

Statement of Case

Name: Danson Neighbours Residents' Group

Address: Care of:

Amy Hubbard
North Lodge
1 Danson Mead
Welling
Kent
DA16 1RU

DCLG Appeal Reference No.: APP/D5120/W/22/3293225

Site Address: 2, 4, 6 & 8 Danson Road, Bexleyheath, Kent, DA6 8HB

We are **against** the appeal proposals.

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Introduction & Background

- 1.1 An application for planning permission, dated 20th December 2019 and made by Carebase Limited (“the appellant”), was submitted to the London Borough of Bexley (“the Council”) proposing the demolition of 4 family dwellings sited at 2-8 Danson Road, Bexleyheath, Kent, DA6 8HB (“the appeal site”).
- 1.2 The development proposed in the application is described as: “Demolition of the existing dwellings and erection of a part 1/2/3 storey building to provide a 70-bedroom nursing home, with associated access alterations, car and cycle parking, landscaping and amenity space.”
- 1.3 The application was accepted and assigned reference number 19/03072/FULM. The application was contentious and has received a large number of objections, on numerous occasions. It was finally reported to the planning committee on Thursday the 18th November 2021, **nearly 2 years after the original application was submitted.**
- 1.4 The officer’s report lacks consideration in a number of areas which caused several major concerns, raised by residents and Councillors, nonetheless it was recommended that planning permission for the development should be granted subject to the completion of an S106 agreement and a series of 18 planning conditions.
- 1.5 Prior to debating the case and making a decision, the Council planning officers presented the scheme and set out their reasons for the recommendation that planning permission should be granted. The Committee then heard from 3 speakers (2 residents – Mrs Amy Hubbard and Mr Leslie Osbourne, and 1 ward Councillor – Mrs Cybil Camsey) who vigorously objected to the proposed development. The committee also heard from the planning agent (Mark Batchelor, Director at Boyer) who spoke in support of the development. Following the debate, the Committee voted to **refuse** planning permission and, in doing so, identified the following 6 reasons for refusal:
 1. The proposed development, by reason of layout, height bulk and scale would result in a form and scale of development which would be harmful to the character and appearance of the area, contrary to policies D1, D3 and D4 of the London Plan (2021), policies CS01 and CS03 (corrected to CS07) of the Bexley Core Strategy (2012), saved policies ENV39 and H3 of the Bexley Council Unitary Development Plan (2004) and Paragraph 130 and 134 of the National Planning Policy Framework (2021).
 2. The proposed development by reason of the intensity of vehicular movements and its location would have a detrimental impact on highway safety and congestion, contrary to policy T4 of the London Plan (2021), CS15 of the Bexley Core Strategy (2012), saved policy T6 of the Bexley Council Unitary Development Plan (2004) and Paragraph 110 and 111 of the National Planning Policy Framework (2021).
 3. The proposed development provides insufficient parking for the use in this location. This would cause increased on-street parking stress, detrimental to the amenities of local residents, contrary to saved policy T17 of the Bexley Council Unitary Development Plan (2004).

4. The proposed development, by reason of the position, height, bulk and scale would harm the setting of and result in less than substantial harm to, Danson Park, a Grade II Registered Park and Garden and designated heritage asset. It is not considered that this harm would be outweighed by the public benefits required by paragraph 202 of the National Planning Policy Framework (2021). The proposed development is therefore contrary to policy HC1 of the London Plan (2021), CS07 and CS19 of the Bexley Core Strategy (2012), saved policies ENV39 and H3 Bexley Council Unitary Development Plan (2004) and Paragraph 199 and 202 of the National Planning Policy Framework (2021).
 5. The proposed development results in the loss of the four family dwelling houses which is not outweighed by the benefits of the scheme, including the provision of 70 care homes beds, contrary to Policies H8 of the London Plan (2021) and policies CS01 and CS03 (corrected to CS07) of the Bexley Core Strategy (2012).
 6. The proposed development by reason of its position and built form would result in loss of sunlight an overbearing impact on 1 Danson Mead, detrimental to the amenities of the occupiers of this property and contrary to saved policy ENV39 Bexley Council Unitary Development Plan (2004) and Paragraph 130 of the National Planning Policy Framework (2021).
- 1.6 It will be our case that these reasons for refusal are valid and should be upheld based on the facts and considerations presented in the rest of this document. The refusal is fully supported by a large number of residents, Councillors and the majority of the Planning Committee alike, based on the discussions that took place at the meeting on the 18th of November 2021.
- 1.7 The Planning Inspectorate had initially decided against an Inquiry type appeal, as requested by the appellant on 18th of February 2022, and had chosen a Hearing type appeal. The complainants were not notified of the appeal application until the 27th June 2022, 4 months after it was submitted to the Council. It was changed from a Hearing to an Inquiry on the 15th September 2022. We would like the Inspectorate to view the details of this Statement of Case prior to, and during the Inquiry.
- 1.8 There is considerable local interest in this proposal. The Committee Report sets out that 34 letters of objection were submitted to the Council during the initial consultation process in December 2019. A further 16 letters were submitted following a 14-day re-consultation (including 6 from households which had not previously objected) in May 2021.
- 1.9 The original application for planning permission was made in December **2019**. Amendments were made by the appellant in May **2021**. The 14-day period to comment on the amendments was not long enough, as letters from the Council were not received by some complainants until several days into this timeframe.
- 1.10 The Planning Committee meeting was due to take place on the 14th of October 2021 at 7:00pm but was cancelled at 5:00pm on the same day. It was rescheduled and went ahead on Thursday 18th of November 2021, nearly **2 years after** the original application for planning permission. The extent of local interest was reflected at the committee meeting, with a large number of local residents being present to witness and/or participate in the meeting.

Grounds for Refusal

2.1 The Council's 6 reasons for refusal identify the following areas:

- Design & Type of Accommodation
- Road Safety
- Parking
- Heritage
- Loss of Family Dwellings & Gardens
- Loss of Sunlight to 1 Danson Mead

The response to each of these matters is shown below.

