

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

D 01892 701272
T 01892 510000
F 01892 701121
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

██████████ 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 ██████████, 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 This Order superseded an earlier, time-limited Order dated 24 July 2017.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 ██████████'s Deputy. Mr Fardell was appointed in December 2009. As a firm, therefore, we have been managing ██████████'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 ██████████, 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 ██████████'s property and financial affairs.

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