alone will be enough to affect [REDACTED] badly because of how much time she spends at home, she is at home all day most days each week. This is because she is no longer in education, unfortunately the local education system has failed her as there is nowhere close enough for a daily commute that meets her needs and she isn't comfortable with the idea of boarding college and so is at home most of the time. There are also no local day services or activity centres that meet her interests, wants and needs and so because of this, most of her days are spent at her own home. Luckily [REDACTED] isn't bored or overly disappointed with this because she has so many hobbies and interests that she fills her day with, which she completes most of in her living area at her home.

A lot of her hobbies require a lot of concentration, she is very creative person. She does a lot of work on her devices which take up a lot of concentration and energy, having to be very precise with the movements in her feet and with the constant sudden loud noises that will be happening next door, this will make it very difficult for her because of her startle reflex. Because of her disability, It's not as easy for her to type, draw and edit things on screens and takes her a lot longer than average. She is a typical 20-year-old young lady so of course her devices are important to her, and being able to use them comfortably in her own is extremely important. She uses them for all her communication and she does this by typing on screens with her right foot, which again is going to be massively disrupted with constant loud noises coming from next door. If [REDACTED] daily communication, therapies and hobbies are constantly being disrupted so badly every day, she will soon become very depressed, constantly annoyed, frustrated, and angry.

Back to [REDACTED] living area - it is her living area, NOT her bedroom. The house has been especially adapted to make is suitable for her to have as a forever home where she would also live with her family. This was the only property deemed suitable by the courts within a 50mile radius. The plan for the set up in the house was so that once [REDACTED] is older, she has enough room in the house as a young adult to have as her own living area. This area is really important to [REDACTED]. Things have a been set up in her so that she can be as independent as possible, where ever possible. She loves her music and has music on all day every day, unless she is concentrating hard on something creative then she will have it on very quiet or not at

all. [REDACTED] music alone being constantly disrupted will be enough to majorly unsettle her, making her behaviours very difficult for staff and parents to manage.

[REDACTED] loves her living area and spends most of her time in there. She has spent so much time, passion and money making it exactly how she wants. She is constantly updating how she decorates it; she likes to be surrounded by things that bring her happy memories and likes to look at her photos to remind her of these.

She is not by any means told to stay in there by staff or parents, she simply just loves it in there. She also has her own fully adapted bathroom so all her personal care and beauty regimes and pampering activities also happen in her area. she is a typical 20year old who likes to look after her body and appearance, so for this to be affected for potentially years, is going to cause her allot of stress and upset. She cannot do her own make up, she has to have a member of staff do it. If it was to become too unsafe for her to have her make up done because of her startle reflex and the building work next door, this would be massively detrimental for her mental health.

She also likes to have most of her meals in her room, unless it is sunny then she would sometimes have it out in the garden. This is one of the things I am MOST worried about, and it all comes back down to her startle reflex. Again, this is something she needs full support with from staff, and the risk of her choking will be even higher than usual because of the noise disruption. If she was to 'jump' whilst having lunch, a spoon full of food could get jammed down her throat. Her meals are as regular as anyone else's so will be a difficult task to manage multiple times every day.

As previously mentioned, most of her therapies also happen in her living area. Once of these being speech and language that she does every day to help her with the muscles in and around her mouth. This is my second biggest worry. By doing this therapy regularly it helps with her swallowing to help her to eat orally, and it helps her with her actual speech. She works really hard on this as she likes to communicate verbally as much as possible, but this therapy includes staff putting different instruments in her mouth for her to bite, blow and hold. This will not be able to happen if the proposed building work next door goes ahead because it will simply be too much of a risk for [REDACTED] and staff, again because of her startle reflex and the chances of something getting stuck in her throat.

Not only the noise from the building work is going to affect [REDACTED] living area, but the lighting. The lighting in her room is already quite dim as it is, and we already have to put the lights on if it's not a really sunny day, and the two windows on the side of her bedroom that are going to be massively effected by the building work, let in a lot of the light for the top half of her living area. This is going to make it a lot darker and the proposed building is going to be over twice the height of the building currently in situ.

[REDACTED] is very close to all her grandparents, and has many friends and family members around the area so moving is out of the question, especially because of how much it could end up costing her. She's had to spend a lot of money already to make living where she is now accessible, it is not fair for her to have to fork out and live in a building site again whilst her potential next property gets adapted.