Design of Accommodation

- 3.1 The Council's first reason for refusal sets out conflict with London Plan Policies D1, D3 and D4; Core Strategy Policies CS01 and CS03 (corrected to CS07) and UDP Policies ENV39 and H3.
- 3.2 The original plans (shown at the Public Consultation, held by the developer in September 2019) showed only a 2-storey design and there was no mention of a basement or a partial 3-storey section. This means that those who attended the consultation were not being consulted truthfully as the plans that were submitted in December 2019 showed a completely different design.
- 3.3 The bulk and height of the proposal is inappropriate. We are led to believe that parts of the design have a flat roof, not in keeping with the other pitched roof buildings surrounding the site.
- 3.4 There has never been any basement excavation permitted along Danson Road. It is unknown what the effects of this will be on the surrounding properties and the area as a whole.
- 3.5 Although an architect has been commissioned to create the plans, the height and bulk of the proposed building is not in keeping with those in the surrounding area.
- 3.6 The proposed design sees a 3-storey frontage to the property. This is not in keeping with the other houses in the area, which are all 2-storey, with the exception of Crook Log leisure centre, to the North (which is equivalent to three storeys or greater) and which is set back and screened from the main road by a line of well-established trees. It is not directly visible from Danson Road and its 2-storey family dwellings.
- 3.7 UDP Policy H3 requires that developments in primarily residential areas are compatible with the character and appearance of their surroundings. Again, this development is not compatible with the character and appearance of its surroundings.
- 3.8 The development will see the creation of 32 bedrooms to the rear of the property, along the existing hedge line between the property and the park (8 bedrooms on the lower ground floor, 12 bedrooms on the ground floor and 12 bedrooms on the first floor). There are concerns that if planning permission is granted then retrospective planning permission will

be sought by the developer to build on the other 8 bedrooms on the lower ground floor to mirror those along the hedge line. Resulting in the creation of another 24 bedrooms. This will directly affect the privacy of the residents of 10 Danson Road, other neighbours and the care home residents.

- 3.9 Whilst it is understood that each application for planning permission is considered on its own merits previous refusals for multiple storey developments along the full length of Danson Road have been numerous.
- 3.10 The concept of the proposal does not reflect the local character. Due to the nature of the scheme the layout, height, bulk and scale is not a continuation of the residential street scene. It will be overbearing and not be a move away from institutional connotations as suggested. Creating accommodation for 70 high dependency older people with Dementia and end of life care needs into such a small space is unthinkable and is most definitely a move back to institutionalism, which is not recommended by healthcare professionals.
- 3.11 Policy CS07 sets out that the vision for the Welling geographic region will be achieved by ensuring that the heritage assets and areas that are characterised by mainly semi-detached and detached family housing are retained and, where possible, improved, including the surrounding environment, and that new development is in keeping with the local and historic character of these areas. This development meets none of these requirements.

Type of Accommodation

- 4.1 The report to the Planning Committee sees a statement on Housing which states that:

*'Bexley's Strategic Housing Market Assessment 2020 suggests that the vast majority of people want to remain in their own home with support when needed. The SHMA shows there is a need for affordable specialist older persons accommodation where people can live independently but **there is exceptionally low demand for additional residential care homes in the borough.***

This re-enforces that there is not a need for this type of development.

- 4.2 The type of accommodation suggested by the developer is inappropriate for the location. A care home of this type (for residents with dementia and end of life care) should not see the creation of bedroom windows overlooking a public park.
- Privacy for both residents and park users will be compromised.
 - Often people with dementia are not able to protect their own privacy and/or dignity and this will be compromised if their bedrooms are facing a public footpath.
 - There will be no benefit to the care home residents of being situated next to a park, as the type of care provision suggested by the developer will not see them being able to enjoy it, as many will be at the end of their lives.
- 4.3 The construction of 16 bedrooms situated in a basement is unacceptable for a care home and will certainly not be appropriate for residents with dementia. Dementia friendly environments should support good orientation and have access to light and fresh air. This is well documented (Social Care Institute for Excellence). Even with the provision of the proposed courtyard there will be insufficient light, especially during the winter months.

4.4 There is a current issue with staffing care homes. There is a shortage of qualified care staff and this will be an issue if the development is permitted.

4.5 The Kings Fund produced a report in November 2021 ***'Why social care is losing the generation game' in recruitment*** and considered the pathway into care work for young people. Within it states that:

'In 2020/21 there were around 105,000 vacancies in care homes at any one time, with a staff turnover of 34.4%'

These figures did not include the need to recruit a further 490,000 care workers to respond to increasing demand from an ageing population (but with more working age adults with disabilities who might have been employed in such roles).

4.6 Another report from Skills for Care in October 2021 ***'The state of Adult Social Care sector and workforce in England'*** states that:

'Vacancies are now at higher than pre-pandemic (8.2% compared to 8% pre pandemic)

Sickness rates are higher. Average 9.5 days in past 12 months compared to 5.1 days pre pandemic.

In the first four months on 2019, 5.2% of new starters into care work were from outside of the UK. In the first 4 months of 2021 that was down to 1.8%. Brexit and the restrictions on free movement have impacted significantly on this sector.

Vacancy rates dropped during pandemic as demand for work was increased. Since the employment market has reopened post pandemic (since May 2021) vacancy rates has steadily risen. As of August 2021, vacancy rates are above that of pre pandemic.'

4.7 The appellants stated number of required staff has been considerably underestimated. The best practice for staff based on the number of beds and the needs of people with dementia should be based on completion of a dependency calculator, that looks at the needs of each resident, and then calculates the amount of staff required to meet those physical needs. Therefore, the appellant is unable to estimate the number of staff needed.

4.8 The developers main focus should be the safety of its residents. Currently, of the 14 homes it runs, 2 are overall rated as requiring improvement, the remaining 12 are rated good overall based on the Care Quality Commission rating system (Safe, Effective, Caring, Responsive, Well led), but some have a poor rating on Safe.

4.9 Staffing is key to safety and in the current climate staffing is a real challenge and without that, if this development goes ahead, the applicant would knowingly be putting residents at risk. The local authority are responsible for the safety and care of residents of care homes in the borough.

4.10 Of additional concern is the appellants Community Involvement document, which states that they undertook *'an extensive public engagement exercise'*, details of which are outlined in their *Statement of Community Involvement* document. They claim that the exercise highlighted both local concerns to the proposed development as well as *'quite considerable support'*. On closer inspection, although the document cites that the plans were *'generally*

well received', the comments included in the document show that they were not and highlight many of the concerns that the Planning Committee rejected this application on.

4.11 The appellant also states in the same document that:

"Effective and genuine community consultation has been of great importance to the Applicant and engagement will continue throughout the post-submission phase."

