

LOWER THAMES CROSSING DCO EXAMINATION

OPEN FLOOR HEARING 2

RE THE WHITECROFT CARE HOME, STANFORD ROAD, ORSETT. THURROCK, ESSEX

Speaking Notes

Intro

1. I am Emma Dring, I'm a barrister and I'm speaking today on behalf of three Interested Parties with common interests. They are Kathryn Homes Limited (20035583), Runwood Homes Limited (20035580) and Runwood Properties Limited (20035582).

2. Kathryn Homes owns the site of the Whitecroft Care Home, just off the A1013 Stanford Road, Orsett, Thurrock. Runwood Homes operates the Care Home. Runwood Properties owns adjacent land to the east and south which provides part of the rural setting of the Care Home.

3. Whitecroft occupies a square plot of land, which is contained by open paddock land to the south and east, by agricultural land to the west, and by Stanford Road to the north. Access is gained via Stanford Road, and there is a car-park on the eastern side of the site.

4. We made representations at Procedural Deadline C that the Examining Authority should visit both the interior and the exterior of the Care Home to assist with understanding the nature of the operation and the likely impacts from construction and operational noise, vibration and outlook. We understand from the ExA's comments on the draft accompanied site inspection itinerary (PD-019) that this is the intention, and we are grateful for that.

5. Whitecroft is a care home (Use Class C2) located immediately adjacent to the works comprised within the proposed Lower Thames Crossing (‘LTC’) on Stanford Road, about 175 metres to the east of the junction of Stanford Road with Baker Street. Whitecroft is on the south side of Stanford Road. Hornsby Lane lies some 350 metres to the east. Whitecroft lies to the immediate south-east of the major junction proposed for the Lower Thames Crossing with the A13 and the A1089, with the slip-road which connects the A13 westbound to the LTC southbound arcing around the Whitecroft to its north, west, and south.

Care home operation

6. Whitecroft has been established for 22 years and is operated by Runwood Homes, a well-established care home operator which currently has some 61 homes spread across England, catering for some 4035 residents. 29 of those homes are in Essex.

7. Whitecroft is regulated by the Care Quality Commission (‘CQC’). Day to day management is provided by an on-site Home Manager and the home employs 55 staff, comprising full time and part time carers plus ancillary support staff.

8. The home has 51 bedrooms (56 bedspaces), catering primarily for persons suffering from dementia and related cognitive impairments. Residents may be placed at Whitecroft either privately or via local authority social services, and many residents are referred by Thurrock Council. Residents are typically in the age range 70s to 90s but some are as young as 60s. For most residents, Whitecroft is their final home, and therefore caters for their ‘end of life’ needs. Whilst the length of stay varies, depending on residents' circumstances and medical condition(s),

a typical period of residence will fall in the range 6 to 48 months. Most residents spend most of their days (and nights) at Whitecroft, with limited visits elsewhere (e.g. for medical treatment). The physical environment at Whitecroft is therefore very important for the well-being of residents.

9. Whitecroft provides residents with individual bedrooms (mostly single rooms and a small number of double rooms), which are predominantly en suite. There are also communal day rooms and dining rooms, as well as staff and service facilities (including a kitchen and laundry).

10. The original building at Whitecroft is a Grade II listed building (a former farmhouse), but most of the accommodation is provided in adjoining residential wings forming a partial quadrangle behind the listed building. Within the centre of the quadrangle is a courtyard garden, with a further amenity garden with ponds and mature landscaping to the east of the range of buildings. There is also an informal amenity area to the south of the buildings. Residents have access to the courtyard garden, the amenity garden, and the informal amenity area. Having access to fresh air and a tranquil environment is very important for the well-being of residents. In addition, persons suffering from dementia can be disproportionately affected by even modest changes in their external environment, especially with regard to noise and disturbance.

