

MAJOR APPLICATIONS

APPLICATION NO.: 19/03072/FULM

ADDRESS: 2, 4, 6 and 8 Danson Road, Bexleyheath, DA6 8HB

SUMMARY DESCRIPTION: 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.

APPLICANT: Carebase Ltd

SUMMARY

This is a planning application for the 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. The key issues to consider include the principle of the development- land use, impact on character and appearance of the area, impact on neighbouring amenity, quality of accommodation, highways and refuse, trees, environmental considerations, fire safety and response to representations

RECOMMENDATION

Grant planning permission subject to conditions and the entering into a Section 106 agreement.

REASONS FOR RECOMMENDATION

The proposed redevelopment to provide a 70-bed care home is considered to be acceptable in principle, design and impact on neighbour amenity. There are no highway or environmental issues sufficient to warrant refusal on highway grounds. There are also not any adverse impacts resulting from the scheme that would significantly outweigh the benefits of the scheme in providing 70 beds for dementia and end of life care.

NOTE

This summary is not intended to be a comprehensive review of all the issues in relation to this application.

SITE AND SURROUNDINGS

The application site is located on the western side of Danson Road the northern and western boundaries of the site bordering Danson Park, a Grade II Historic Park and Garden. The northern boundary abuts the entrance to the park.

The application site consists of two pairs of semi-detached properties, which would be demolished. Both pairs of semi-detached properties are set in a staggered line, with nos. 2/4 set some 8.4 metres further forward than nos. 6/8 Danson Road. Nos. 6/8 Danson Road are set some 2.6 metres behind no. 10 Danson Road. Both pairs of

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semi-detached properties have deep frontages and are set back from the public highway.

Across the wider street scene Danson Road consists of a mixture of detached and semi-detached properties of various design, scale and mass. All properties sit on reasonably large plots and all are set back from the public highway.

Designations

- London Distributor Road.
- Primarily Residential Use.
- Bexleyheath & Crayford Area of Archaeological Search.
- Borough wide Article 4 relating to HMOs.

PROPOSAL

This application seeks planning permission for the demolition of nos. 2-8 Danson Road and the erection of a part one, part two, part three storey building with basement in order to provide a 70 bedroom nursing home for high dependency residents with Dementia and end of life care needs (Use Class C2).

The proposed building would be set back from the public footpath by between 10 and 19 metres. The part of the building fronting Danson Road would be part two, part three storeys in height and would have a maximum height of approximately 11 metres.

The portion of the building running parallel with the main entrance to Danson Park would be two storey in nature with a height of approximately 8 metres.

In terms of floor layout each floor would contain the following:

Basement

- 16 bedrooms with a floor area of between 16 and 18sq.m and all with en-Suite bathrooms.
- A central garden courtyard.
- Nurse room.
- A treatment room.
- An assisted bathroom.
- Two day space areas.
- Utility cupboards.
- Staff changing rooms and showers.
- Food store.
- Kitchen.
- Laundry room.
- WC.
- Plant room.
- Private dining room.
- Comms room.

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Ground Floor

- 20 bedrooms with a floor area of between 16 and 18sq.m with en-suite bathrooms.
- Service lift.
- Private dining room.
- Cinema room.
- Salon.
- Day space.
- Dining room.
- Visitor WC.
- Reception.
- Managers/Admin Office
- Hoist room.
- Reading room.
- Orangery.

First Floor

- 25 bedrooms with a floor area of between 16 and 22sq.m with en-suite bathrooms.
- Assisted bathroom.
- Treatment room.
- Nurses room.
- Utility cupboards
- Private terraces.
- Writing rooms.
- WC

Second Floor

- 9 bedrooms with a floor area of between 16 and 22sq.m with en-suite bathrooms.
- Two day spaces.
- Nurse room.
- Treatment room.
- Utility cupboards.
- Assisted bathroom.
- Terrace.

To the rear there would be a sensory garden, a formal terrace, and a patio/small garden. The basement would include a courtyard garden. This would be predominantly hardstanding with some planting. Additional soft planting is proposed along the boundaries.

Seventeen (17) car parking spaces would be provided, and a refuse and recycling store would be situated in the northeast corner of the site. Bicycle parking for sixteen (16) bicycles would be provided.

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Approximately twenty-four (24) staff would be on site with the following working hours:

Daytime (7 days a week):

- 14 care staff (nurses and carers) (7am to 7pm)
- Housekeeping team x 3 (8am to 4pm)
- Chef (8am to 4pm)
- Kitchen assistant (8am to 8pm)
- Lifestyle Co-ordinator (9am to 5pm)
- Administrator/weekend receptionist (9am to 5pm)

Daytime (Mon – Fri only):

- Manager (9am to 5pm)
- Deputy (9am to 5pm)
- Maintenance (9am to 5pm)

Night time (7 days a week):

- 7 care staff (nurses and carers) (7pm to 7am)
- Deliveries tend to be in the mornings (food, medical supplies etc), and usually only Monday to Friday.

As part of the service a GP will be retained by the applicant for the development.

CONSULTATIONS

Highway Authority

The proposal site lies on the western side of Danson Road a short distance to the south of the traffic signal-controlled junction with Crook Log and Park View Road, which are all classified roads and designated as London Distributor Roads within the Council's Unitary Development Plan (UDP) road hierarchy. On street car parking is controlled by yellow line waiting restrictions that operate between 8am and 6.30pm Monday to Saturday. The site has a PTAL of 3-4 (Moderate-Good) with 9 bus routes within the specified walking distances for PTAL calculation.

The Highway Authority considers all possible material highway impacts have been fully assessed and found to be acceptable and therefore has no objections subject to the imposition of conditions.

Environmental Health

The applicant has submitted a Noise Assessment of the proposals undertaken by a specialist acoustic consultant. Subject to the implementation of measures in the Noise report and conditions relating to demolition and construction, no objections from EH.

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Housing

Bexley's Strategic Housing Market Assessment 2020 suggests 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.

Drainage

A flood risk assessment has been provided for this site. The site lies in flood zone 1 and is deemed acceptable development for the vulnerability type.

No objections raised subject to a condition requiring further details relating to run off rates and volumes of water being reused on site particularly given the limited outdoor space for gardening.

Parks and Open Space/Trees

No objections, subject to conditions.

Land Contamination

No objections subject to a condition for a watching brief.

Refuse

As refuse will be collected privately, no objection is raised.

NHS London Healthy Urban Development Unit

A contribution of £130,235 is required in order to mitigate the pressures of the development may have on the NHS.

NHS Bexley CCG

NHS Bexley CCG would like to develop an extra care offer for older people in the borough, rather than have more residential and nursing homes. An assessment of the comments are made in the main body of the report.

Thames Water

Waste comments

Thames Water would advise that with regard to foul water sewage network infrastructure capacity, we would not have any objection to the above application based on the information provided.

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With regard to surface water network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

Water comments

The proposed development is located within 15m of a strategic water main. Thames Water request that a piling condition be added to any planning permission. With regard to water network and water treatment infrastructure capacity, there would not be any objection.

London Fire Brigade

An undertaking should be given that, access for fire appliances as required by Part B5 of the current Building Regulations Approved Document and adequate water supplies for fire fighting purposes, will be provided.

This is without prejudice to any requirements or recommendations that may be made by the Authority under the Regulatory Reform (Fire Safety) Order 2005/Petroleum (Consolidation) Act 1928, the local authority or the Health and Safety Executive.

Met Police

The development as a whole has been carefully planned so that it takes due account of recognised good practice relating to its overall design and relationship to the outside. All parking areas will be overlooked with windows from the elderly home. There will be appropriate internal security measures with window locks and doors appropriately alarmed throughout. Blank corners or blind spots are avoided wherever possible.

Some issues have been raised with regard to the proposed boundary fence needing to be security rated and keypads being possibly broken. A Secured by Design condition is requested.

Greater London Archaeology Advisory Service

The application documentation includes an archaeological desk-based assessment report dated December 2019 by Archaeology Collective in respect of the above site. The report identifies that the main focus of potential is with Roman archaeology given the proximity of the site to Watling Street, a Roman road. Given the evidence available, it is concluded that given the medium potential for archaeology to be present that the on-going interest can be secured by condition.

The development could cause harm to archaeological remains. However, the significance of the asset and scale of harm to it is such that the effect can be managed using a planning condition.

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Garden Trust

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.

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 key features 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 as 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.

REPRESENTATIONS

The original neighbour notification period consisted of neighbour letters with a response period between 22 January 2020 and 12 February 2020. A site notice was posted on 29 January 2020 giving 21 days notification. The application was advertised in the News Shopper, which was published on 29 January 2020. A total of 34 objections were received as part of this initial consultation exercise.

