

## **Land to the rear of no's 82-88 CUMNOR HILL, OXFORD OX2 9HU**

### **Planning Application: P14/VO695/RM**

#### ***Erection of a 72 bed care home in respect of appearance, landscaping, layout and scale.***

### **INTRODUCTION**

In its response to the Outline Application relating to this site, P12/V1819/O, Cumnor Parish Council (CPC) opened by expressing its profound disappointment that, yet again, a development of considerable local concern had reached the stage of outline permission without CPC having been consulted in any way.

Eighteen months on we find ourselves in exactly the same situation again. An application relating to reserved matters is now before us, but again there has been no attempt at public engagement.

CPC reminds officers at the Vale and potential applicants of the Vale's 'Statement of Community Involvement' (December 2009):

- 6.23 The Council will encourage all applicants and their agents to consult with their neighbours before submitting a planning application
- 6.24 Where appropriate for major applications, the Council will advise developers to consult more widely by letter, leaflet or newsletter or hold a public exhibition of their proposal. They could consider involving not just individual residents but town and parish councils, local community groups and residents' organisations

This is a major application. Informal consultation and discussion should have taken place. It is not sufficient for a parish council to be able to express its opinion in what is an adversarial situation, knowing that its views and counsel are likely to be ignored. Parish councillors have local knowledge and immense and wide-ranging life experience, and have a responsibility to assess and reflect local opinion. They should be given the opportunity of sharing that knowledge in mature dialogue.

### **RESPONSE**

This response utilises the headings relating to the four reserved matters addressed in the application, namely appearance, landscaping, layout and scale, with supplementary comments relating to other relevant matters.

### **APPEARANCE**

It looks like what it is, namely a three-storey institution nearly 110 metres in length along its south-facing aspect, the aspect which greets the visitor arriving down Breeches End. CPC notes the comments of the Urban Design Officer that *"the north and south elevations are well articulated and divided up into elements to help legibility and provide interest"*. It is perhaps true that the architects have done the best they can with what they have been presented with, but nothing can detract from the fact that this looks like a glorified barracks.

We are where we are in terms of the planning process but CPC wishes to record its profound dismay that an institution of this size and dominance in this setting has been given outline planning permission by the Planning Committee of the Vale. This should never have happened. If the applicants wished to locate a care home for those requiring nursing, dementia and residential care on this site, such care would have been much more appropriately provided in smaller units on a much more domestic scale to create the "family" environments that they claim to be aspiring to in the Design and Access Statement. Let us be absolutely clear, there can be no hope of providing anything other than warehousing and Victorian institutional care in an institution of this bulk and shape.

## **LANDSCAPING**

The landscape proposals are perhaps as good as they can be, given the restrictions and extreme topography of the site. CPC is pleased to see that the main garden area to the north of the building is to be level, and therefore suitable for wheel-chair access. This level surface should be a condition of permission. It should also be a condition of permission that the owners/managers of the care home should maintain the gardens, including the small terrace areas and raised planters immediately outside the ground-floor rooms, to a high standard and at the care home's expense.

## **LAYOUT**

In the original application, P12/V1819/O, all residents' rooms faced outward over the retained woodland to the north. That has been changed and the new proposal has rooms facing north and south on all three floors. Because of the sharp gradient as the ground falls away, rooms on the ground floor of the north-eastern wing looking south will look directly at the hillside. Frankly it will be like living at the bottom of a gully. These ground floor rooms are each shown with small terraces giving onto a thin stretch of grass, but it is difficult to imagine anything much growing in such a low-lying and damp location with so little natural light. At the same time there appears to be a distinct risk of flooding at times of heavy rainfall. The plans give no indication as to how the applicants propose to deal with drainage from this part of the site, trapped as it is between steeply rising ground and a building almost 110 metres in length.

Otherwise the internal layout can only be described as hideous, vile. It is completely lacking in humanity in how it seeks to address the care needs of its resident population.

The Design and Access Statement contains this memorable sentence: *"The bedrooms are arranged in clusters to create a "family" environment and to encourage interaction and familiarity between residents and staff"*. This is claptrap.

In reality the rooms are arranged along six featureless corridors, as boring and repetitive as in any large hostel, each of the corridors broken at frequent intervals by fire doors. On each floor there is one large sitting room and one large dining-room for the c.25 residents of that floor, reminiscent of the very worst Victorian institutions for the mentally ill.