11. Historic mapping shows that, whilst the farmhouse at Whitecroft has had buildings to its south from the nineteenth century onwards, the land to the west has always been open farmland, which remains the case today. In the past that farmland was farmed in conjunction with the farm based at Whitecroft. The setting of the listed building to its west has therefore retained an open agricultural character which provides both a visual and a functional link to the historic use and function of the Grade II listed building. The ground floor of the building also has fenestration giving an outlook to the west over that farmland.

Impacts of LTC

12. If the LTC proceeds, Whitecroft will become an 'island' isolated within and surrounded by significant construction activity for some 5+ years. This will include

- a. the construction of three new bridges on Stanford Road,
- b. the re-positioning and raising of Stanford Road,
- c. the construction of a new bridge and associated embankment for the A13 westbound slip road to the A1089 southbound,
- d. the construction of a new bridge and associated embankment for the A13 westbound slip road to the LTC northbound,
- e. the box jacking of the A13 where it is to be carried over the LTC,
- f. the construction and operation of the Stanford Road Compound and the Brentwood Road Compound (incorporating the Brentwood Road Utility Logistics Hub),
- g. the construction and operation of haul roads/construction access roads and turning areas to the immediate south and west of Whitecroft,
- h. the excavation of cuttings and the creation of embankments for the LTC and the various supporting slip roads,
- i. the construction of all of the new and improved highways, including highways lighting,
- j. the dismantling and re-erection of overhead power lines,
- k. excavations and installations for utilities pipelines and underground cables and
- l. the construction of a large mitigation bund to the immediate west of Whitecroft.

13. 24 hour, night-time, and weekend construction activity would occur for extended periods (up to 3 months of continuous 24/7 working in one case).

14. Post-construction, the changed highway network would be retained and operated for an assumed 60 year period. The cutting accommodating the new A13 westbound slip to the LTC would be 69 metres from the grounds of Whitecroft at its closest point.

15. This scale of detrimental change in such close proximity to a care home accommodating vulnerable persons is an unacceptable juxtaposition of incompatible uses which renders the Whitecroft incapable of effective continued operation. It imposes what for most of its residents would be a 'life sentence' of unacceptable noise, dust, emissions, vibration, light intrusion, and disturbance, as a result of the construction of the LTC and associated works, including the operation of construction plant, machinery, and vehicles. Continued operation of the Whitecroft would be at serious risk if the LTC is approved and its closure is reasonably foreseeable. To that extent, the operational impacts of the LTC are secondary to the construction impacts, but if the Whitecroft did survive the construction period, its future as a care home would not be sustainable in the longer term with the LTC in place.

16. We have serious concerns about the adequacy of the technical assessments so far undertaken in relation to the impacts of the LTC on Whitecroft, as outlined in our Relevant Representations. Further details will be provided in our Written Representations, but over and above those concerns, there has been a fundamental failure by National Highways to grasp the essential point that what is proposed is simply incompatible with the continuation of a care home catering for vulnerable people. During the consultation stages for the LTC we have suggested that each and every member of the National Highways project team needed to ask themselves the simple question: if my parent (or other close family member) needed care towards the end of their life, would I willingly choose to place them in Whitecroft for their final months or years, once the construction of the LTC was authorised? No one with any shred of human empathy could in all honesty answer that question with a 'yes, of course'.

17. We respectfully suggest that that question now falls to be considered by the Examining Authority. The human factor, which is an ever present background consideration when making planning decisions, is something that National Highways appears to have lost sight of in its treatment of the Whitecroft. We suggest that it is a relevant and important consideration in this case, not least because of the need for the Secretary of State as the ultimate decision maker to address his obligations under the Public Sector Equality Duty. Since that concerns a matter of law we will expand upon it in our Written Representations.

18. The simple fact is that the juxtaposition of the LTC and Whitecroft is incompatible and unacceptable. The answer to that incompatibility will not be found in making yet further minor changes to the detailed design, whether by a raised bund or more landscape planting as was proposed in the Local Refinement Consultation. What is required by National Highways is a fundamental re-think. We have always accepted that wholesale relocation of the LTC away from the vicinity of Whitecroft is not a practical possibility and so the only option if the LTC is to proceed is to relocate Whitecroft e