A 14 day neighbour re-notification period was undertaken between 24 April 2021 and 7 May 2021. All neighbours who had originally been notified were notified again. Additionally, all those who had objected previously but had not been notified via letter originally were notified. A total of 16 objections were received as part of this re-consultation exercise including 6 from new objectors.

Overall a total 40 letters of objection from individual households were received as part of the neighbour consultation exercise. Comments made can be summarised as follows:

- There is a housing shortage and this proposal results in the loss of four family homes. There is no obvious reason for this location.

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- The development is not appropriate in this residential area. Danson road, Bean Road, Danson Mead fall within the Bean Estate and are covered by the Bean Estate that does not allow commercial business development. Danson Road was given a planning restriction of proposed redevelopment this falls well outside those restriction - how has this application got this far???
- Overdevelopment of the site, out of character with its surroundings.
- The Council has prevented rear extensions in Danson Road, how is this allowed?
- The development is an eyesore.
- The development does not offer enough rooms for local residents- it should all be for locals.
- Impact on local GP services.
- Loss of amenity- Daylight, Sunlight, Privacy, Outlook, odours, poor air quality (pollution) and Noise disturbance (from the construction and future use).
- Detrimental impact on Danson Park and wildlife. The proposal results in the loss of access to Danson Park at this end.
- The development will set a precedent for flatted developments and businesses.
- Impact on highways- This is a very busy road and there have been many accidents particularly at the traffic light junction to the north which is a blackspot. The development will increase the risk of accidents. The no right hand turn measures cannot be enforced and are insufficient. There are a number of schools nearby as well which already affect the highway. Reducing the number off access from four to two will not help given the proposed use. Other development on Danson Road have been refused because of access and egress onto Danson Road.
- Not enough parking provided for visitors, staff or deliveries.
- Danson Road is used by emergency services and this development will hinder those services.
- The basement will increase the risk of flooding in the area.
- The bin location to the front will be unpleasant.
- There are already enough care homes in the borough.
- The development would not necessarily free up homes.
- Is the applicants resident survey accurate? Has it been checked?
- Impact on property values.

Cllr O'Neill has objected to this application stating:

"I would like to record my continued concerns about this application. I do recognise that Carebase have made changes to the initial plans resulting from their conversations/consultation & that the consultation showed that local residents thought there was a need for such a resource.

My concerns are;

- *that family housing is being replaced the build on the footprint will be*

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- more dense than the current houses that it's hard to imagine that the vehicle movements will be in the same in number as those for the existing houses despite the reduction of crossovers.*
- *that the traffic on Danson Road at the junction is generally already very busy*
 - *The no right hand turn into Danson Road will be difficult to police &*
 - *that the parking on the site will be sufficient for both employees & visitors despite assurances being given."*
 - *Extreme concern about the disruption caused by demolition (especially excavation of a basement) & the traffic movements as a result thereof.*
 - *Concern about the excavation & impact on surrounding area given I understand there are no other excavated areas.*
 - *Whether the construction is compliant with the Local Plan in that area.*

Cllr Camsey has objected to this application stating:

It is very clear that this development would cause numerous problems being so near to a very busy junction, namely:

- *although the number of entrances will be reduced, nevertheless there will be increased vehicle access such as visitors, staff, medical support, ambulances.*
- *the traffic currently is very busy with tailbacks already occurring down Danson Road for some considerable distance. This would be increased.*
- *it is a bus route and increased traffic will have impact on timetables, affecting other road users.*
- *there is no guarantee that visitors leaving the site would observe the 'no right turn' further adding to tailbacks in both directions and road safety.*
- *there will be insufficient parking on site impacting on surrounding roads. Danson Park is very popular with residents, particularly during the summer months, and there is already huge pressure on Danson Road and surrounding roads as there is little parking within the Park boundary and this is already used by visitors to Danson House or The Stables restaurant.*
- *the remainder of Danson Road consists of family housing and this development would be out of character.*

Whilst I appreciate that the application will be determined on Planning grounds, I wish my concerns to be recorded."

Cllr Betts objected to this application stating:

- *This is a totally inappropriate development for this busy Junction site. The extra traffic that will be generated by staff and visitors to this 70 bed home could be as many as 30 to 40 times more than the current traffic movements.*
- *The junction here is already very congested being one of only 3 north/south routes in the Borough. Even if the development were to be on just the present footprint it would create movement problems with traffic here.*

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- *The character of this area is defined by larger family properties and we should do all we can to retain this. This proposal will also have a huge visual impact on one of London's most prized public parks and the Council has a responsibility to protect Danson Park from any threat such as this unwelcome and unwanted development."*

The Bexley Civic Society has objected to this application stating:

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

It is quite ridiculous to suggest that this is sufficient for staff, deliveries of food, laundry etc, rubbish collection, plus minibuses for outings, visiting medical and personal care staff. The additional traffic caused by visitors failing to get parked and having to trawl local roads in ever widening circles has been ignored in all the figures.

Support

As part of this application the applicants have submitted their own public questionnaires. 41 surveys have been submitted which support this application. The developer has also submitted a Statement of Community involvement which shows a public exhibition, meetings with ward members and canvassing (of 111 residents living around the application site) occurred.

The results of the public engagement show that there is support for this application. 56% either agree or strongly agree that there is the need for high-quality care homes for the elderly in Bexley and overall, 53% either agree or strongly agree that this proposal should be supported.

RELEVANT PLANNING HISTORY

There is no planning history relevant to this application.

PLANNING POLICIES

Development Plan

London Plan (2021)

GG1: Building strong and inclusive communities.

GG2: Making the best use of land.

D1: London's form, character and capacity for growth.

D3: Optimising site capacity through the design-led approach.

D4: Delivering good design.

D5: Inclusive design.

D7: Accessible housing.

D12: Fire Safety.

D14: Noise.

H8: Loss of existing housing and estate redevelopment.

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H13: Specialist Older Persons Housing.
S1: Developing London's social infrastructure.
S2: Health and social care facilities.
SI1: Improving air quality.
SI2: Minimising greenhouse gas emissions.
SI4: Managing heat risk.
SI5: Water infrastructure.
SI13: Sustainable drainage.
T1: Strategic approach to transport.
T4: Assessing and mitigating transport impacts.
T5: Cycling.
T6: Car Parking

Core Strategy (2012)

CS01: Achieving Sustainable Development.
CS07: Welling Geographic Region.
CS08: Adapting to and Mitigating the Effects of Climate Change.
CS10: Housing Need.
CS13: Access to Jobs.
CS15: Achieving an integrated and sustainable transport system
CS16: Reducing the need to travel and the impact of travel.
CS17: Green Infrastructure.
CS18: Biodiversity and geology
CS19: Heritage and Archaeology
CS21: Supporting Community Infrastructure and Services.

Unitary Development Plan (2004) (saved policies)

G15: Areas for primarily residential use.
G17: Sustainable transport
ENV35: Trees and hedges- planting, protection and retention.
ENV39: Built Environment.
H3: Character of Local Residential Area.
T1: Applications for Major Developments- travel plans.
T2- Applications for Major Developments- full transport assessments
COM4- Health Care Facilities

Other Material Considerations

NPPF (2021).-Paragraph 62 notes the importance of delivering homes for different groups in the community, including older people, who are in need of care. 'Older people' are defined in the NPPF as 'people over or approaching retirement age, including the active, newly-retired through to the very frail elderly; and whose housing needs can encompass accessible, adaptable general needs housing through the full range of retirement and specialised housing for those with support or care needs'.

Bexley's Strategic Housing Market Assessment (2020).

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Bexley Drainage Design and Evaluation Guide (2018).

ASSESSMENT

The key issues to consider are:

- Principle of the development- Land Use,
- Impact on character and appearance of the area,
- Impact on neighbouring amenity,
- Quality of Accommodation,
- Highways and Refuse,
- Archaeology,
- Trees,
- Environmental Considerations,
- Fire Safety,
- Other issues and Response to representations

Principle of the development- Land Use

Loss of residential dwellings (Use Class C3) and Redevelopment to provide a care home (Use Class C2)

The application site is located within an area designated for Primarily Residential Use.

Policy H8 of the London Plan (2021) seeks to protect existing housing from being lost unless it is replaced with new housing at existing or higher densities. In this instance the proposed development would see the loss of four family dwelling houses to be replaced with a 70 bedroom care home for those with dementia and needing end of life care.