There has been **no engagement** with the community from the applicant during the post-submission phase.

Section 4.4 of the Statement of the Community Involvement states that:

"The first phase of consultation took place in June 2019 and involved door-to-door engagement with local residents. Curtin&Co conducted two iPad canvassing sessions going door-to-door to seek views and establish whether there was a need more older care facilities and if local residents would benefit by such a scheme."

However, the survey shows that 111 local residents (of 85 households shown on the map included in the document) were consulted. **None** of the residents of Danson Mead or Parkview Road were consulted. Only **18** of the **135** households on Danson Road were asked. The vast majority asked do not reside in the area immediately around or near to the proposed site.

Road Safety

- 5.1 Objections raised by residents and ward councillors centre heavily around road safety concerns.
- 5.2 Although the Highway Authority did initially raise some objections to the proposals prior to the case being referred to the Planning Committee and requested additional assessment and justification of the proposed access arrangements and its impact on the local highway network. They were withdrawn after extensive discussions with the appellant. These discussions led to amendments in the proposed entry and exit points. These included keep clear markings in Danson Road at the proposed entrance to facilitate ease of access and a kerbing configuration at the exit to encourage vehicles to turn left onto Danson Road rather than undertake potentially hazardous right turning manoeuvres across frequently stationary and/or slow-moving traffic at a location where motorcycles and cyclists sometimes overtake using the opposing traffic lane.
- 5.3 These amended access arrangements are unenforceable and will not prevent drivers making right turns. The planning committee and residents are concerned that drivers would have no easy options when exiting the site and be faced with very convoluted routes, involving additional turning manoeuvres, mileage, and the use of residential access roads.
- 5.4 The appeal site lies on the western side of A221 Danson Road a short distance to the south of the traffic signal-controlled junction with A207 Crook Log and A207 Park View Road, which are all classified roads and designated as London Distributor Roads within the Council's Unitary Development Plan (UDP) road hierarchy.

The UDP states:

*“London Distributor Roads (Type 1) are the most important traffic roads except for the Strategic Roads (the A2 and A20 in Bexley). Where access to London Distributor Roads is required, **an assessment of the impact of generated traffic from a development on that London Distributor Road should be carried out.** This will assist in determining the viability of the road network to cater for the additional traffic as well as the type of junction necessary between the London Distributor Road and the development access.”*

The appellant and the LPA are asked to provide evidence of the assessment on the impact of generated traffic that has been carried out.

- 5.5 The Highways Technical note was created in March 2021 after a meeting with the LPA in February 2021.

It is to be noted that the entire country was under strict travel restrictions at this time, due to Covid-19, and non-essential travel was prohibited. This is apparent based on the figures stated in the Technical Note and is visible in the Highway’s Authority’s visual representations contained within their statement of case (which show very few or no cars on the road at the proposed development site).

- 5.6 Danson Road is one of the busiest Roads in the Borough and one of only 3 North/South routes. The sheer weight of traffic on a daily basis is astounding and has been grossly under reported by the applicant in their traffic survey, which suggests that there will be around 46 extra vehicle movements over a 12-hour period. Based on the number of care home residents (70), the number of staff, the deliveries, the visiting health care professionals, the ambulances, hearses and refuse collections this is not a realistic figure.
- 5.7 In reality, this road carries an extremely high typical daily flow of vehicle traffic approaching 30,000 vehicles over 12 hours per day (according to a Department of Transport survey just south of the appeal site in 2017) and traffic is split 50/50 in both directions. The junction is often blocked forcing traffic to a standstill. (See Appendix 3.)
- 5.8 Danson Road appears as number 3 on the Boroughs **‘Roads with Highest Road User Casualties’** list (as published in the London Borough of Bexley Local Implementation Plan 2019/20 – 2021/22). The first two being separate sections of the same road (the A2).

Between 2014 and 2016

- Danson Road - Park View Road to Lodge Lane saw 30 reported casualties
- Upper Wickham Lane to Danson Road saw 26 reported casualties
- Brampton Road - Crook Log to Okehampton Crescent saw 23 reported casualties

These statistics are published in the London Borough of Bexley Local Implementation Plan 2019/20 – 2021/22. However, the actual number of accidents is unknown and these figures are likely to be an underestimate as will only account for accidents that are reported, not all of which are.

- 5.9 According to CrashMap UK there have been 122 reported between 2017 and 2022 at the junction of Danson Road/Crook Log/Parkview Road.

- 5.10 According to Transport for London vehicle collision statistics there have been 31 vehicle collisions in the vicinity of the appeal site between February 2017 and February 2022 which resulted in 4 serious and 27 slight injuries. Of these accidents, 19 occurred close to the site.
- 5.11 The most relevant of these is a serious accident that occurred in April 2019 when a driver was emerging from a driveway at the site to turn right and a motorcyclist was travelling northbound on the offside of a static queue of traffic.
- 5.12 The development is too close to the, already very busy, junction and vehicles entering and exiting the proposed development site will disrupt the flow of traffic and cause delays and safety concerns at peak times. We are concerned about the short distance of the access from the Danson Road/Park View Road/Crook Log signal-controlled junction, and the adverse impact staff and visitors' vehicles entering the appeal site would have on other vehicles using the route.
- 5.13 There are at least four schools on the route (who have not been consulted about this development) and this raises massive concerns over road safety. At busy times vehicles often block the crossing and it is difficult for pedestrians to cross. This will be exacerbated by greater vehicle movement and an increase in the volume of traffic should this development go ahead.
- 5.14 As this is one of the only 3 North/South routes in the Borough, it is used frequently by the emergency services, who often struggle to travel to their destinations when using it. Vehicles often have to mount the pavement to move out of their way. Causing further issues of pedestrian safety. This development will further hinder the movement of the emergency services.
- 5.15 Since this application originally went in, in December 2019, Bexley has seen the opening of the Elizabeth Line which runs from Abbey Wood. This will see an increase in traffic as a greater number of people will be using this North/South vehicle route to access the new line.
- 5.16 This is a high pedestrian area are there are lots of elderly people, dog walkers and children, but no pedestrian refuges between Bean Road and the traffic light controlled junction at Crook Log.
- 5.17 Part of the pedestrian crossing sees the green man lasting 6 seconds. The council have acted to make the junction safer with the lines on the road but cannot change the timing in the green man. This does not give pedestrians sufficient time to cross the road, especially when the crossing is blocked by vehicles at busy times. (See Appendix 2.)
- 5.18 There are constant accidents at the traffic light-controlled junction, not all of which are reported to the police, and the street furniture is often damaged or knocked down completely. Examples of this can be seen in the appellant's own literature which shows the temporary red and white plastic barriers in place instead of the permanent metal barriers (Landscape and Visual Appraisal Danson Road Care Home document, page 4 (19_03072_FULM-12395_R01A_LANDSCAPE_AND_VISUAL_APPRAISAL-2445111.pdf)). Again, this compromises the safety of pedestrians waiting on the island in the centre of the road. These accidents are likely to increase with the rise in traffic movements on and off the proposed site – both during and after construction. (See Appendix 1.)