I hope whoever is reading this is in the 'care home building work' industry because they actually care about the residents who will be living there in the future, and if you are, then you should also be caring enough to understand how detrimental this is going to be to [REDACTED] whole life and will rethink the area chosen to build on. As previously said, why can't you build it somewhere else? There is plenty of other building work happening not too far away in the fields, why not go for planning permission there instead? If the well-being of your future

residents is most important to you, which it should be, then you will rethink this. Not only for [REDACTED] but for them.

Why not apply for somewhere where you would be able to give them a much better last few years of their lives? The side of the garden you have planned in comparison to the building itself is tiny. What if it's a nice day and they all want to go outside? The garden is too small for this. Will you be choosing room numbers and making a rota for who is allowed in the garden for each day of the week? And what about visitors? The parking is minimal, there will be access issues which is unfair on the residents. Their friends and family shouldn't be put off coming to visit because of the parking problems. Nor can you limit the number of visitors each day, and nor can you limit what times they are allowed to visit because it is the residents own home, not just a profitable business! Not allowing visitors at staff change over times is just ridiculous, you'll receive complaint after complaint and it wouldn't be at all person centred which is the complete opposite of what a care home should be.

I truly believe that if the building works went ahead, it would not take long for everyone to see how much of a bad an idea it is to have it there, not because of [REDACTED], but because of the tiny space a huge building which needs many vehicles accessing it daily is being squeezed into.

Your sincerely,

**Abbirose Baker,
Team Leader.**

6th July 2023

Our ref: Y23.4644.CRWW.PC.gb

Ms Carrie Bryce
Senior Paralegal
Thomson Snell & Passmore LLP
Court of Protection
Heathervale House
2-4 Vale Avenue
Tunbridge Wells
Kent
TN1 1DJ

Dear Ms Bryce

Re: [REDACTED] DOB: 08/11/2002
4 Daltry Road, Stevenage, Hertfordshire, SG1 4AW

I am writing to you to express my considerable concerns, regarding the planning proposal of the 4-storey care home, which will share the boarder of [REDACTED] property.

As you are aware, [REDACTED] sustained an injury at birth, which has been diagnosed as Dystonic Cerebral Palsy (CP) level IV, affecting all four limbs. For [REDACTED] this presents as extremely limited global and fine motor control and experiences full body writhing motions, which she is unable to control. [REDACTED] is non-verbal, wheelchair bound and fully reliant on 2:1 care for all aspects of day-to-day care. In addition to her physical difficulties, [REDACTED] also experiences behaviour difficulties, which primarily present themselves as impaired concentration, impulsivity and hyperactivity.

[REDACTED] lives with her family, in a fully wheelchair accessible property, which was purchased and adapted to accommodate [REDACTED] needs and to enable her to live unencumbered by architectural constraints. I understand from [REDACTED] family, that sourcing a property that was even vaguely appropriate for [REDACTED] was a time consuming and arduous process. Given the extent of [REDACTED] needs, they were substantially limited in terms of the property, layout, grounds and the possibility for adaptation.

In addition to her family, [REDACTED] is reliant upon a 2:1 care package to assist her both with her personal care and to engage in all aspects of her daily life. As such, it is essential that there is sufficient space within her home for [REDACTED] her family and the care team, in order that [REDACTED] can live as independently as possible.

[REDACTED] is an engaging, thoughtful and fun-loving young person and she is supported by both her family and her care time, to participate as fully as possible in activities outside of her home. However, [REDACTED] care needs are substantial, both in terms of her physical and cognitive disabilities, which do regrettably impact upon her abilities. That said, [REDACTED] is driven

to be independent and makes full use of her bedroom, as both a bedroom and a living space. This space is of paramount importance to [REDACTED] she is supported to decorate her room and engage in a range of home-based activities, for example hair and make-up, decorating her wheelchair for events and decorating her own environment.

The proposed building would directly overlook [REDACTED] living space, cutting out a considerable amount of light and would almost certainly result in [REDACTED] feeling the need to keep her curtains shut, to avoid been observed. The impact of this on [REDACTED] would be profound and would in my opinion have a devastating effect upon her quality of life.