London Plan Policy is largely silent specifically on the principle of such uses. Similarly, there are no policies within either the adopted Unitary Development Plan and/or the Council's Core Strategy which specifically deals with Care Homes/ Nursing Homes.

The NPPF is clear that where there are no relevant development plan policies, permission should be granted unless:

- the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Whilst there is no policy directly related to care home provision, the supporting text of Policy H13 of the London Plan (2021) recognises that care home accommodation is an important element of the suite of accommodation options for older Londoners and this should be recognised by boroughs and applicants. There is an emphasis on providing

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Care Quality Commission rated Good or Outstanding care home beds is growing at around 3,525 bed spaces a year in London and provision of dementia-capable bed spaces at a rate of 2,430 places a year.

Paragraph 4.13.13 of the London Plan (2021) states that *“Dementia does not just affect older people; however, the total number of older people with dementia in London is forecast to rise from 73,825 in 2017 to 96,939 in 2029, an increase of 31 per cent. Methods of offering support for people with dementia have improved in recent years, as have accommodation options. There is currently no clear evidence identifying the best method of provision of dementia care or accommodation, and it is likely that a range of solutions will continue to develop. Boroughs should consider the need for accommodation for people with dementia within specialist older persons housing developments.”*

Paragraph 4.13.14 of the London Plan (2021) states that *“Care home accommodation (C2) is an important element of the suite of accommodation options for older Londoners and this should be recognised by boroughs and applicants. To meet the predicted increase in demand for care home beds to 2029, London needs to provide an average of 867 care home beds a year. The provision of Care Quality Commission rated Good or Outstanding care home beds is growing at around 3,525 bed-spaces a year in London and provision of dementia-capable bed spaces at a rate of 2,430 places a year. If the rates of supply and demand remain constant it should be possible to meet potential demand for both care home beds and dementia care home beds.”*

As a result of the above the Council is required to provide 145 bedrooms for specialist older persons housing per annum between 2017-2029 (table 4.3 of the London Plan 2021). Given the number of rooms proposed this development would provide nearly half (48%) of the borough's yearly requirement in one go.

As part of this application the applicants have submitted a demographic needs analysis. Within the London Borough of Bexley, the report states that there are a total of 22 Care/Nursing homes which provide a total 1,335 beds and that based on the national trends it is considered that there will be a deficit of 661 bedrooms by 2028.

The report states that within Bexley it is estimated that there are 2,654 people aged 65 or over living with dementia and this is expected to rise to 4,659 over the next 20 years (an increase of 75%).

The Council's Housing department have reviewed this proposal and state that the Council's Strategic Housing Market Assessment, 2020 (SHMA (2020) suggests that the vast majority of people want to remain in their own home with support when needed and therefore there is low demand for residential care homes in the borough. This conclusion is based on the results of the 2018 Householder Survey.

The SHMA also sets out at table 7.22 that it is estimated that the number of residents living with dementia stood at 3,041 in 2017 and by 2035 would stand at 4,659 (an increase of 53%). Over the same period, it is estimated that residentials with early onset dementia will increase by 43 from 122 to 165.

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The SMHA (2020) also suggests that currently there are approx. 3,674 units of specialist older person accommodation including around 1,186 units of residential care (use class C2) dwellings. Analysis of demographic change would suggest a need for an additional 43 residential care (use class C2) units and 1,008 additional units of specialist older person residential (use class C3) units to 2036. The report concludes that there needs to be a broader housing offer for older people across the Borough and this includes the need for “*accommodation which is sensitive to the needs of those with dementia and early onset dementia.*”

Taking the above into account and balancing the loss of 4 single dwellings against the provision of a 70 bed care home for end of life and dementia, it is considered that the proposed use would be acceptable in principle. This is subject to detailed analysis regarding the proposals impact on Danson Park, Danson House and Danson Stables and no adverse impacts that would significantly and demonstrably outweigh the benefit.

Impact on character and appearance of the area

Impact on the Historic Environment

Paragraph 194 of the NPPF (2021) states that in determining planning applications, that LPA's should require an applicant/agent to describe the significance of any heritage assets which would be affected, including that of any contribution made by their setting. Paragraph 194 follows on to state that the level of detail included should be proportionate to an asset's importance and no more than is sufficient to understand the potential impact of a proposal upon significance. The framework suggests that as a minimum, the relevant historic environment record should be consulted. A Heritage Statement has been submitted in support of this planning application prepared by Architectural Management dated August 2019.

Paragraph 199 of the NPPF states that when considering the impact of a proposed development upon a significance of a designated heritage asset, that great weight should be given to the asset's conservation. The consideration of these impacts is irrespective of whether any potential harm amounts to either substantial harm, total loss or less than substantial harm to an asset's significance.

The application site borders Danson Park and is directly adjacent to the main entrance of the park in the northeast corner at the junction of Danson Road/Crook Log/Park View Road. Danson Park is designated as a Grade II Registered Park and Garden. Within the park is also Danson House and Danson Stables which are Grade I and Grade II Listed Buildings respectively. Danson House is located some 364 metres to the southwest of the application site with Danson Stable some 334 metres to the southwest of the application site.

The Historic England Register entry states-

Danson Park lies to the north of the A2 trunk road, East Rochester Way, between Welling to the north-west and Bexleyheath to the east. Suburban housing almost entirely encloses the site, with the A221, Danson Road

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providing the eastern boundary, Danson Mead and Parkview Road the northern boundary, and Radnor Avenue and a footpath to the rear of houses in Merlin Road the west boundary.

The c 74ha site, enclosed within C20 walls and railings, is relatively flat, sloping moderately to the south with The Mansion located on a ridge of high ground that runs east/west through the site, this ridge effectively dividing the park into two halves. A valley which runs east/west across the southern part of the site was infilled by a lake behind an artificial dam. The height of the earth bank at the dam shows the significant depth of the valley. The land rises southwards in a ridge beyond the lake.

ENTRANCES AND APPROACHES- *The main entrance to the site is from Danson Road to the east and follows the line of the drive remodelled c 1897 (OS). The new drive is shown crossing parkland before terminating at a turning circle on the north front of The Mansion. At the same time the access drives to the north front were realigned so that they focused around the turning circle rather than as previously, on the front steps. The main entrance drive today (1997) has mown grass borders and C20 trees and shrubs planted at intervals along its length; it is screened from the C18/C19 parkland by clipped hedges. It passes c 40m to the north of The Mansion, with the Old English Garden to the north and the turning circle to the south, and continues c 500m north-west past, to the north, the C19 stable block (listed grade II*), before terminating at the Danson Lane Gate. On the east side of the Old English Garden a drive, now a tarmac footpath, passes through former parkland and connects the C20 Crook Log entrance with the main drive. This was the main entrance to the municipal park and is marked by ornate iron railings and gates.*

PRINCIPAL BUILDING- *The Mansion (listed grade I) stands on high ground with fine views out over falling ground to the south. It was built from c 1762 for John Boyd by Sir Robert Taylor and was originally called Danson Hill. The Mansion was completed by 1770 with some of the interiors having been designed by Sir William Chambers. The house is of Portland stone and has three storeys, a piano-nobile, and a half storey above a rusticated stone basement. The principal apartments are on the first floor. The walls are rendered and the roofs low and slated. The entrance is on the north side, up a grand flight of nineteen wide steps to a balcony as wide as the projected pedimented centre.*

GARDENS AND PLEASURE GROUNDS- *To the north of the entrance drive, opposite The Mansion, is the Old English Garden, which was laid out on former parkland and probably dates from the earliest stages of the municipal park in the 1920s. It has a pergola, paved paths, formal plant beds, and modern seats.*

Some 50m north-east of The Mansion, a C20 perimeter path leads c 80m south from the entrance drive across an area of lawn to the east of the

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house. This area, open parkland on Richmond's plan of 1762/3, had been planted with regular rows of trees by 1805 (estate plan) and subsequently (by 1830) thinned (plan of the property of John Johnson). The area immediately around the house is separated from the parkland by a hawthorn hedge to the east, and a beech hedge planted c 1970 to the south of the C18 ha-ha after it was filled in (mid-late C20). The line of the ha-ha, which would have divided the gardens from the parkland, is still recognisable as a distinctive step at the edge of the lawn. At about the same time (c 1860) as the beech hedge was planted, the southern perimeter path which ran between the ha-ha and The Mansion was re-routed to the south of the hedge. Today (1997) the hedge screens any view of the garden around The Mansion but three late C19 trees survive on the lawn to the east along with other C20 trees. Some 80m south east of The Mansion the C20 perimeter path turns west and continues for 160m to the south side of the beech hedge where it turns north and links up with the mid C19 west garden path which led around the western lawn to the Winter Garden. The Winter Garden, constructed by 1844, has been lost, as have the rose arches over the path. The west lawn was first shown as lawn with trees by c 1830 (Plan of the property of John Johnson) but the nature of the land before then is not clear. Mature trees including cedar of Lebanon (shown on OS 1860) and the shrubbery along the northern edge of the western garden are thought to survive from the mid C19, though contemporary paths through the shrubbery have been lost.