- 5.19 Danson Road does not currently support two lanes to allow traffic to turn in/out of the park at the main vehicle entrance and the removal of the right hand turn box (implemented a few years ago, when the road layout was changed to support the access to and from Bean Road) causes problems with traffic backing up down to the junction at Crook Log while vehicles are trying to turn into/out of the park.
- 5.20 Traffic often queues from the traffic signal-controlled junction at Crook Log past the entire appeal site frontage in both directions.
- 5.21 The developer is proposing a 'no right turn' mitigation strategy to try to stop the two lanes of traffic at the lights being blocked with vehicles waiting to turn right. Their strategy proposes that vehicles will either;
- exit the site at 2 Danson Road and turn left (towards Welling) then immediately left to cut down Danson Mead (already used as a cut through for cars trying to avoid queuing at the lights to go towards Bexleyheath) and then back onto Danson Road. This use of Danson Mead as a 'roundabout' is unacceptable and unsafe.

Or

- to exit at 2 Danson Road, block the first lane of traffic and turn right at the lights, along Crook Log, turn right onto Dallin Road, then onto Sidney Road/The Grove (also used as a rat run to avoid the lights at Crook Log) to get back onto Danson Road to turn towards the A2. This will result in more traffic along these, already heavily congested, side roads causing further issues with congestion and road safety.

Neither of the mitigation strategies are enforceable and are poorly thought out.

- 5.22 London Plan Policy T4 relates to the assessment and mitigation of transport impacts. It sets out at part C that where appropriate, adverse transport impacts will be required to be mitigated through measures including highway improvements. The appellant's suggested mitigations are ill thought out and unenforceable. LPP T4 states that development proposals should not increase road danger. This development, even with the proposed mitigations, will significantly increase road danger for both drivers and pedestrians.
- 5.23 Policy CS15 of the Core Strategy sets out the Council's objective to achieve an integrated and sustainable transport system. The policy primarily sets out the Council's plans for the improvement and expansion of public transport in the Borough. It confirms that the Council will make the most of existing transport infrastructure within the borough, which includes managing the existing highway network to ensure the free flow of traffic, improving the environment, in particular air quality, and promoting safety, health, and wellbeing. This proposal will impede traffic flow, have a detrimental effect on the environment and on air quality and will go against the strategy's aims of promoting safety, health and wellbeing.
- 5.24 UDP Policy T6 states that 'The Council will normally refuse any development proposals that would either cause local traffic flows to rise above the design flow for a road or would generate additional traffic on a road on which flows are already considered to exceed design flow.'

The Inspector is invited to visit the site during a peak period to witness the usual level of traffic flow.

Please can the Highway's Authority confirm whether Danson Road/Crook Log/Parkview Road are included in an improvement programme that would increase the design flows to a level capable of accepting the increased demands that this development would cause? The roads cannot be widened and already go from 1 to 2 lanes at various points. There is no way for the design of the roads to be altered to enable them to accept the increase in traffic demands.

- 5.25 About halfway along the appeal site frontage, towards the approach to the traffic signals, the road becomes two lanes creating dedicated lanes for both left and right turning vehicles.

Parking

- 6.1 The appeal site currently accommodates 4 semi-detached properties each with individual drives and off-street parking areas.
- 6.2 The appellant has stated that 17 car parking spaces will be provided at the front of the proposed development. This is totally insufficient compared to the number of beds, despite the cleverly worded, Transport Statement document (19_03072_FULM-190320-02_TRANSPORT_STATEMENT_-_PLANNING_ISSUE-2445248.pdf) which suggests that the residents are not permitted to own their own cars (no mention of visitors) and that staff will live locally or arrive by bicycle or public transport. These remarks are unfounded and cannot be proven.
- 6.3 The London Plan 6.48 states that 'Operational parking for maintenance, servicing and deliveries is required to enable a development to function. Some operational parking is likely to be required on site and should be included in the calculation of total parking supply'. There is little to no consideration given to operational parking facilities.
- 6.4 Bexley is one of the five worst London boroughs for public transport access, when measured in terms of public transport accessibility level (PTAL). Public transport connectivity in this area has a PTAL rating of 3. Danson Road has one bus route, the B14, (which is identified as one of the two lowest frequency routes in the Borough, as identified in the **Bexley Local Plan Transport Assessment 2021**) and runs twice an hour. Of the 36 bus routes in the Borough 4 run down Crook Log/Parkview Road.
- 6.5 The London Borough of Bexley's Local Implementation Plan states that: The population of Bexley is expected to increase by about 55,000 by 2040. The movement needs of the additional population is likely to add to pressure on the road network even with restrictive car parking provision for new developments, particularly in areas that will not directly benefit from identified strategic transport improvements. Car ownership in the borough is high with 76% of households having 1 or more cars available.' This means that there will be even more traffic on the roads and congestion and parking issues will be even worse.
- It also states that there should be 'sufficient parking available to ensure that development-related parking will not exacerbate existing on-street parking stress'
- 6.6 The lack of car parking provision on site will not encourage people to travel by public transport but will put immense pressure on the surrounding residential roads and cause congestion whilst visitors and staff look for alternative car parking spaces.

6.7 Danson Road will not allow for the introduction of a cycle lane as it is too narrow and goes from 2 to 3 lanes right outside the proposed development site.

6.8 As the care home operates a shift system there is likely to be additional parking demand during staff change over times which cannot be accommodated within the site.

6.9 The appellant states that:

'The majority of Danson Road has no parking restrictions, so on-street car parking does occur. At the southern end of Danson Road, the carriageway is subject to double (no waiting at any time) yellow line restrictions'.