Through no fault of her own, [REDACTED] life is already curtailed and constrained, yet she strives to make the very best of her situation. The proposed building work would, however, turn the bright and flamboyant living space into a dark and lifeless room and one where she would struggle to want to spend her time.

Natural daylight is crucial for [REDACTED] well-being, as she is reliant upon the light to maximise her vision and enable her to use her communication devices as freely as possible. Without her communication devices, [REDACTED] is fully reliant upon others to anticipate her needs, which is intensely frustrating for her.

Currently, I estimate that [REDACTED] spends perhaps as much as 90% of her time in her bedroom / living area. This space has been specifically adapted for [REDACTED] to ensure that her physical, cognitive and psychological needs can be meet, in a way that no other part of the house has been.

I must add that [REDACTED] is a vulnerable adult, who relies upon those around her to protect her privacy and to keep her safe from harm. It is entirely inappropriate that her living quarters are overlooked and, as set out above, reducing the light will be default result in [REDACTED] struggling to use the communication aids that she relies upon.

In my opinion, the proposed building work would be hugely detrimental to [REDACTED] mental and emotional health and will reduce substantially upon her already limited freedoms and will inevitably result in her quality of life deteriorating, beyond that which any reasonable individual would consider either acceptable or appropriate.

I would very much hope that the applicant would consider [REDACTED] needs in their entirety and conclude that an alternative plot would be the most appropriate way forward.

If you require any further clarification, please do not hesitate to contact me.

Kind Regards

PP


Pam Clarke
Case Manager

156 Bower Street
Bedford
MK403QZ
helen@phoenixot.net
Tel: 07984152052

Pam Clarke
Case Manager
Rehab Without Walls
27 Presley Way,
Crownhill,
Milton Keynes
MK8 0ES

20th June 2023

Dear Pam

Re: Planning application, [REDACTED] [REDACTED]

As you are aware, I am an Occupational Therapist working with a young lady living in Daltry Road, Stevenage, on the boundary of the proposed build.

This young lady has a neurological condition affecting her mobility, speech, access to the community and sensory processing. She has had this condition since birth.

The family purchased her home to meet her specific needs:

Ground floor living accommodation.

Large garden

Quiet road with no passing traffic

Fully accessible, home with wide doorways and adequate circulation space

Facilities for carers to work 24/7

Driveway offering space for wheelchair accessible vehicle and space for carer cars

Her living space is flooded with natural daylight aiding her vision for her to be able to use her communication aid (she communicates using her foot on an iPad).

Finding a property which suits her specific needs is exceptionally difficult. Her property has undergone adaptations so that she can have access to a swimming pool, therapy space, accessible bathroom and carer annex.

Her bedroom is also her living space. Now that she is an adult, she needs this space to be private and away from her parents to give her the opportunity to live as independently as possible.

■■■■ is extremely sensitive to loud and sudden noises which cause her muscle tone to increase, which negatively affects her mobility. Increased tone means that she experiences increased pain and has less control on the little movement she has.

The proposed build will add an increase in noise from the build itself during construction and afterwards, from staff and visitors passing by, driving, parking their vehicles, and talking.

The house was purchased due to its quiet location with no passing vehicles or pedestrians.

I am concerned that this build will reduce the natural daylight into her bedroom/living space.

As her home is a single storey and the proposed building is potentially 4 floors, it is bound to reduce the daylight in her living space.

As mentioned above, she requires as much natural daylight as possible to aid her vision to access her communication device as she is unable to communicate verbally.

She is a vulnerable adult, and her privacy is a priority. It would not be appropriate for her to be overlooked in any way and she should not have to keep her blinds drawn during the day for this reason. It would also not be appropriate to have to change her windows to frosted/privacy glass.

She needs 24/7 access to her driveway for her wheelchair accessible vehicle and any emergency vehicles which may be needed at any time.

I am concerned that additional cars may park in her road restricting the access, which would place her at significant harm.

I object to the planning application for the above reasons and hope another location is chosen to protect this vulnerable lady.