At its western end the southern perimeter path divides, one spur continuing north as the western perimeter path while the other runs south and leads down to the C20 formal garden and the water garden at the west end of the lake. The path is separated from the parkland by low hedges and shrubs, as well as some mature trees possibly surviving from the thin belt of trees which followed the contour down to the south-west of the house (sale plan, 1805). The C20 water garden, separated from the lake by a brick footbridge, is situated in the area where, in the C18, the Danson Brook fed into the lake. The two pieces of water that make up the water garden are recorded on the OS 1st edition map of 1865.

PARK- The land laid out as parkland lies to the south, west, and north of The Mansion. The land to the south slopes away from the house, levelling off before the lake and then rising slightly again to the south of the lake. The level areas of land are used for football in the winter months. Tree cover is sparse compared with the clumps and blocks of woodland shown on the C18 and C19 plans, and consists largely of a scatter of C20 individuals with more concentrated planting along the banks of the lake. Occasional mature trees, possibly C18/C19, survive, notably the 'Charter Oak' to the north of the lake. The C20 planting at the west end of the lake and around the water garden contrasts with the open aspect of the late C18 and early C19 (sale plan, 1805) and screens the view of the house from the south-west parkland. C20 plantings help to screen the site from the A2 trunk road which runs along the southern boundary. There is an ice

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well close to the eastern edge of the park.

The lake is the most striking feature on Richmond's plan (1762/3) which shows a system of three interlocking lakes connected and divided by curving plantations and a false island. The 1805 sale plan shows a simplified design similar to the Lower and Middle Lakes on the C18 plan and similar to the piece of water at Danson today (1997). The lower (eastern) section of the lake is known to have been under construction by 1770 when Sir William Chambers was commissioned to design a temple at its eastern end and a bridge at the western end. The lake was filled in during the Second World War as it was considered an obvious landmark for enemy aircraft but was subsequently re-excavated; it is currently used for boating. There is a cafe and boathouse (C20) on the north-east shore.

Little of the original parkland survives to the north and west of The Mansion. The stable block to the north of the house is thought to have been designed by George Dance the younger; this has been converted to a restaurant and is fronted by a public car park. Much of the C18/C19 park and woodland surrounding The Mansion has been lost to sport facilities which include tennis courts and playgrounds created since 1924. The views back to the house from the west are obscured by trees on the garden boundary.

The Historic England listing is clear that the important features of Danson Park are

- I. Danson House (The Mansion),
- II. Danson Stables,
- III. the eastern (main) entrance,
- IV. the Old English Garden and
- V. the lake.

The application site is located beside the northeast corner of the Park, at the end of a row of large houses along Danson Road. All of the features identified within the listing are located either centrally within the site or further south. The listing does not make reference to the park entrance located in the northeast corner adjacent to the application site. The listing refers to the tarmac footpath connecting the main drive to the Crook Log entrance. This was the main pedestrian entrance to the municipal park and is marked by ornate iron railings and gate. The footpath and entrance here was not an original feature of the estate itself. From the historic record it was created circa 1925 when the park was opened to the public. In 1929 the ornate gates were opened.

The only other reference in the Historic England listing relating to this area of the park states that "*little of the original parkland survives*" and that park and woodland has been lost to "*sport facilities which include tennis courts.*" What the above listing does recognise is that the historic significance to this part of the park has diminished over the years. However, what is key about the changes to the wider park over the years is that the setting remains understandable as the designed parkland of the mansion and nothing should interfere with the relationship of the mansion to the park.

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As identified in the developers Heritage Statement the immediate setting of the park adjacent to the application site constitutes one of the main entrance gateways when on foot. The grand iron gates are set on a corner of the major road junction, prominently placed and highly visible.

The developers Heritage Assessment considers *that “fundamentally the proposal site is outside the boundary of the wider Park and it is therefore physically separated. Many changes have taken place around the periphery since the early/mid part of the C20th. The Park itself is not particularly sensitive to modest change outside of its perimeter as it is such a well established and prominent feature in its own right. Very substantial change has occurred around the perimeter throughout the C20th as the roads and houses have developed and increased in size and capacity to service the local population. This peripheral change has been borne without undue detriment to the physical or historical wellbeing of the Park. The proposal does not directly impact the wider setting of the Park”*. The conclusion of their assessment is that the proposed development would have neutral impact on setting of Danson Park.

However, as part of the Design and Access Statement key views have been provided, including CGI images of the development at the tree lined north east entrance point to the park and at the end of the entrance point where the access opens out into the park. It is recognised that these views were taken with trees in full leaf so are a spring/summer representation. The bulk, scale and mass of the development would increase over the current dwellings, however the tree and hedge lined nature of the access to the park and immediately behind the proposed development would help provide some screening and the set back from all boundaries fronting into the park aids to further reduce the visual impact of the development. It is not considered that it would result in an overbearing visual impact to the entrance or the wider park. The impact the proposed development would therefore have on the setting of the historic park is considered by Officers to be limited (as opposed to having a neutral impact as suggested by the developer’s submission).

In either event and in line with the NPPF this is considered to equate to “less than substantial harm”. The NPPF requires that this harm should be weighed against the public benefits of the proposal. The position of Officers is that this would equate to limited harm (beyond the neutral impact considered by the developers supporting Heritage Assessment). It is considered that the justification for the proposal in both design terms and the benefit of a 70 bed care home for end of life and dementia care is considered clear and convincing and outweighs the this limited harm. Accordingly, the proposal would be in conformity with paragraph 200 of the NPPF 2021.

Due to the separation distance and screening it is considered that the proposed development would not affect the setting of either Danson House or Danson Stables. The proposal would not be visible from either. The proposal would also introduce additional trees within site, further obscuring the views to and from the application site and Danson House. To this extent officers agree with the developers Heritage Assessment which considers the proposal would have a neutral impact on these heritage assets.

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The eastern (main) entrance to the park is located some 400 metres to the south of the application site and is also on the same side of the road. a row of 19 (approx.) houses blocks the view of the main entrance and the application site and therefore the proposed development would not be visible from the park's entrance.

The Old English Garden is situated adjacent to Danson Stable and is approx. 275 metres away from the western boundary of the application site. The garden, particularly on the northern and eastern boundaries are obscured with hedges and trees and the tree lined path leading up to the northeast park entrance as well as scattered trees in that direction provide ample screening between the garden and the application site. Given this it is considered that the proposed development would not overly visible from the Old English Garden.

The lake is located approx. 660 metres away to the south of the application site. Due to a large drop in land levels the application site cannot be seen from the lake.

The setting of both Danson House and Danson Stables would not be harmed by the proposal. Accordingly, the proposal would be in conformity with Paragraph 199 of the NPPF, 2021.

Wider Design Considerations

Policy D3 and D4 of the London Plan (2021) states that the design of all new developments should enhance the quality of local places and that this should take into account a number of matters, including the physical context and local character.

Policy ENV39 of the UDP provides an overarching design policy and relates to the built environment; it seeks to protect and enhance the quality of the built environment and ensure all new developments are satisfactorily located and are of a high standard of design and layout. This includes compatibility with the character of the surrounding area. Policy H3 of the UDP is concerned with housing character and requires the Council to consider the actual or potential cumulative effects of a development.

Policy CS01 of the Bexley Core Strategy (2012) requires any proposal in the borough to achieve high quality design with Policy CS07(b) seeking to ensure that development is sympathetic to local character through high quality and well-designed developments

The proposed development would be seen from both the rear of neighbouring properties, from Danson Road, along the entrance into Danson Park and from limited views within the park itself.

The proposed building would sit further forward than the existing dwellings on site. It would, retain a 10 metre separation distance to Danson Road and would not project beyond the front elevation of no. 10 Danson Road. It is considered that the placement of the proposed development within the site would retain a suitable setback from the public highway and would also respect the wider building line of the street.

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The massing of the proposal has been designed to break up the visual mass along Danson Road. The frontage, while a single building, would be well articulated and reflect the residential character. This would be achieved through the use of typically domestic style roof forms (hipped and gabled) as well as the set back of parts of the front to provide depth, interest and reduce visual monotony.