However, there is nothing to stop Disabled Badge owners from parking on these double yellow lines should they wish to. This would cause havoc at the junction should a visitor decide to do this. This is a major risk to public safety. We regularly see vehicles parking on the pavement which means that pedestrians are often forced to walk in the road to get around these vehicles.

6.10 When there are football matches on at Welling United parking issues are highlighted as there is a lack of available parking.

6.11 On busy days there are very few parking spaces to be found in the roads surrounding the park. Especially during the summer months (April to September) when the Council charge people to use the car park in Danson Park. Or on Saturday mornings for the popular Park Run.

6.12 There are 175 spaces in Danson Park plus an extra 300 spaces in the overspill car park (which opens when necessary). These spaces are often quickly filled and then cars are forced to look for spaces in the surrounding roads.

6.13 Danson Park is also home to the Registry Office in Danson House and visitors park in the public car park. If there is a wedding (there can be multiple in one day) these spaces are quickly taken.

6.14 The recommended car park for the Red House (on Red House Lane) is also the one in Danson Park.

6.15 The Highways Authority Statement of Case states that overspill parking will occur in the surrounding residential streets, such as The Grove and Bean Road on the east side of Danson Road to the south of the site but does not mention Dallin Road, Sydney Road, North and South Close, Balcombe Close. Nor does it mention those roads to the North and West of the site including; Parkview Road, Danson Mead or the residential roads on the opposite side of Parkview Road such as Lewis Road, Bethal Road, South Gypsy, Granville Road which would adversely impact the amenity of residents living in those roads. Visitors are likely to use the carparking facilities at Crook Log Sports Centre as well if road spaces cannot be found. This then has a detrimental affect on air-quality and pollution due to excessive journey times.

6.16 Core Strategy Policy CS01 concerns achieving sustainable development and sets out a range of policy objectives including minimising the distances people need to travel. If this development is approved, we will see additional, unnecessary journeys being made due to the suggestions cited in the right turn mitigation strategy which states that visitors to the site will either be required to travel down Dallin Road and Sydney Road then The Grove or

by travelling down Danson Mead and back round along Park View Road to be able to gain access back onto Danson Road to access the South and the A2.

Heritage

7.1 Danson Park is a Grade II listed park. The entrance to which is of historical importance, this development would impose substantial harm on its setting.

7.2 It is clear that the appellant has tried to ignore the significance and contribution of the heritage assets of Danson Park and their contribution to the local character. Section D3 of the London Plan relates to form and layout including quality and character. Developments should:

“respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character”.

This development will be detrimental to the heritage assets and will significantly affect the street scene as it is proposed to be of a 3-storey nature, this will have a detrimental effect on the historic park gates at Crook Log.

7.3 It has been suggested by the appellant that the design is in keeping with the surrounding area. However, the proposed development will see the construction of a 2-storey building which would run along the length of the existing gardens alongside the main pedestrian route into Danson Park and along the boundary with Number 10 Danson Road.

7.4 Developments should also:

“provide spaces and buildings that maximise opportunities for urban greening to create attractive resilient places that can also help the management of surface water”.

Surface water is already a problem here due to poor maintenance of drains and loss of front gardens due to the introduction of hard surfacing to allow off street parking. To dig a basement, create a large roofed area and add more hard surface areas such as the courtyard will exacerbate potential drainage and flooding issues.

7.5 D4 of the London Plan deals with the delivery of good design and explains that applications should be supported by evidence to demonstrate that the proposed design meets the aims of the London Plan. The policy requires that designs are scrutinised by Borough planning, design and conservation officers. Has this been the case with this proposal? Where is the report from the conservation officer?

7.6 The Core Strategy mentions that developments ... “would not cause harm to heritage assets and the wider historic environment, and would not increase the risks of flooding”. We believe that this development would cause harm to heritage assets and increase the risk of rainfall/surface water run off due to;

- the site being situated on London Clay,
- the proposed excavation of a basement (which has not previously been allowed in this area so the risks aren't fully known)
- building upon existing gardens which currently allow for surface water to be absorbed into the ground, being replaced with a large building and hard surface courtyard.

- Bexley's Urban District Planning Policy ENV39 seeks to ensure that developments are of a high standard of design and layout, being compatible with the character of the surrounding area and not adversely affecting the street scene.

7.7 We believe that the design would not provide a meaningful contribution to the street scene and would harm the existing character and appearance of the locality. Especially as it will mean that 6 bedroom windows will be directly overlooking the main pedestrian path into the park.

7.8 The importance of the heritage of the area and the gates has been downplayed by the appellant as not being of any great significance. However, they are of **great** historical importance and the Park is often cited by the Council to be the 'Jewel in Bexley's Crown.'

The Historic England listing (mentioned in the Planning Committee notes) states:

'the Crook Log entrance was the main entrance to the municipal park and is marked by ornate iron railings and gates'

This entrance was opened in 1925 when the park was opened to the public and in 1929 the 'ornate iron gates' were installed and were opened by the Lord Mayor of London. (See Appendices 4 and 5.)

7.9 A report by English Heritage (The House and Park at Danson London Borough of Bexley - The anatomy of a Georgian suburban estate) states:

'The local authority has always valued the park. The first significant change during its tenure was the cutting of a new entrance on the line of Watling Street. This was marked by a new set of gates executed by a local firm (Edwards of Dartford) and made from beaten and wrought iron. Copper shields bearing the arms of Bexley UDC; the masonry is Portland stone artificially darkened. These were officially opened on 22 March 1929.'

It also notes that:

'...in official pronouncements, Danson Park was described as the primary amenity. The Record for 1929 (most of which was given over to a description of the new park gates) put it best, concluding that Danson Park was 'a magnificent defence against the remorseless advance of the Brick and Mortar Brigades from London'.'

These comments should not be undervalued as they form a large part of the Borough's history and Civic pride. (See Appendix 6.)

7.10 The Bexley Civic Society states in the notes to the Planning Committee that:

'Our overall position is that this development damages the visual amenity of the entrance to this historic park and is over development of the site.'

7.11 The Garden Trust have stated that:

'We object to this application, which will impose substantial harm on the setting of Danson Park, and in particular its historic main entrance and avenue, which are described in detail in the Historic England Register entry.'

Whilst we do not object to the principle of a new building following the current line along Danson Road. We do however categorically object to the proposed building that stretches along the Danson Park entrance drive into the park.