The proposal is for accommodation for residents requiring nursing, dementia and residential care (Use Class C2), a catch-all if ever there was one, but the applicants do not seem clear about the varying abilities of their potential client group and what they

should be providing for them. Thus the proposal now contains a cinema and library, suggesting that some of the residents will still have considerable intellectual abilities, but in the whole building there is not a single kitchenette where more able residents could maintain independent living skills by making themselves a cup of tea or preparing a simple meal. Any able resident placed in this institution would rapidly become de-skilled.

Nor is there in the whole building any accommodation for the overnight stay of visiting family or friends, or a kitchen area for family members, a spouse for example, to prepare a meal for their loved one. This is a large care home, 72 places. Many families and visitors will be coming from some distance and such an omission is unforgivable.

Many care homes now provide graduated levels of care, with more able residents being provided with a greater range of space and facilities orientated towards independent living and the more disabled residents being given more intensive nursing care. Nothing in these proposals suggest that the applicants have given thought to such an approach.

The following are other examples of deficiencies in the design. The list is not exhaustive.

- There is only one public toilet in the building, located near the main entrance. Such provision is completely inadequate, given that many of the visitors will be elderly relatives needing easy access to a toilet. There should be at least one public toilet on each floor.
- Nor are there toilets available for residents, except within their rooms. There should be a toilet adjacent to each lounge on each floor. The population residing in this building are of an age and level of infirmity at which, when they need a toilet, they need it quickly, and the building should be designed with this in mind.
- Nor are there any staff toilets except on the 2<sup>nd</sup> floor. This is unworkable.
- Best practice suggests that there should be more than one room where residents can be quiet and see visitors, including a space where visitors can make a drink or snack for themselves, apart from the residents' own room. No such space is included in the plans, and there should be at least one on each floor. Similarly there should be a communal space where residents can sit quietly to avoid organised activities if they so wish.
- A facility of this size, 72 residents, will create a considerable demand for para-medical and other resources coming in, for example chiropody, physiotherapy, hair-dressing, pharmacy, volunteers, religious leaders. There are no designated areas in the building for these visitors to conduct their business, merely one interview room on the second floor. We would suggest a minimum of one treatment room per floor.
- Activities. There are only two activities rooms. This is inadequate. To maintain function, residents need regular exercise and regular involvement in a range of activities.

To summarise, there is little evidence that the applicants have thought through how this care home will function. This site is constrained by its very nature and, unless the applicants provide the necessary facilities from the outset, there will be no physical space to remedy any deficiencies. CPC is aware that the internal layout of a building is

not a Material Planning Consideration but nevertheless it hopes that, if this application is permitted, the applicants will give serious thought to the opinions expressed above.

## **SCALE**

In its response to the Outline Planning Application, P12/V1819/O, CPC bemoaned that fact that no attempt had been made to provide positions or elevations of neighbouring properties, and specifically there was no contour map to allow an assessment to be made of the impact of the proposed building on neighbouring properties. This is important in a site like this with its extreme topography.

This deficiency has been repeated in the application that is now before us. The application asks respondents to make a judgement about the probable impact of the building on adjacent properties but it is, frankly, impossible to do this without such a contour map.

In making this comment CPC is mindful of the probable impact in terms of dominance and loss of amenity on neighbouring properties, notably 80 Cumnor Hill and Aspen House, Hids Copse Road, but also on other properties in Hids Copse Road. CPC finds itself having to reiterate many of the concerns that it expressed in its response to P12/V1819/O, as follows:

1. **Policy H10**. This proposal runs completely contrary to Policy H10 which says that permission would be allowed provided “the mass and design of the dwellings would not harm the character of the area”. Cumnor Hill is characterised by large family homes in a semi-rural setting. Plots have been developed in such a way that the houses do not intrude on each other, resulting in considerable privacy. What is being proposed is massive and intrusive by any standards, three storeys high and over 100 metres in length.
2. **Policy DC9**. Again, this proposal runs contrary to Policy DC9 which says that development will not be permitted if it would unacceptably harm the amenities of neighbouring properties and the wider environment. For two of the neighbours, namely 80 Cumnor Hill and Aspen House, there would be significant loss of privacy and visual intrusiveness but beyond that are the general issues of environmental pollution, notably light and noise pollution in this location. The amount of light generated by a 72-bedroom care home would pollute the whole of the slope/valley in which the care home would sit; no neighbour would be unaffected. Similarly noise pollution would be considerable, affecting neighbours on all sides but particularly the flats at Breeches End and the occupants of 80 Cumnor Hill and some of the properties in Hids Copse.

**To summarise:** The scale of this proposal and the accompanying loss of amenity of neighbouring properties is completely inappropriate on Cumnor Hill.