The side wing which extends along the boundary adjoining the entrance to Danson Park has been carefully designed to minimise visual impact between hedges and trees that currently exists. The proposed wing would be set away from the two metre high hedge line by between 2 and 4.5 metres in order to reduce its prominence.

Additional trees and planting would be provided along this boundary to add screening. Whilst the wing would be clearly visible, given the lightweight materials proposed to be used it is considered that on balance, the visual impact would be acceptable.

The proposed building is a part single, part two, part three storey building of a high-quality contemporary design. The design makes use of varying heights, gables and hipped roofs and large fenestration. Along the northern boundary, the proposal has been designed as a three-storey building to Danson Road, reducing to two storeys along the Danson Park entrance.

The material palette proposed includes a mixture of red/brown bricks with dark and light mortar, zinc, metal framing (in order to allow for planted climbers), masonry fins and masonry window surrounds. The materials would complement the contemporary design of the development. Whilst details of these materials have been provided in the submitted Design and Access Statement, a materials condition is recommended to ensure that a high-quality finish would be delivered.

To the rear a sensory garden, a formal terrace, and a patio/small garden would be introduced. Below ground a sunken garden would be installed which would predominantly be hardstanding but would have some planting.

Additional shrubs and trees would be planted along the southern and western boundary of the site, along with a native hedge which would run across the western boundary of the site. This would be within Danson Park and would be planted and maintained by the Council. This would be acceptable, and a commuted sum would be paid to the Council secured via the S106 agreement.

Car parking would be provided to the frontage, along with refuse storage. A condition requiring details of a soft landscaping strategy has been recommended to ensure appropriate landscaping is provided to this area.

The northern, western and southern boundaries of the site would be enclosed by a 1.8 metre high contemporary timber fence. To the Danson Road frontage, a 0.4 metre high brick wall with vertical bar metal railing (0.7 metres) would be installed.

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On balance, it is considered that the proposal would deliver a high-quality contemporary design which would provide a meaningful contribution to the street scene without harming the existing the character and appearance of the locality.

Accordingly, it is considered that the proposed development conforms to the objectives of Policies D3 and D4 of the London Plan (2021), CS01 and CS07 of the Bexley Core Strategy (2012) and ENV39 and H3 of the Bexley UDP (2004).

Impact on neighbouring amenity

Policy ENV39 of the Bexley UDP (2004) states that development should not prejudice the environment of the occupiers of adjacent property in term of privacy, outlook and light. Policy D3 of the London Plan (2021) requires that developments deliver appropriate outlook and privacy to ensure a high-quality residential environment.

Paragraph 130(f) of the NPPF (2021), as set out above, is also relevant in this regard.

No.1 Danson Mead and 10 Danson Road would be most impacted upon by this development.

1 Danson Mead

No. 1 Danson Mead is located to the north of the application site on the opposite side of the park entrance. The rear elevation of the property is located against the side boundary to the park entrance, and it would face the side wing of the proposed development but would have a separation distance of approx. 24 metres.

The proposal would be two storeys in height along this boundary and it is not considered that it would be overbearing or introduce any unacceptable loss of privacy or overlooking.

10 Danson Road

No. 10 Danson Road is the unattached, two storey dwellinghouse situated to the south of the application site. The built form closest to no. 10 would be two storey in height and would not protect any further than front or rear building line of no. 10 Danson Road.

Given this and taking into account the orientation of the sun it is considered that the proposed development would not impinge on residential amenities such as daylight, sunlight or outlook. Nor would it be overbearing.

The proposed development would provide rear (west) facing bedroom windows which would overlook the rear garden of no. 10 Danson Road as well as south facing bedroom windows (from the portion of the building running along the norther boundary) which would have the potential to overlook the neighbouring garden.

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All properties along Danson Road have rear facing windows at first floor level (and in some cases at main roof level) which overlook neighbouring properties and as such the overlooking of gardens is both common and mutual. The overlooking situation currently is that no. 8 Danson Road has three first floor windows that can look across the garden of no.10 Danson Road. Due to the layout and design of the proposed development the number of windows above ground floor level able to overlook the garden of no. 10 Danson Road would remain as three, albeit that one of these windows would be at third floor level. Given this it is considered that the overlooking situation would not be altered.

The south facing bedroom windows would be between situated between 19 and 24 metres away from the side boundary with no. 10 and while there may be an element of overlooking, on balance it is considered that the introduction of these windows would not result in a degree of overlooking significant enough to warrant refusal.

Quality of Accommodation

The proposed development is for a 70 bedroom care home which consists of 16 bedrooms at basement level, 20 bedrooms at ground floor level, 25 bedrooms at first floor level and 9 bedrooms at second floor level. Due to the type of development proposed there are no standards to be applied to this proposal with regard to floor areas, amenity space, outlook etc.

Notwithstanding this all bedrooms have a floor area of between 16 and 22sq.m plus an en-suite. The proposed room sizes are considered to be appropriate for the kind of care offered and would provide space for a bed and other necessary furniture.

All bedrooms in the lower ground level would have windows facing into the proposed sunken garden. This would provide daylight and sunlight. The proposed sunken garden has a width of between 5 and 11 metres with a length of 30 metres. A daylight analysis and shadow study has been undertaken which shows that all bedrooms would receive an acceptable level of sunlight in accordance with best practice guidelines.

Above ground floor level 12 bedrooms would be north facing along the boundary to Danson Park. Outlook and daylight would be acceptable as the windows would be generously proportioned and there would be a gap of approx. 24 metres to the nearest neighbour on Danson Mead (no.1).

All bedroom windows fronting the eastern elevation of the development would have a separation distance from the properties opposite (3-15 Danson Road) of between 34.7 and 46.5 metres. Given this distance outlook and daylight would be acceptable.

All west facing bedrooms would overlook the park and would have uninterrupted views. Accordingly, no objection is raised on daylight or outlook grounds.

As part of this application the applicants have submitted a Noise Assessment for the development which concludes that the primary source of noise affecting the site would be from road traffic. The report demonstrates that acceptable internal noise levels for

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future residents can be achieved if enhanced acoustic glazing is provided to habitable rooms on sensitive facades (i.e. those facing Danson Road). Acoustically treated trickle vents (or equivalent wall vents) will also need to be incorporated into the glazing units in order that their acoustic performance is not compromised.

A condition has been recommended that requires the glazing and ventilator specifications detailed in the Noise assessment are fully implemented.

Highways and Refuse

Highways Safety

The existing vehicular accesses to the existing houses would be removed and a new vehicular entrance would be provided at the southern end of the Danson Road frontage with the exit toward the northern end of the site frontage.

The proposed development would provide seventeen (17) car parking spaces for staff and visitors. One space would be provided for disabled parking, which is considered to be acceptable in the view of the Local Highways Authority. The London Plan (2021) does not set out a parking requirement for this use with discretion for the LPA to define what would be acceptable. Given the PTAL of 3-4 (Moderate-Good) and the proposed use, movements of staff and visitors, the car parking provision proposed would be considered acceptable.

20% of the proposed spaces would be fitted with active charging points with the remainder having a passive provision. This would be in line with the London Plan (2021).

Twelve (12) bicycle parking spaces would be provided within the rear garden of the development. Access to these would be via a side gate. Four cycle parking spaces would be provided to the front. The London Plan (2021) would require 1 space per full time member of staff (long stay) plus 1 space per 20 bedrooms (short stay), this means that sixteen (16) cycle parking spaces would be needed. Given that sixteen cycle parking spaces are being provided, the provision is acceptable.

The Transport Statement submitted in support of the application includes an assessment of the likely traffic generation and car parking demand of the proposed care home compared with the existing 4 dwellings using the industry standard TRICS database. The analysis suggests the proposals would generate between 10 and 8 additional vehicular trips during the am and pm highway network peak periods respectively and the proposed car parking demand would amount to 11 vehicles.

The applicant has stated that they operate several nursing, residential and care homes across south east England and East Anglia and the applicant has carried out a parking survey of the existing facility at Heathfield Court, Colyers Lane, Erith which has 66 bedrooms and 18 car parking spaces.

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The Erith site has a lower PTAL of 1b (Very Poor) while the application site has a PTAL of 4 (Good). Opportunities to use public transport for the application site are better.

The proposal is a little larger than the surveyed site (70 bedrooms) with 17 car parking spaces. However, given the additional benefit of the higher PTAL level, it is likely that car use will be naturally offset. The applicant is also willing to introduce a Travel Plan to promote sustainable travel to and from the site.