The proposal implies that it will offer an improvement on the current back garden buildings by drawing back from the hedge line, but clearly instead it replaces low key domestic buildings of a semi-temporary nature with a large and imposing permanent structure within the immediate setting of a nationally designated heritage asset.

Danson Park plays an important role in the local community not only as an open green amenity space but is a publicly owned and accessible heritage asset of national importance. It is quite extraordinary that the application's Design and Access Statement should present this proposal for a commercial private care home as 'another amenity for the residents of Danson Park', when in fact it has a substantially detrimental impact on the existing and fully public amenity.

The National Planning Policy Framework is clear that 'substantial harm to... Grade II registered parks or gardens should be exceptional' (NPPF paragraph 194) [of the 2019 NPPF which is now paragraph 200 of the NPPF 2021], and that impact on a park's setting constitutes harm.'

7.12 Paragraph 199 of the NPPF explains that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 202 then explains that where a development would lead to less than substantial harm then that harm should be weighed against the public benefits of the proposal. There are no public benefits to this proposal. The appellant is invited to provide these.

7.13 The Heritage Statement has been commissioned by the Appellant and is not, in our opinion, impartial. The LPA have used this statement as evidence rather than commission their own heritage report.

7.14 The appellant's Heritage Statement says:

*'However, perhaps due to the width of the entrance space (some 28m at the gates) and the presence of the hedges, **the flanks of the houses do not visually intrude.**'*

The construction of a 70-bedroom facility will be at odds with this statement as the development will most definitely visually intrude on the experience pedestrians will have upon entering the site using this entrance.

It is also to be noted that 1 Danson Mead is one of the 4 lodge houses (North, South, East and West) that were built for use as residences for park employees. North Lodge was built in the 1920's and was used as site office during the development and construction of the Danson Park Estate (Danson Road and Danson Mead). Subsequently, North Lodge was used by the Park's Chief Superintendent, for the 'better performance of his duties'.

7.15 There is a covenant in place on the proposed site that clearly states the council will not permit any trade or business to be run from properties that fall under it. This is **not** a residential development as the appellant suggests, it is a commercial business enterprise not

“another amenity for the residents of Danson Park”. This has not been mentioned anywhere by the appellant or the LPA.

Loss of Family Dwellings & Gardens

8.1 The Bexley Core Strategy states that

‘the vision for the Welling geographic region (in which Danson Park sits) will be achieved by: ensuring that the heritage assets and areas that are characterised by mainly semi-detached and detached family housing are retained and, where possible, improved, including the surrounding environment, and that new development is in keeping with the local and historic character of these areas.’

This proposed development would see the loss of 4 family dwellings and gardens and it would not be an improvement to over develop the site to create a large 70-bed property.

The potential harm referred to in the London Plan policy is, in this instance, considered to be the loss of the four family dwellings. The benefits of the proposal do not outweigh the loss of these properties.

8.2 There is an Article 4 direction (A4D) applied to this area (to include 2-8 Danson Road) that allows the Council to ‘remove permitted development rights including changes of use from an area or a particular property in certain limited situations where it is necessary to protect local amenity or the wellbeing of an area’. It is our opinion that this is one of those situations and that the council need to protect the local amenity and the wellbeing of the area.

Loss of Sunlight and Overbearing Impact on 1 Danson Mead and 10 Danson Road

9.1 It is understood that the Council has chosen not to defend this reason for refusal.

9.2 The appellant has dismissed this point of refusal without due care, consideration or evidence and have stated that:

‘The Council’s final reason for refusal alleges harm to the occupants of no.1 Danson Mead arising from a loss of sunlight and an overbearing impact. This objection is unsupported by any evidence to indicate that there would be a loss of light and given the substantial separation provided between the proposed nursing home and the house and garden of no.1 Danson Mead, the Council is invited to withdraw this objection, which lacks any credibility.’

This statement is completely unfounded and lacks truth. The erection of a 2-storey building instead of an existing 2.5-metre-high hedge will most certainly have an overbearing impact on the property and on Nos 2 and 3 Danson Mead. As mentioned previously, the addition of 6-bedroom windows at second floor level, directly facing these properties and the park, confirms that.

9.3 The loss of sunlight and privacy to both properties has been played down by the council and the appellant. Light and shade diagrams have not been produced.

9.4 The appellant goes on to say that:

'If the Council does not withdraw this objection, then to further underscore its unreasonable nature, the appellant will consider the submission of shadow diagrams and a daylight and sunlight impact assessment to demonstrate conclusively that the development will not have any impact on the residents at no.1 Danson Mead. The appellant will then seek to reclaim this unnecessary and wasted expense as part of a future costs claim against the Council.'

Considering this statement, the appellant is invited to carry out the impact assessment and provide shadow diagrams to support their claims. It could be argued that they should have done these things already.

9.5 The proposed development will have a significant impact on the restriction of natural light to both No. 1 Danson Mead, especially during the winter months when the sun is lower in the sky.

9.6 Two of the three windows directly facing the development site from No. 1 Danson Mead are bedroom windows and are the only windows in this room.

9.7 The council's report to the planning committee states that *'it is not considered that it would be overbearing or introduce any unacceptable loss of privacy or overlooking.'* When in fact the introduction of 6-bedroom windows at first storey height would directly impact the privacy of No. 1 Danson Mead and the privacy of both care home residents and the privacy of the public entering the park.

9.8 The proposed development will cast a permanent shadow over the busy park entrance, particularly during the winter months. As a result of restricted sunlight, frost, snow and ice will remain for longer periods causing potential hazards for park users.

9.9 The appellants proposal to remove existing 2.5 metre high, established, trimmed hedging along the existing boundary is unnecessary. And to suggest that it is replaced by new hedging, which will be planted further into the park areas is unacceptable and will result in the loss of publicly owned parkland (encroachment). As well as loss of privacy whilst the suggested new hedge grows.

9.10 The potential effects on No. 10 Danson Road seem to have been overlooked during these proceedings. Number 10 Danson Road is over 100 years old and does not have deep foundations. Excavation of the basement could potentially cause damage to the property. Excavation of basements has not been permitted along this road, so it is not known what potential damage this could cause.

Additional Comments:

10.1 The application process has been weighted in favour of the developer. The usual timeframe for planning applications is 13 weeks – from submission to decision.