Helen Robinson

Helen Robinson
Independent Occupational Therapist

2 Old Winch Hill Cottages
Winch Hill
Wandon End
Luton
Beds
LU2 8PA

11th July 2023

Re: 18 North Road, Stevenage, Herts, SG1 4AL

Application Number: 23/00107/OPM

Outline planning permission for the demolition of existing dwellinghouse and erection of an up to 76 bedroom care home (Use Class C2). D, detailed design of access with appearance landscaping, layout and scale as reversed matters

I am a specialist Neuro-physiotherapist and expert witness and have provided neuro-physiotherapy for a vulnerable adult (■■■) for approximately ten years. ■■■ and her family reside at 4 Daltry Road, Stevenage, and I am writing to formally and strongly object to the proposed development (up to 76 bedroom care home) on 18 North Road, Stevenage, Herts, SG1 4AL, which would neighbor ■■■'s property.

■■■ has a diagnosis of severe, four limb, dystonic cerebral palsy which occurred due to brain injury at the time of her birth. She is very vulnerable adult who has significant complex needs as a result of her neuro-disability. ■■■ is very cognitively able, and in many regards has an age appropriate level of understanding. She is limited by severe physical impairment which means that she is reliant on care 24 hours a day. She uses a powered wheelchair for all of her mobility, both indoors and outdoors, which she controls independently using her foot to manipulate a joystick. She has virtually no ability to use her arms or hands for functional activities and can only achieve standing when supported by two people to be positioned into a standing frame. ■■■ has severe movement disorder, resulting in uncoordinated movements of her arms and legs, involuntary movements (dystonia), joint contractures, spasticity and muscle spasms.

She also has executive functioning difficulties relating to her brain injury which mean that she has problems with areas such as processing, memory and fatigue. She has 24 hour care provided by her parents and a care team, with two carers at a time often being required to meet her needs, as well as a multidisciplinary team including neuro-physiotherapy, occupational therapy, neuro-psychology, speech and language therapy and a case manager.

Taking into account my knowledge of ■■■, through my professional experience, as well as having been her treating therapist for over ten years, I am extremely concerned

regarding the impact that this redevelopment would undoubtedly have on [REDACTED] and her family.

[REDACTED] home, 4 Daltry Road, Stevenage was purchased specifically for her needs over 15 years ago. The property was specifically chosen as it met a very specific criteria to ensure that it was suited for her life long needs, this included factors such as it being in an accessible but quiet location, with a high level of privacy and a physical environment suitable for her severe and complex needs, including being adapted and designed to be appropriate for 24 hour care support whilst also promoting her independence and level of function. It is planned that [REDACTED] will reside in the property for the remainder of her life and this redevelopment would mean that her home no longer meets these requirements, particularly in relation to private and noise.

The following paragraphs outline my main reasons for objection, based on the severe impact that this redevelopment would have on [REDACTED] physical needs, mental health and quality of life.

[REDACTED] is very sensitive to noise and the proposed redevelopment will not only have significant noise during building work, but also following completion due to the nature of the proposed care home and the fact that it will have to accommodate a large number of residents, visitors and staff.

[REDACTED] brain injury means that loud noises can not only make her distressed but can also cause significant and painful muscle spasms as her body responds physical to external stimulus such as noise. [REDACTED] also suffers from high levels of fatigue and requires a postural management programme and daily timetable in place in order to allow regular periods of rest throughout her day. She requires a quiet daytime environment in order to achieve appropriate times of rest to assist in the management of her fatigue, but also to reduce the level of processing that her brain has to do in order to focus on other tasks within the day.

The consequence of the noise and reduced daylight generated from this redevelopment would have a negative impact on [REDACTED] quality of sleep at night, potentially her sleep wake cycle and ability to successfully rest during the day. This would likely result in [REDACTED] becoming emotionally and physically dysregulated and have a significant negative impact on her physical presentation such as her fatigue, spasticity and muscle tone, which could potentially have secondary consequences such as pain, and the development of further joint contractures and musculoskeletal problems.

Due to the nature of [REDACTED] complex and severe disability she spends the majority of her time within her home, and usually within her bedroom, which is like an independent annex/living space. This is the area of the house where the majority of her equipment is used and available to her. She is a vulnerable adult who should have the right to privacy within her home environment, especially within her bedroom/annexe/living space. The proposed redevelopment would have a severely detrimental impact on [REDACTED] privacy as her personal independent living area/bedroom

would be in direct line of sight from a large number of windows of the proposed care home. ■■■ has intimate care complete throughout her day, the majority of which has to be carried out within her independent living space/bedroom/annexe. She spends her day doing activities such as being hoisted up and down from the floor and between pieces of equipment and these types of activities should not be in sight of other people, and ■■■ should also not be expected to have to have her blinds closed and restricted from natural daylight.