The busiest period of accumulation recorded in the survey was around 12.30pm when 12 parking spaces were occupied and at no times did the car parking at full capacity.

The Highway Authority therefore considers the conclusions of the Transport Statement in terms of traffic generation and car parking accumulation to be reasonable.

Further information and mitigation measures were provided to address concerns by the Local Highways Authority regarding the position of the proposed exit located close to the traffic signal-controlled junction at Danson Road and the A207. The main concern would be vehicles turning right out of the site, crossing traffic queuing for the signal-controlled junction. This could lead to highway safety hazards.

Additional information and mitigation measures were provided by the applicant and reviewed by the Local Highways Authority. It is proposed to implement a left turn only exit and this would be considered acceptable. A condition is recommended to secure the implementation of the left hand turn only measures suggested.

Refuse

Refuse and medical waste would be collected by a private waste collection company. The submitted refuse collection strategy shows that a small tipper vehicle would be used which could navigate the site, subject to one parking bay being suspended at the entrance to the site.

The parking bay would only have to be suspended for a limited period of time and once the refuse vehicle has entered the site the parking bay can be used again. With regard to collection, the applicant has confirmed that collection can be organised around the day to day running of the care home in order to ensure that collections occur on days/periods when the car park is not likely to be full and when the suspension of this parking bay would have a very limited impact on the overall parking provision.

Trees

The applicants have submitted an arboricultural report which was produced prior to the design of the development being finalised. Only limited details on protection measures were therefore provided. Five category U trees (T1, T2, T11, T13 and T16) would be removed.

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The proposed bin store would be located underneath a tree which is proposed to be retained as part of this development. The submitted bin store plan shows that the proposed refuse store would sit on a structure in order to protect the root protection area of the tree. This is considered to be acceptable.

Given that the arboricultural report was produced prior to the design of the development being finalised a condition is recommended requiring that a new report be provided detailing how trees are to be adequately protected.

Archaeology

The application site is situated in the Bexleyheath & Crayford Area of Archaeological Search. As part of the application a Desk Based Assessment has been undertaken. A condition is recommended requiring a written scheme of investigation is submitted.

Subject to this condition the development is considered to accord with Policy CS19 of the Bexley Core Strategy (2012).

Environmental Considerations

Policies CS01, CS08 and CS09 of the Core Strategy (2012) seek to ensure that development proposals maximise opportunities to improve the health of the environment (including drainage, air quality, biodiversity and contamination) and promote sustainable development and mitigate the effects of climate change.

Paragraph 174 of the NPPF (2021) seeks to ensure that developments contribute to and enhance the natural and local environment.

New development is expected to demonstrate how it has incorporated sustainable principles into the development including: construction techniques, renewable energy, green infrastructure and carbon reduction technologies.

Policy CS08 of the Core Strategy sets out that new development will be expected to comply with the London Plan regarding such matters as sustainable development.

Energy

In accordance with Policy SI2 of the London Plan (2021) all major developments are required to be net zero in carbon emissions. A minimum on-site reduction of 35% beyond Building Regulations must be met, and the remaining shortfall to zero-carbon should be offset through a cash-in-lieu contribution to the borough's carbon offset fund. As part of this application the applicants have submitted an Energy Statement and an Overheating Assessment which shows that the proposed development has a zero-carbon shortfall of 583.9 tonnes over the next 30 years. This means that an offset payment of **£55,470.50** is required. This can be secured via a S106 agreement.

The London Plan (2021) now also contains an additional requirement in the energy hierarchy, '4) Be Seen: monitor, verify and report on energy performance'.

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Paragraph 9.2.10 states:

“Major developments are required to monitor and report on energy performance, such as by displaying a Display Energy Certificate (DEC), and reporting to the Mayor for at least five years via an online portal to enable the GLA to identify good practice and report on the operational performance of new development in London.”.

The applicant's energy statement does mention monitoring equipment being installed, but relevant data collected should be reported to the Mayor. An Informative is recommended to remind the applicant of this.

Drainage

The application site is located in Flood Zone 1 and therefore would be at low risk of flooding. However, given the proposed basement, a Flood Risk/Foul and Surface Water Management Statement and a drainage strategy have been submitted. The flood risk assessment is considered to be acceptable. However, further details for the drainage strategy would be required. The submitted report shows that maximum discharge rate would not achieve greenfield runoff rates. According to the submitted report the calculated greenfield runoff rates could be achieved on site with a suitable SUDS design.

A condition is recommended requiring further details to ensure conformity with Policy SI13 of the London Plan (2021).

Impact on Biodiversity and Ecological Impact

Policy CS17 of the Core Strategy sets out that the Council will seek to protect and enhance biodiversity. Policy CS18 further seeks biodiversity enhancements and improved access to nature, particularly in areas of deficiency, through new development.

As part of this application the applicants have submitted a Preliminary Ecological Appraisal. The submitted report is considered to be acceptable, and a condition is recommended to secure that the development is undertaken in accordance with the details submitted.

Air Quality

The applicants have submitted a detailed assessment of air quality impacts associated with this proposal. The report was carried out in accordance with accepted methodologies and assesses the impacts associated with both the construction and operation of the development in terms of nitrogen dioxide and particulates. It also includes an air quality neutral assessment which is a requirement for proposed major developments in the London Plan (Policy SI1).

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The submitted assessment has been reviewed by the Councils Environmental Health Officers and is considered to be acceptable. Two conditions are recommended to require the submission of a demolition and construction management plan and evidence to show that the development has been registered on the Non-Road Mobile Machinery (NRMM) register.

Fire Safety

Policy D12 of the London Plan (2021) requires that all major developments are accompanied with a Fire Statement which is an independent fire strategy that has been produced by a third party, suitably qualified assessor.

The applicants have submitted a fire statement which has been produced by Fire Training International, a company who specialise in fire safety for care homes. The submitted fire statement addresses all points set out within Policy D12 of the London Plan (2021) and no objection is raised on fire safety grounds.

Secured by Design

By its very nature as a care home for those with dementia, security will be of paramount to the applicant and, therefore, will be an important feature throughout the development. Notwithstanding this it is important to make sure that the development is secure from the outside and to prevent crime from occurring. A Secured by Design condition is recommended.

NHS

It is acknowledged that the nature of this development would result in development an increased pressures on the local NHS services. In order to mitigate pressures the London Healthy Urban Development Unit has calculated that a financial contribution of £130,235 is required in order to alleviate any pressure caused. This would be secured through a S106 agreement.

EQUALITIES CONSIDERATIONS

The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

In summary, the Council must, in the exercise of its function, ***have due regard*** to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
- advance equality of opportunity between people who share a protected characteristic and those who do not;

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- foster good relations between people who share a protected characteristic and persons who do not share it.

“To have due regard” requires the decision maker “to ensure that there has been a proper and conscientious focus on the statutory criteria ... the decision maker must be clear precisely what the equality implications are when he puts them in the balance, and he must recognise the desirability of achieving them, but ultimately it is for him to decide what weight they should be given in the light of all relevant factors”: Elias LJ in *R (Hurley) v Secretary of State for Business, Innovation and Skills* [2012] EWHC 201 (Admin). The duty must be “exercised in substance, with rigour, and with an open mind”. It is not a question of “ticking boxes”: McCombe LJ in *Bracking v Secretary of State for Work and Pensions* [2013] EWCA Civ 1345.

However, to be clear, the “to have due regard” duty does not establish an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.

The planning issues above raise equalities implications which relate to protected characteristic of age and disability. Officers have due regard to these protected characteristic vis a vis the public sector equality duty in assessing this application.

HUMAN RIGHTS IMPLICATIONS

In determining this application the Council is required to have regard to the provisions of the Human Rights Act 1998.

Section 6 of the Human Rights Act 1998 prohibits authorities (including the Council as local planning authority) from acting in a way which is incompatible with the European Convention on Human Rights. “Convention” here means the European Convention on Human Rights, certain parts of which were incorporated into English law under the Human Rights Act 1998. Various Convention rights are likely to be relevant including:

- Article 8: Respect for your private and family life, home and correspondence
- Protocol 1, Article 1: Right to peaceful enjoyment of your property

The decision maker needs to satisfy themselves that the impacts are acceptable and that any potential interference with the above Convention Rights will be legitimate and justified.

Officers have taken into account both public and private interests when making this recommendation.

This application has the legitimate aim of providing a nursing home for high dependency residents with Dementia and end of life care needs

Members must also consider whether there is any interference any of the Convention Rights, and if so whether such interface is proportionate and justified taking into

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account the public vs. private interests. Members must, therefore, carefully consider the balance to be struck between individual rights and the wider public interest.