10.2 The original application for planning permission was made in December **2019**. Amendments were made by the appellant in May **2021**. The 14-day period to comment was not long enough as letters from the Council were not received by some complainants until several days into this timeframe.

- 10.3 The Planning Committee meeting was due to take place on the 14th of October 2021 at 7:00pm but was cancelled at 5:00pm on the same day. It was rescheduled and went ahead on Thursday 18th of November 2021, nearly **2 years after** the original application for planning permission. The extent of local interest was reflected at the Planning Committee meeting, with many local residents being present to witness and/or participate in the meeting.
- 10.4 The Leader of the Council does not support this development and neither do several Councillors – some of whom sat on the Planning Committee and strongly opposed this development. This strong sense of opposition was reflected at the Planning Committee meeting and resulted in their subsequent refusal to grant planning permission.
- 10.5 Those who addressed the Planning Committee (both for and against the development) no longer have their opinions and points of view on record as the recording is not available to view and the minutes which reflect the entirety of the meeting are only three pages long. This does not do justice to the amount of time the Committee spent discussing this application. The planning officer, Nicholas Trower, has been asked to provide a copy of this recording.
- 10.6 Air quality and noise levels will be affected immediately if the development is permitted to go ahead. The noise and dust levels during demolition and construction will see a huge rise. The need for site access for heavy vehicles and machinery will result in more extensive disruption to road users for the duration of the works as well as after completion as both vehicular access to, and parking at, the site are inadequate and insufficient, despite the proposed mitigation strategies, which are ill thought out and unenforceable. The increase in standing traffic caused by vehicles trying to enter/exit the site will have a massive impact on air pollution levels on this already extremely busy and heavily congested road.
- 10.7 The mitigations are not environmentally friendly and directly contravene the London Plan's objective to 'rapidly reduce emissions to limit the worst effects of the climate emergency' and 'achieve net zero carbon emissions by 2030.'
- 10.8 As we understand it if this development is approved the costs to the LPA will be considerable. We believe that whilst they are defending the Planning Committee's decision they are doing so out of obligation and are not doing it with conviction hence are failing to reflect the views of residents.
- 10.9 The Planning Committee's reasons for refusal are well founded and there are no other material considerations that outweigh the harm that would be caused by the appeal proposals should they go ahead.
- 10.10 Accordingly, we request the Inspector to dismiss the appeal.

Appendix 1

Figure 1 - Street Furniture Damage – Corner Barriers



Figure 2 - Street Furniture Damage – Central Refuge Damage/Missing Barriers



Figure 3 – Street Furniture Damage – Central Refuge Damage 2



Figure 4 – Central Refuge Severe Damage



Figure 5 – Vehicles on Pavement following collisions

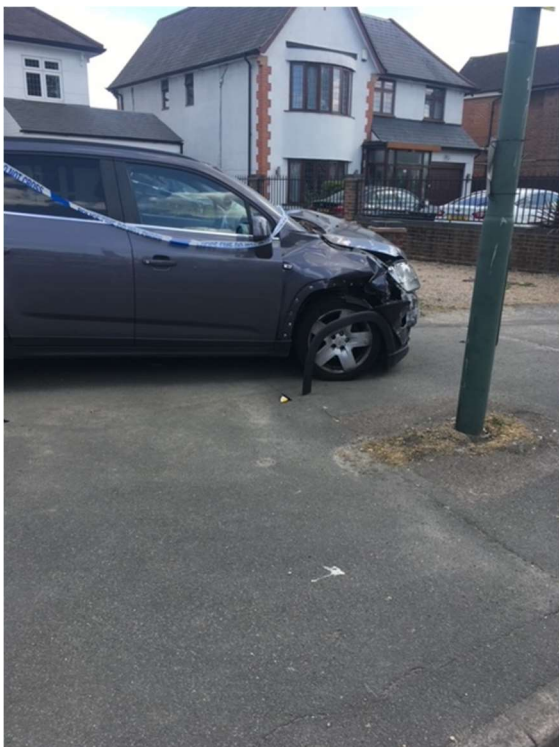
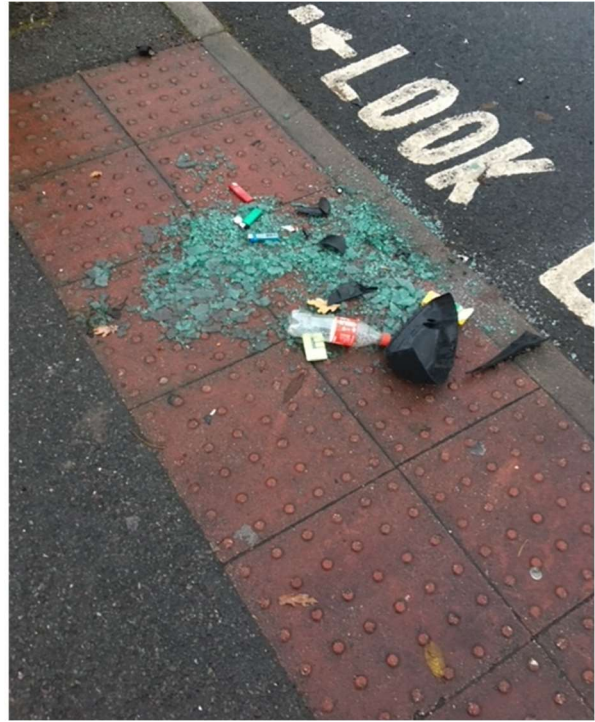


Figure 6 – Crash Debris – Central Refuge



Appendix 2

Figure 7 – Pedestrians Unable to Cross due to Blocked Junction



Appendix 3

Figure 8 – Blocked Junction Park View Road / Danson Road / Crook Log



Appendix 4

Figure 9 – Morris Wheeler Gates



Appendix 5

Figure 10 – Programme of Events March 1929

March, 1929. THE RECORD. Page

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FORMAL OPENING

BY THE

Rt. Hon. The Lord Mayor of London (Sir J. E. Kynaston Studd, O.B.E.)

OF THE

NEW GATES AT DANSON PARK

Presented by Mr. COUNCILLOR MORRIS WHEELER, J.P., Chairman, Bexley Urban District Council.

FRIDAY, MARCH 22nd, 1929.

ORDER OF PROCEEDINGS.

1.30 p.m. Park Gates closed to the public.

2.0 „ Danson Road between Crook Log and Bean Road closed to through traffic.