■■■ also spends time in her garden, and again, she should have the right to privacy when doing so. Her movement disorder means that she has difficulties regulating her temperature and her involuntary movements mean that she gets very hot, especially in the summer months and therefore she likes to spent time outdoors in her garden, often with only swimwear on. This redevelopment would mean that ■■■ would lose her privacy in this regard.

■■■ has lots of essential visitors to her home, including therapists and professionals as well as two carers. These people all require access to her property at all times, and appropriate space to park. The road is already often frequented by other peoples cars despite the parking restrictions being in place, and I myself have previously been blocked in on ■■■ drive when other people have parked and obstructed her driveway. The proposed redevelopment would create a substantial increase in traffic, which would again have a negative impact on ■■■, her family and essential healthcare visitors.

Overall, I have strong objections to this planning application and consider that the proposed redevelopment would potentially have a lifechanging negative impact on ■■■ privacy, physical presentation and needs, quality of life, mood and mental health and her ability to complete her essential activities of daily living such as fatigue management.

If any additional information is required, please do not hesitate to contact me.

Yours sincerely,



Nicki Keech B.Sc (Hons)
Specialist Neuro-Physiotherapist
Centaur Physiotherapy Ltd
Tel: 07891303737
Email: nicki@centaurphysio.co.uk
[11th July 2023](#)

Proposed Building Works

Effects on [REDACTED] physical and psychological wellbeing

Building works

It is reasonable to assume that the building works will be noisy, both in terms of preparing the ground, completing the building works and site traffic travelling to and fro.

The proposed entrance to the building works, is just to the left of [REDACTED] driveway (as looking at the property), so there will inevitably be noise associated with this. There may also be occasions where their driveway is to some degree obstructed.

[REDACTED] has great difficulties tolerating loud and unpredictable noises. Initially, these types of sounds will trigger [REDACTED] startle response, which will in turn elicit full body writhing motions, which is not only distressing, but also an exhausting process for her.

These full body writhing motions are outside of [REDACTED] control and, it can take quite some time to calm [REDACTED] down, sufficient for the motions to reduce and / or cease. Having tried numerous methods over the years, Colin and Claire have found that the best way to assist [REDACTED] with this, is with distraction and diversion. The most effective method being to try to some extent to overpower the sound with music, whilst simultaneously providing continued reassurance that the noise will cease. However, the reassurance also requires Colin and Claire to provide a predictable timescale of when this might be.

Providing a timescale however, is far from straightforward, as [REDACTED] has great difficulties determining the passage of time. The most successful method of doing this, they have found is to make time relative to something that [REDACTED] can relate to, in the form of individual songs and album times. For example, they might say it will take as long as X album, or Y song, which [REDACTED] is able to understand and process. Things that are much further away, for example - Z will happen in two months, [REDACTED] really struggles with and simply cannot process, despite the best efforts of all around her.

An example of this is fireworks. When there are likely to be fireworks, e.g., fireworks night, New Year and so forth, they do their best to prepare [REDACTED] by reminding her that the fireworks will be happening and, encouraging [REDACTED] to select her preferred music. Despite their best efforts, this does not prevent [REDACTED] from becoming very distressed when the 'pops and bangs' commence. They then play [REDACTED] music choice, as loudly as possible, to try and overpower the sounds of the fireworks. Alongside this, they provide continued reassurance and make every effort to give [REDACTED] a timescale for when they might stop, including checking timings with neighbours and local displays. Once the sounds have stopped, further time is required to try and calm and soothe [REDACTED] which can take a number of hours. If the fireworks go on for some time, [REDACTED] is absolutely exhausted, as she has experienced full body writhing motions throughout - this leaves her muscle's tense, which increases her tone - which has a knock-on effect on completing personal care and transfers. Furthermore, this increased tone, makes it difficult for [REDACTED] support staff to complete her stretches - as her muscles are so tight. To compound this, [REDACTED] overall level of fatigue also increases, which again has a negative impact upon her muscle tone, which makes transfers, personal care and stretches even more challenging. The increased fatigue also contributes to [REDACTED] mood and behavioural challenges.