## **OTHER CONSIDERATIONS:**

**EXTERNAL ACCESS:** CPC has continuing concerns about the visibility splays. CPC notes that the visibility plays are to be improved as agreed under VWHDC ref. 12/V1819/O, but it is not yet clear how this is to be done. It is essential that the visibility

splays are improved.

CPC has profound concerns that, as noted in 5.0 External Access, "*due to site limitations on space requirements for the provision of an access road to be provided of sufficient width for passing vehicles the care home access road will be provided as a shared surface between pedestrians and vehicles*". This cannot be permitted. It is quite simply too dangerous given the number of vehicles (both to the care home and the flats in Breeches End), cyclists and pedestrians who are going to be using this access road at peak times.

The care home will provide employment for 66 members of staff, of whom it is calculated that only 18 will travel to work by car (Travel Plan, 3.2 – 3.5). The three-shift system that is to be operated, with handovers at 8.00am, 2.00pm and 8.00pm, means that two of the three shift changes will be taking place in the dark in winter months. It is completely unacceptable that pedestrians and cyclists walking up or down the access road will be sharing the road with cars going up and down the very steep hill in wet, icy or snowy conditions. It is a recipe for disaster. It is essential that some other solution is found to ensure the safety of pedestrians and cyclists.

At the same time CPC has grave doubts about the capacity of the access road bearing in mind how large the care home is and how busy it is likely to be at certain times of day. The turning head is tiny and it would only require three or four sizeable vehicles (ambulance/refuse lorry/ delivery vehicles/visitors) to arrive at the same time for chaos to ensue or for there to be serious risk to pedestrians. The access road as designed is unworkable.

## **PARKING**

The applicants have submitted a Travel Plan as required under Reserved Matters.

The Introduction to this states optimistically, para 1.1, that "*The close proximity of the site to potential employees and the diverse range of alternative modes of transport to access the Home negates the reliance of the usage of a private car*".

In para 2.6 it is noted that Elms Parade lies at a distance of 1.5km and, in para 2.10, that the nearest bus stops are located at the junction of Cumnor Hill with Arnolds Way approx. 500m distance and at Cotswold Road approx. 200m. What the plan does not comment on is the length and steepness of Cumnor Hill, which is off-putting for all but the most enthusiastic walkers and cyclists, especially through the winter months.

For comparison the authors use Orchard House, Sandford-on-Thames (40 beds), Stowford House, Shippon (51 beds) and Abingdon Court, Marcham Road, Abingdon (60 beds). All three of the comparison facilities are significantly smaller than this proposed care home and, crucially, all three are situated on much flatter terrain making walking and cycling much more likely.

Para 6.0 of the Travel Plan makes interesting reading. In order to minimise the use of the private car, travel planning is to become part of job planning via personalised travel planning on an individual basis for each new employee. CPC notes that this is to be the subject of review after 1, 3 and 5 years. Whilst this is an interesting proposal CPC has serious doubts about its potential effectiveness because it is, frankly, unenforceable in

law. Whatever an employee's travel plan says, there is nothing to stop them driving to work and parking in neighbouring streets, whether Cumnor Hill or Delamere Way.

Meanwhile CPC believes that the amount of parking provision is seriously deficient, given the size and location of the care home. CPC therefore reiterates some of the comments that it made when responding to P12/V1819/O as follows:

1. The site is a very constrained one. This means that it is absolutely essential to provide sufficient parking from the outset as there will be no opportunity to expand the parking in the event of there being insufficient. As we all know from personal experience, in most institutional settings (care homes, hostels, hospitals, hotels, etc.) there is a tendency for visitors or staff to resort to parking on verges of approach roads or driveways or on neighbouring streets when car parks become full. This option will not exist here. Breeches End is too steep and narrow, and the long curve on Cumnor Hill at this point would make it very dangerous for curb parking. The only neighbouring side street is Delamere Way, and it would be utterly wrong to embark on a major project like this to find that within a short time the residents of Delamere Way were being plagued by overflow parking. Delamere Way is not suitable for parking.
2. CPC is convinced that the parking provision in this application is grossly inadequate and that, if development were allowed to go ahead on this basis, within a few weeks of the care home opening it would become apparent that there was insufficient parking.
3. Given the size of this proposal, 72 beds, CPC does not believe that sufficient consideration has been given to the parking needs of visiting staff – GPs, paramedics, volunteers, pharmacists, hairdressers, etc.. These need to be added into the equation.

## **FIRE**

CPC has continuing grave concerns about whether what is being proposed can be made safe in the event of fire.

CPC has particular concerns about how a fire would be managed in the north-eastern wing of the proposed building.