2.30 „ Musical Programme at Crook Log Entrance by Callender's Prize Band, who will also play on the bandstand on the east lawn from 3.15 to 4.45 p.m.

3.0 „ ARRIVAL OF THE RT. HON. THE LORD MAYOR, LADY KYNASTON STUDD, THE SHERIFFS AND THEIR LADIES, COUNCILLOR A. MORRIS WHEELER, J.P., MRS. MORRIS WHEELER AND PARTY, heralded by a Fanfare of Trumpets.

3.5 „ Presentation of Gold Souvenir Key to the Lord Mayor by Councillor Morris Wheeler.

3.10 „ Formal opening of the New Gates by the Lord Mayor, who will pass through, followed by the members of his party and the principal guests.

Inspection of the Guard of Honour, consisting of the Local Fire Brigades.
Presentation to the Lord Mayor of Chief Officer C. Covill, of the Bexleyheath Brigade, in recognition of his 49 years' work in the Voluntary Fire Service.

Procession along Gala Avenue to the Weather Vane, where Mr. E. G. Dixon will be formally thanked for his presentation to the district.

On arrival in the South Park—
The Lord Mayor, Sheriffs and Councillor A. Morris Wheeler will plant commemorative trees.

Mr. Councillor A. Morris Wheeler will propose a Vote of Thanks to the Lord Mayor, Lady Kynaston Studd and the Sheriffs.

Mr. Councillor W. S. Baxter, Chairman of the Parks and Pleasure Grounds Committee of the Bexley U.D.C., will second.

Response by the Rt. Hon. The Lord Mayor.

Mr. C. J. Wilson will propose a Vote of Thanks to Mr. Councillor Morris Wheeler for his Gift to the district.

Mr. C. Kershaw, C.C., of Old Bexley, will second.

Response by Mr. Councillor Morris Wheeler, J.P.

Inspection of the chief rooms of the Mansion by the Lord Mayor and Party, who will shortly afterwards leave for Hall Place prior to their return to London.

Tea for the Guests will follow in the Mansion.

The Guard of Honour, members of the Gala Committee, Boys' Brigades, Boy Scouts, Girl Guides, and helpers will be entertained to Tea in the Kiosk by Mr. and Mrs. Morris Wheeler.

Appendix 6

Figure 11 – Extract from The Record March 1929



Figure 12 – Extract from The Record March 1929

THE GATES.

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A DETAILED DESCRIPTION.

COMPETENT judges have spoken of the new Gates as one of the glories of Danson Park. They certainly are more than mere gates. They are ornaments and they are an example of skill and craftsmanship that shows that there is still existing a class of craftsman who takes a pride in his work, and who looks upon it as a labour of love. A most satisfactory feature is that the work was executed a few miles from where it now stands. The creator of the gates was Mr. G. Edwards, of Home Orchard, Hythe Street, Dartford, who has made a special study of this class of work from the early days of his apprenticeship. That he has made good use of his time and his opportunities, the product of his hands proves to the hilt.

There is a pair of central entrance gates, each 5ft. 9in. wide by 11ft. high. On either side, and supported by piers, are two hand gates, each 4ft. wide and 11ft. high. The whole of the ironwork in the gates and fencing is of best wrought iron, either square or rectangular in section, or beaten iron. All the members, panel work and scroll work, have been carried out by hand, and, as already stated, are splendid examples of iron-work craftsmanship. On the two central gates are copper shields, one bearing the letters "B.U.D.C." in monogram and the other the lion rampant of Kent carried out in oxydised bronze.

Special attention should be paid to the panels at the top of the gates. The Tudor roses, berries, leaves and scrolls are hammered out of solid wrought iron and forge welded together. This is an operation which required the greatest skill, as Nature had to be followed in every line.

Work such as this demanded a suitable setting, and this was given by carefully planning out the space available. The gates are centrally placed in symmetrical relationship with the drive and the main Dover Road, the width of the whole work, including gates and fence, being 126ft.

The gates and piers are set back to form a bay by two quadrant walls and fencing being brought forward 5ft. and then curved and extended each way south and west away from the gates as wing walls and fences, each wing wall and fence being

40ft. long. All the masonry in wing walls and piers is built of darkened artificial Portland stone, and the walls capped by a coping, the overall height being 3ft. The piers are 2ft. 3in. square and 2ft. square, and are distributed to carry the gates and to form a finish to the ends of the quadrants and the wing walls. The piers have a base 2ft. high, all the blocks being hammer dressed on the faces, the base being surmounted by a plinth in keeping with the coping to wing walls. Above the base plinth the piers are of plain artificial Portland stone with moulded and overhanging capping, the overall height of piers being 12ft. 6in. and 11ft. The whole of the artificial stone, including the coping and capping, was pre-cast and brought on to the site in blocks accurately prepared and ready for placing in position. The main piers carrying the gates are reinforced with round steel rods the full height of the piers, the reinforcement being bedded into the foundation concrete.

The Contractors for the stone-work were Messrs. Thomas & Edge, Builders and Contractors, Woolwich. The contractor for the gates and fencing, as already stated, was Mr. G. Edwards, Ornamental and General Smith, Home Orchard, Hythe Street, Dartford.

Mr. W. T. Howse, M.Inst.M. & C.E., Surveyor to the Bexley Council, was the honorary consulting architect, and much credit is due to him for the vast amount of thought and time he has given to the preparation of the plans and the oversight of the work.

THE GALA AVENUE.

The Gates open into the Park by what is the most popular of the various entrances, and leads on to Gala Avenue, newly planted as the result of a grant of £100 by the Bexleyheath Gala Committee from its surplus funds. Trees for the avenue have been selected by the Park Superintendent, Mr. H. Prentice, F.R.H.S., with the greatest care, and it is confidently anticipated that in time to come this long stretch of trees will form one of the finest features of the Park and neighbourhood.

THE BEXLEY AND DISTRICT CHAMBER OF COMMERCE.

For the information of our readers, we are asked to state that the Bexley and District Chamber of Commerce, which was formed in 1912 as the Bexley and District Traders' Association, is entirely non-political, and has consistently refrained from taking any part in local elections, although it has from time to time been urged so to do.

Rule 3 states: "The objects of the Chamber are to promote measures calculated to improve the general welfare and protect the Trading Interests of the District, and shall be entirely restricted to such objects."

Its record proves that these objects have been adhered to from the commencement to the present day.