Continued overleaf

It is worth noting here, that [REDACTED] family and support staff 'absolutely dread' these types of events, as the impact upon [REDACTED] is so severe. Both at the time of the event and in the days afterwards, as it takes her body some time to recover, she is incredibly fatigued, which impacts upon her behaviours, in particular her concentration and impulsivity - which already pose quite some considerable challenges, in terms of caring for [REDACTED]

[REDACTED] mood can also be affected negatively by the whole process.

There is no doubt that the construction sounds, will have a similar impact upon [REDACTED] as the fireworks. It is highly likely that these types of noises will go on for the majority of the day, for 5-6 days per week (the exact time is not yet known), over a number of months and potentially years. [REDACTED] will be unable to cope with this, she spends significant amounts of her time at home and both her physical and mental health will deteriorate as a result. Furthermore, it will prove increasingly challenging for Colin, Claire and the care team to provide the level of care and support that [REDACTED] requires under these types of circumstances. It is very likely that further medical intervention will be required, in order to counteract the effects of the constant cycle of the startle reflex and full body motions.

Colin and Claire have explained that they believe that [REDACTED] would be 'inconsolable' as a result of the continuing noise and disruption. This will make it virtually impossible for [REDACTED] to move through her day - with all tasks taking longer than normal, to take into account the increased tone, continued movements and [REDACTED] overall level of fatigue and distress.

It is a great concern that [REDACTED] will become low in mood, chronically fatigued and experiencing increased patterns of tone that will make seating challenging for her. Should this be the case, [REDACTED] will be limited in her ability to sit out, which will have a devastating impact not only on her emotional wellbeing, but also, her ability to physically move around her home independently and to leave the house.

The timings of the building works may well also be an issue. Often these types of projects start early in the morning, should this be the case, [REDACTED] sleep will almost certainly be disturbed. Assuming this is the case, fatigue will also impact upon [REDACTED] mood and her overall level of tone. In addition to the considerable physical and psychological issues set out above, it is envisaged that this would also result in the care staff having to start earlier in the day, which will also have a negative financial impact upon [REDACTED]

Whilst the focus of the objection is upon [REDACTED] very unique and individual needs, it is also important to consider the impact upon the rest of the family, as a result. The issues as stated in this objection would be incredibly troublesome for the family, as for any other family living nearby. However, in Colin and Claire's particular case, they are already absolutely exhausted, as a result of their caring role for [REDACTED]. Should [REDACTED] care needs increase as anticipated as a result of the proposed building works, the physical and emotional toll on the family will be immense and, it is difficult to see at this point, how they will be able to persevere with this, in the face of such adversity. This would pose an immediate and very real risk to [REDACTED] in terms of her ability to remain within her home environment - which she is clear is of the utmost importance to her.

There is also a very real risk, that should [REDACTED] behaviour become more augmented, sourcing care will become even more challenging than it already is. As it is likely that staff would burn out quickly - as a result we would almost certainly need to amend the shift parameters to shorter shifts, to provide more natural breaks for them. This would not be in [REDACTED] best interests, as it would reduce her ability to access the activities she enjoys in the community, as she would need to be at home for the shift changes.

Completed overleaf

We are in the process of recruiting more carers, however, it is highly likely for the foreseeable future, that any deficits in care are shouldered by Colin and Claire.

Building work completed

Almost certainly, there will be an ongoing issue with noise, as the proposed entrance is so close to [REDACTED] home. The entrance will need to be accessed by staff and visitors, and this would be a change for [REDACTED] as currently her property is based at the end of a small cul-de-sac with no through traffic. Please see above for the likely impact of this on [REDACTED] physical and emotional wellbeing.

The location of the building would significantly reduce the light into [REDACTED] bedroom and other parts of the property.

There would be a direct line of sight from parts of the building into [REDACTED] garden and bedroom. This is particularly relevant for [REDACTED] as she spends, perhaps 90% of her time in her bedroom, which she uses as both a bedroom and a living area.