Because of the way the ground falls away and the levels at which parking is planned, no fire engine will be able to go more than a few yards beyond the main entrance to the building, which now lies directly opposite the bottom of Breeches End. It is difficult to envisage how firemen could get access to a fire in any of the rooms, at whatever level, on the north-facing aspect of the north-eastern wing.

Equally CPC has concerns about how a fire would be managed arising in one of the store rooms on the ground floor. These store rooms are likely to be full of inflammable materials. Because their outside wall sits against the hillside, it would be extremely difficult to gain access. To add to the risk, residents' rooms are located directly above them. It is a classical situation in which tragedy could occur.

Where would residents be evacuated? The only exit route is into the garden to the north, but there is no obvious collection point once there. Nor is there any obvious route for getting confused or wheelchair-bound residents round the end of the building to a

collection point in the car park. The Design and Access Statement makes no mention of risk. Have the fire or other emergency services yet been consulted?

**Planning permission must not be granted until Emergency Plans have been agreed with all the emergency services.**

### **FLOOD RISK. FOUL SEWAGE.**

1. CPC does not believe that the risks of the design have been properly thought through and is particularly concerned about the possible effects on surface water run-off.
2. Surface water run-off is a well-established problem in the area of Cumnor Hill which is criss-crossed with underground springs and an unstable sub-structure. There is an example of such a spring in the garden of the neighbouring property, 80 Cumnor Hill, which has a pond supplied from spring water. It seems certain that carving into the hillside as anticipated and moving very substantial amounts of under-soil to create a more level site will cut across some of these streams or springs with unpredictable results.
3. The sub-structure consists of alternating layers of clay and sand, preventing the draining away of surface water. The retaining wall will itself prevent the formation of new channels and the only way for accumulated water to travel will be horizontally, causing unpredictable results to neighbours and further downhill in Dean Court.
4. Local knowledge of the water courses suggests that excess surface water run-off will go through the culvert which runs under Songers Close, Pinnocks Way and Nobles Close in the Dean Court area. It is feared that the culvert will be overwhelmed in the event of flash-flooding, with dire consequences. The culvert always has standing water in it.
5. To emphasise the point, Cumnor Parish Council is deeply concerned that this development in its current form will lead to flooding affecting properties further downhill in Dean Court.

CPC also has concerns as to whether the **foul sewage system** can cope with a development of this size. Thames Water maps show that sewage from these dwellings (82-88 Cumnor Hill) drains via a mains sewer down across Songers Close to join the mains sewer which runs along the Eynsham Road. Guidelines recommend an allowance of 300L foul effluent per bedroom per day, a total of 21,600L in this proposal. This is an immense amount of extra foul effluent by any standards. It is true that Thames Water has been upgrading the sewage system in the Botley area but it is understood that this upgrade should be sufficient to cope with the Timbmet development ... but nothing beyond that. It is essential that Thames Water confirm the capacity and capability of the local sewage system to cope with this level of foul effluent before outline planning permission is granted.

### **MEDICAL COVER FOR THE PROPOSED CARE HOME**

No mention is made in the application as to how medical cover will be provided. A resource of this size will call for very considerable medical input, as well as ancillary services. It is understood that local GP practices are currently at capacity, though some

expansion may be planned. It is essential that adequate medical cover is in place before permission for any development of this size is agreed.

## **CONCLUSION**

CPC is deeply worried about many aspects of this scheme and genuinely unconvinced about the integrity of the range of features embodied in it. A number of unsatisfactory, contrary and contradictory aspects of the location, construction and operation of the care home as put forward in the planning application papers have been instanced in this response.

CPC urges the Vale of White Horse District Council, even at this late stage, to engage an expert witness in this field to read the papers and appraise the scheme. The risk and price of failure for the community are too awful to envisage; the Parish Council would be prepared to assist if asked.

Throughout its assessment and response to this application CPC has given careful thought to how this building can meet the physical, emotional, social and spiritual needs of those who are going to be resident in it, in many cases for the last months or years of their lives. As part of this assessment, CPC endeavoured to make contact with the applicants, Active Lives Care Ltd., in order to try to gain an understanding of the philosophy of their approach to caring for the elderly, disabled and vulnerable. CPC believes that this was a legitimate step to take. To its dismay CPC found that the company apparently has two directors but no company secretary, no telephone number, no email address, no contact person and no business activity on record. This discovery did not increase CPC's confidence in this scheme, even though the plans have been drawn up by a reputable company in Yorkshire with a good track record.

From all of the above it will be clear that Cumnor Parish Council **OBJECTS** to this application for the multiplicity of reasons cited. In our opinion this application is deeply flawed.

Harry Dickinson  
29 April 2014.