Response to representations

A number of objections have raised concerns with regard to property values as a result of this proposal and covenants relating to the Bean Estate. These are not a material planning consideration. Objections have also raised the issue of the development not providing enough rooms for local residents. However, in the submitted proposal the applicant has stated in their "*Danson Road Nursing Home Proposal*" document that should the application be successful that the applicant will only market to residents living within the borough. But this does not preclude them from accepting people from outside the borough.

Objections have been raised with regard to the Council preventing rear extensions along Danson Road. Each planning application is assessed on its own merits and determined in line with the development plan and other material considerations.

It is no considered the development would set a precedent for flatted development along Danson Road. Any scheme for flats would be assessed against the relevant policies in the development plan and other material considerations.

With regard to the public surveys undertaken by the applicant, this is not a requirement of the planning process.

Conclusion

Based on the above analysis, it is considered that the proposed redevelopment to provide a 70 care home would not cause harm sufficient to Danson Park or the listed buildings within to warrant refusal. Additionally, there is not an adverse impact resulting from the scheme that would significantly outweigh the benefits of the scheme in providing 70 beds for dementia and end of life care.

Therefore, the scheme is considered acceptable, subject to conditions and the entering into of a S106 agreement.

RECOMMENDATION

That the Committee resolve to GRANT planning permission subject to:

- A) The prior completion of a legal agreement to secure the following planning obligations:
- (i) A 20 year commuted sum of £6,464.27 for the maintenance of the proposed hedge to be planted in Danson Park.
 - (ii) A Carbon Offset payment of £55,470.50
 - (iii) A payment of £130,235 towards NHS health contributions

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That the Head of Planning and Regulatory Services is delegated authority to negotiate the legal agreement summarised above. If by 3 months from the date of the Planning Committee resolution the legal agreement has not been completed, the Head of Planning and Regulatory Services may exercise his delegated authority to refuse planning permission (where he considers it expedient to do so).

B) That the Head of Planning and Regulatory Services is delegated Authority (subject to A above) to issue the planning permission and impose conditions (and informatives) to secure the following matters:

Conditions:

1. The development hereby permitted shall be begun within 3 years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall only be carried out in accordance with the following approved plans and documents:

Plans:

3000 Rev P10, 3001 Rev P8, 3002 Rev P8, 3003 Rev P7, 3004 Rev P3, 3601 Rev P5, 1003 Rev P7, 12395/P09, 3602 Rev P1, 190322-005, 190320-004 Rev B, 12395_TG_P_001 (Illustrative Landscape Plan), 12395_TG_P_100 (Landscape General Arrangement Plan), 12395_TG_P_300.

Documents:

Right turn mitigation strategy (undertaken by Ardent Consulting Engineers)
Fire Statement (undertaken by Fire Training International LTD)
Air Quality Assessment (undertaken by Dustscan AQ) dated October 2019.
Noise Assessment (undertaken by Ardent Consulting Engineers ref: 190320-03) dated September 2019

Reason: For the avoidance of doubt and in the interests of good planning.

3. No demolition or development shall take place until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and

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A. The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works.

B. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI

Reason: Heritage assets of archaeological interest may survive on the site. The planning authority and Historic England (Archaeology) wishes to secure the provision of appropriate archaeological investigation, including the publication of results.

This pre-commencement condition is necessary to safeguard the archaeological interest on this site. Approval of the WSI before works begin on site provides clarity on what investigations are required, and their timing in relation to the development programme.

4. A. The development may not commence until a Demolition and Construction Management and Logistics Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include details of:
- a) The location of notice boards on the site to include details of the site manager, including contact details (phone, email, postal address) and 'out of hours' contact details;
 - b) A strategy for the parking of vehicles of site operatives and visitors;
 - c) A strategy for the loading and unloading of plant and materials;
 - d) A strategy for the storage of plant and materials used in constructing the development;
 - e) Details of days/hours of work and deliveries of construction materials;
 - f) Measures to be adopted to maintain the site in a tidy condition in terms of disposal/storage of rubbish, storage and unloading of building materials and similar construction activities;
 - g) Measures to be adopted to ensure that pedestrian access past the site on the public footpaths is safe and not (unduly) obstructed during construction works;
 - h) Construction site lighting;
 - i) Reasonable measures to be adopted, such as a restriction on the size of construction vehicles and machinery accessing the site, to minimise any potential damage occurring to adjacent streets throughout the construction period;
 - j) Location of vehicle and construction machinery access during the period of site works including identification of any works necessary to the public highway necessary to provide a means of access during the construction and/or operation of the development;
 - k) Numbers and timing of truck movements throughout the day and the proposed routes broken down by size of trucks;

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- l) Vehicle holding areas;
- m) Construction traffic routes;
- n) Means of minimising noise and vibration (including any piling), and compliance with BS 5228;
- o) Procedures including wheel washing for controlling sediment runoff, dust and the removal of soil, debris and demolition and construction materials from public roads or places;
- p) A Dust Management Plan, including details of mitigation measures for dust and emissions during demolition and construction along with a monitoring regime for the same in accordance with Air Quality: Best Practice Guidance - The Control of Dust and Emissions During Construction and Demolition Supplementary Planning Guidance (published by the Greater London Authority, July 2014);
- q) A Demolition and Construction Site Waste Management Plan which includes details of managing demolition and construction waste having regard to the site waste hierarchy (prevention, reuse, recycling, recovery, safe disposal).
- r) Location of workers' conveniences (e.g. toilets, showers); and,
- s) Details of the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate.

B. The development hereby permitted shall only be carried out in accordance with the approved details.

Reason: In order to ensure that the construction of the development is undertaken in a manner which minimises its' effect on the local environment.

This pre-commencement condition is required as it relates to both demolition and construction works.

5. A. Prior to the commencement of development, the development hereby approved shall be registered on the Non-Road Mobile Machinery (NRMM) register: <https://nrmm.london/user-nrmm/register>.

Throughout the duration of construction all NRMM to be used on the development site shall be submitted to the NRMM register.

- B. The development shall only be carried out in accordance with the submitted details to the NNMM register.

Reason: In the interests of maintaining local air quality.

This pre-commencement condition is necessary as the Non-Road Mobile Machinery is used in the demolition/construction process.

6. A. The development shall not commence until an Arboricultural Method Statement in accordance with BS5837:2012, including tree protection

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measures, has been submitted to and approved in writing by the Local Planning Authority in relation to the development.

The plans and particulars submitted in accordance with this condition shall include:-

(I) a plan showing the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter, measured over the bark at a point 1.5 metres above ground level, exceeding 75 mm, showing which trees are to be retained/removed and the crown spread of each retained tree;

(II) details of the species, diameter (measured in accordance with paragraph (a) above), and the approximate height, and an assessment of the general state of health and stability, of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs (c) and (d) below apply;

(III) details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site;

(IV) details of any proposed alterations in existing ground levels, and of the position of any proposed excavation works in relation to any nearby trees

(V) details of the for the protection of any retained tree from damage before or during the course of development. In the event that any part of the protective fencing is damaged or removed during the course of development it shall be promptly repaired or replaced to the satisfaction of the Local Planning Authority. No protective fencing shall be removed until all equipment and machinery and surplus materials have been removed from the site

(VI) details of any measures used to avoid damaged caused to tree roots by any hardstanding or structure erected within the root protection zone of any tree on site.

B) The development shall be undertaken in accordance with the approved Statement and existing trees identified to be retained shall be protected in accordance with the measures outlined in the approved Statement.

C) In the event that any part of the protective fencing is damaged or removed during the course of development it shall be repaired or replaced within 48 hours or as soon as reasonably possible. No protective fencing shall be removed until all equipment, machinery and surplus materials have been removed from the site.

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Reason: To prevent any unnecessary damage to the trees during the construction process.

This pre-commencement condition is necessary as these details relate to the protection of trees during construction works.

7. No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground water utility infrastructure. Piling has the potential to impact on local underground water utility infrastructure.