[REDACTED] is entirely reliant upon others, to support her with her privacy. It would be both intrusive and devastating for her, to have to keep blinds / curtains shut for privacy. It is also likely that [REDACTED] would struggle to fully appreciate this and, would need continued reminders from her family and team.

[REDACTED] Views / Impact on [REDACTED] wellbeing

Colin and Claire do discuss the planned building works with [REDACTED] regularly, however it is difficult to determine what [REDACTED] views are, the rationale for this is as follows:

As a result of her injury, [REDACTED] is unable to imagine or plan for the future. Instead, [REDACTED] requires real time examples of things, and it is very difficult for her to consider anything that is not happening in the here and now. As a result, [REDACTED] is reliant upon those around her, to anticipate her needs and to support her with her planning - it is therefore impossible for her to consider how she might feel once the building works start, or the impact that it might have upon her physical, or mental health or, the level of support that she might require in order to cope with it.

It is therefore necessary, to rely upon the experience of [REDACTED] family and wider care team, to consider, based on previous situations what the impact on [REDACTED] may be, as she is simply unable to do this for herself.

As set out above, time is also a real issue for [REDACTED] - she is very much in the moment and is unable to understand, in any real sense, for example how long 18 months of building works may be. [REDACTED] is able to process smaller periods of time, for example minutes and hours, in terms of songs and album lengths - but outside of this, [REDACTED] cannot, despite her best efforts relate this information to herself or her situation.

When unable to understand how long something might last, or when something might be occurring in the future, [REDACTED] asks questions, in order to try and gain clarity repeatedly - it is important to understand that this repetition is usually not the odd question here and there. It can realistically be hundreds of times a day, every day until the time of the event.

Completed overleaf

Despite [REDACTED] hard work in her neuropsychology sessions and, the ongoing support of her family and care team, she is unable to control this level of impulsivity. This is hugely distressing for [REDACTED] personally, but for those around her, this type of behaviour is absolutely exhausting to deal

will and, has in the past made the recruitment of care extremely challenging as staff are simply unable to tolerate [REDACTED] behaviours. [REDACTED] is unable to understand the impact of her behaviour, or modify it, and it is unlikely that this will change.

There is no doubt, that extended periods of noise and disruption will have a significant detrimental impact upon [REDACTED] in all aspects of her life. It will fundamentally change her physical presentation, to one that may very well prove to be unmanageable for her, in terms of constant motion, increased tone and fatigue. This in turn will impact upon the level and type of care that she requires, from both her care team and her parents. As a result, this will have a significant effect on [REDACTED] physical and mental health and, almost certainly that of her family. It is also important to note that the increase in level of [REDACTED] care needs will have a substantial effect on [REDACTED] finances, and will do for the remainder of her lifetime.

When building works commence, [REDACTED] will be unable to process what is happening, or how long this might go on for. [REDACTED] will be unable to control her full body motions, which in addition to the physical and emotional impact of this set out above, it is highly likely that the full body motions will prevent [REDACTED] from having the control that she requires of her right foot to drive her wheelchair. In addition to driving her wheelchair, [REDACTED] also uses her right foot to operate various technology to assist her throughout the day. [REDACTED] has a very creative and design-focused mind, and spends a lot of her days working with computer assisted art packages, as well as music and video editing software. [REDACTED] is utterly dependent upon the ability to use her right foot in order to retain her independence - should she be unable to do this, she will become reliant upon others to steer her wheelchair and will be unable to carry out her day to day activities, which are of the upmost importance to her. If she loses the ability to operate her right foot, she will have lost her only means of having any autonomy in her life and her quality of life will be drastically reduced.

Once the building work is complete, should it go ahead, [REDACTED] lifestyle will be forced to change. She will be unable to continue with her current routine, which will be challenging for her. It is highly likely that the ongoing noise, which she will be unable to adapt too, will continue to impact her physical and emotional wellbeing.

[REDACTED] has already overcome substantial challenges in her life, to be in her current position, where she has as much autonomy and independence as is possible. She is enjoying her life and, with the support of her family and care team, is increasingly accessing the community and participating in activities that she loves. It would appear that there are no positive outcomes for [REDACTED] if the proposed building works take place, and the impact upon her life, will be absolutely devastating. Unfortunately, [REDACTED] will be unable to consider how her life may change, until the situation is upon her.

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