8. A. No material operations within the meaning of section 56(4) of the Town and Country Planning Act, 1990 (as amended) may take place, save for demolition until a scheme for a Sustainable Drainage System in accordance with the Bexley Sustainable Drainage Design and Evaluation Guide (2018) shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include details of:
 - i. How reduction in surface water runoff to the greenfield runoff rate shall be achieved;
 - ii. Calculations to demonstrate that the proposed system is fit for purpose, including correctly sized attenuation and surface water discharge rates;
 - iii. Installation of petrol/oil interceptors as necessary;
 - iv. Distribution of foul water flows into the surrounding sewer network as necessary;
 - v. Installation of rainfall attenuation units for capturing and reusing water;
 - vi. Information about the design storm period and intensity, the method employed to delay and control surface water discharged from the site and measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - vii. Include a timetable for its implementation; and
 - viii. Provide a management and maintenance plan for the lifetime of the development.
- B. The Scheme must demonstrate how the drainage hierarchy set out in London Plan Policy 5.13 has been followed:
 - 1st Store rain water for later use;
 - 2nd Use infiltration techniques, such as porous surfaces in non-clay areas;
 - 3rd Attenuate rainwater in ponds or open water features for gradual release to a watercourse;

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- 4th Attenuate rainwater by storing in tanks or sealed water feature for gradual release to a watercourse;
- 5th Discharge rainwater direct to watercourse;
- 6th Discharge rainwater to a surface water drain; and
- 7th Discharge to the combined sewer

C. The development shall only be carried out in accordance with the approved details.

Reason: To ensure that the site is sustainably drained. These details are required at an early stage to ensure the drainage measures are factored into the build process.

9. A. Prior to the commencement of above ground works a detailed schedule and specification/samples of the materials and finishes to be used shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:

- Brickwork (including bonding and mortar);
- Cladding;
- Windows and doors (including reveals and frames);
- Soffits;
- Balconies and privacy screens;
- Canopies;
- External guttering;
- Roofing materials;
- Boundary treatments

B. The development shall be carried out and retained in accordance with the approved details.

Reason: To ensure the satisfactory external appearance of the development.

10. A. Prior to the commencement of above ground works details of electric vehicle charging point provision for conveniently located charging points shall be submitted to and approved in writing by the Local Planning Authority.

B. The agreed details shall be implemented prior to occupation of the development and shall be permanently maintained and available for use thereafter.

Reason: To accord with the London Plan and in the interests of sustainability. These details are required prior to commencement as the infrastructure will need to be designed and planned with cables and ducting being laid during construction and possibly the electricity supply and/or circuitry being upgraded to suit, which would be difficult to achieve post construction.

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11. The proposed access and egress to the site onto the existing highway shall be constructed in accordance with design and specification first submitted to, and approved in writing by, the Local Planning Authority before the development is first brought into use.

Reason: To ensure a satisfactory standard of development and in the interests of highway safety.

12. A. Details of arrangements for cycle storage (including means of enclosure for the area concerned where necessary) for 12 long stay and 4 short stay spaces shall be submitted to, and approved in writing by, the Local Planning Authority before any part of the development hereby permitted is first brought into use.

B. the approved arrangements shall be completed to the satisfaction of the Authority before any part of the development is first occupied, and permanently maintained thereafter to the Authority's satisfaction.

Reason: To ensure a satisfactory standard of development and to encourage travel to and from the site by sustainable means

13. A. Before any part of the development is first brought into use, a Travel Plan incorporating measures to reduce car traffic by encouraging travel to and from the site by other means of transport shall be submitted to, and approved in writing by, the Local Planning Authority. The plan shall include a methodology for its implementation and monitoring. The development shall not be occupied or operated other than in complete accordance with the agreed Travel Plan.

B. No part of the development shall be occupied prior to implementation of the approved travel plan (or implementation of those parts identified in the approved travel plan as capable of being implemented prior to occupation). Those parts of the approved travel plan that are identified as being capable of implementation after occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented for the lifetime of the development.

Reason: In the interests of minimising the environmental impact of the scheme and to promote sustainable travel to and from the site.

14. Notwithstanding condition 2, prior to above ground works, a scheme of soft and hard landscaping, which shall include details of vehicular car parking, public footpath and means of access to the communal amenity areas for occupants of the development (including people who require level access and wheelchair users) planting plans and specifications, and a management plan for future maintenance of the areas concerned shall be submitted to and approved in writing by the Local Planning Authority.

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- The hard landscaping works, shall be carried out prior to occupation in accordance with the approved details.
- The soft landscaping works shall be carried out prior to occupation or in the first seeding season following practical completion (whichever is earlier) in accordance with the approved details.
- The management plan shall be implemented in accordance with the approved details.

Any trees or plants which, within a period of 5 years from the carrying out of the soft landscaping works, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species to those originally planted.

Reason: In the interests of the visual and residential amenities of the area.

15. Prior to occupation of the development hereby approved, details of bird nesting boxes and bat boxes to be incorporated into the development shall be submitted to and approved in writing by the Local Planning Authority.

The details shall include the exact location, number specification and design of the habitats. The boxes shall be installed within the development in accordance with the approved details, prior to the first occupation of the building to which they form part or the first use of the space in which they are contained, and shall be maintained as such thereafter.

Reason: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance Policies CS09 and CS18 of the Bexley Core Strategy.

16. The access to the site shall be provided with those parts of 2.4m x 2.4m pedestrian visibility splays which can be accommodated within the site in both directions and shall be maintained free of all obstacles to the visibility between heights of 0.6m and 2.0m above the level of the adjoining highway.

Reason: In the interests of highway safety

- 17.A. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing. Before development restarts at that part of the site a Risk Assessment and Remediation Scheme shall be produced by (a) suitably qualified person(s) and submitted for written approval to the Local Planning Authority.

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B. The development may only restart on that part of the site in accordance with the approved Remediation Scheme.

C. Prior to first occupation

- i. A Verification Report that demonstrates the effectiveness of the works carried out pursuant to approved details in relation to Part A and B of this condition shall be submitted for written approval to the Local Planning Authority.
- ii. No occupation or use of the development shall take place until the Report has been approved.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land, together with those to controlled waters, property and ecological systems, are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors.

18. The premises shall be used as a residential care home and for no other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: In order to ensure that the use is appropriate in this location, as other uses may generate additional impacts.

Informatives

1. The applicant should be aware that this development is liable for both the Mayoral Community Infrastructure Levy and the London Borough of Bexley's Community Infrastructure Levy (CIL).

Before the implementation of this planning permission someone will need to assume Liability for any CIL Charge for the development. Therefore the Council's CIL Administration Officer should be contacted at the earliest opportunity, to discuss what is required and to ensure that the correct process is followed. Contact in the first instance can be made by email to DevelopmentControl@bexley.gov.uk or by telephone to 020 3045 5912.

Please note: - any failure to follow the correct process can lead to surcharges being applied to any CIL Charge due and subsequent legal proceedings can be taken including the issuing of a CIL Stop Notice.

2. The implementation of this planning permission will require the assignment of a postal number(s). The Council, as the Local Street Naming and Numbering Authority, are responsible for approving new road names, assigning postal numbers and entering the information on the National Land & Property Gazetteer, a national database of address information. An application must be

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submitted to the Council at the earliest opportunity, to ensure that any new number(s) are assigned before the development is occupied. A fee will be required for this service (see Bexley Council's web site for details or telephone 0203 045 5884).

3. The applicant is advised to contact the Council's Street Scene Services department in respect of the construction of the proposed vehicular access to the site.
4. An undertaking should be given that access for fire appliances as required by Part B5 of the current Building Regulations Approved Document and adequate water supplies for fire-fighting purposes will be provided.
5. If you are planning on using mains water for construction purposes, it is important you let Thames Water know before you start using it, to avoid potential fines for improper usage.
6. There are water mains crossing or close to your development. Thames Water do not permit the building over or construction within 3m of water mains. If you are planning significant works near Thames Water mains (within 3m) Thames Water need to check that your development does not reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services they provide in any other way. The applicant is advised to read the Thames Water guide 'working near or diverting our pipes'.
7. The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read the Thames water guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you are considering working above or near Thames Water pipes or other structures.
8. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
9. Major developments are required to monitor and report on energy performance, such as by displaying a Display Energy Certificate (DEC), and reporting to the Mayor for at least five years via an online portal to enable the GLA to identify good practice and report on the operational performance of new development in London.
10. All NRMM should meet, as a minimum, the Stage IIIA emission criteria of Directive 97/68/EC and its subsequent amendments unless it can be demonstrated that Stage IIIA equipment is not available.

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All NRMM should be regularly serviced and service logs kept on site for inspection. Records should be kept on site which details proof of emission limits for all equipment.

That the Head of Planning and Regulatory Services is delegated authority to make changes to the wording of the Planning Committee's decision (such as to delete, vary or add conditions, informatives and/or planning obligations) and to accept changes to the development prior to the decision being actioned, always provided that the Head of Planning and Regulatory Services is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the committee nor that such change(s) could reasonably have led to a different decision having been reached by the committee.

----- END -----