

Danson Neighbours Residents' Group Closing Statements

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

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

The Rule 6 party would like to thank the inspector for allowing us to put our evidence across and for giving us the opportunity to speak at this Inquiry. Obviously, this is new to us, and we have never been in this situation before.

The patience of the Appellant and the Inspector whilst we have dealt with these matters is recognised and appreciated.

The Council have left us in a difficult position with their decision not to defend any of the Planning Committee's reasons for refusal. As a result of our Freedom of Information Act request it is noted within the correspondence between the Council and the Appellant's planner it is evident that the Council have withdrawn their support due to potential cost claims against the Council. Thus leaving us without legal representation and to conduct matters for ourselves.

To sum up our points we have put them into the categories and order in which they were dealt with during the Inquiry.

Need

- 1.1 As a Rule 6 party we do not believe that we need more nursing beds in Bexley.
- 1.2 We believe that the information we have provided highlights that, in line with both local and national findings, what is needed is a review of provision and a more imaginative approach to housing the elderly and vulnerable. An approach that caters for all stages of a person's journey. More Nursing beds are neither needed nor wanted.
- 1.3 It is to be noted that this is by no means a reflection on the Appellant and their reputation for providing excellent care, rather is in line with what has been identified as being wanted and very much needed in Bexley.
- 1.4 Greater variety of choice of home is not needed but other options might include care and support being delivered into a person's current home, or provision of equipment or adaptation to overcome barriers and enable a person to continue to live at home.
- 1.5 The Bexley Housing Strategy 2020-2025 clearly states that what is needed in Bexley is a broader range of housing options for older people than is currently available. And that it's overarching aim for older people is *'to enable them to feel safe and secure in a place they consider to be home, living independently for as long as possible and connected to a local community and network of social support'*.
- 1.6 It also states that *'Residential care should be a last resort and situations where decisions about long term care are made in a crisis (e.g. from a hospital bed) should be prevented.'*
- 1.7 Whilst it has been pointed out by the Appellant that the numerical data contained within Bexley's Strategic Housing Market Assessment (SMHA) 2020 is questionable that does not detract from the fact that *'the vast majority of people want to remain in their own home with support when needed'*.
- 1.8 The SHMA also refers to the Government Planning Practice Guidance and the recommendations for people living with dementia stating that *"there should be a range of housing options and tenures available to people with dementia, including mainstream and*

specialist housing. Innovative and diverse housing models should be considered where appropriate” PPG Paragraph: 019 Reference ID: 63-019-20190626.

- 1.9 As well as stating that ‘Older people (are) living in under-occupied housing stock because their only other option is residential or nursing care – variety and alternative accommodation is desperately needed.’
- 1.10 We have heard that want and need are not the same and so cannot be viewed equally. But on this occasion, a **want** for a greater service provision by local residents is also what Bexley **needs**.

The validity of statistical significance of the 2018 Bexley Household Survey was discussed, based on the fact that some of the people surveyed (aged 55 years and over) would not be eligible for the type of housing that they were being asked about.

It was agreed that there was no way to know if respondents were answering the question regarding their preferences as phrased ‘in the next 5 years’ or perhaps rather about their care wishes for the future generally. However, based on the finding of the survey, officers recommended that the development of Extra Care Housing becomes a formal strategy. (Page 123, point 6.30, bullet point 7). As this was identified as missing from the range of options that residents described as wanting.

- 1.11 In the evidence presented for the Appellant on Tuesday we heard that they recognise the importance of people being able to live with partners or wishing to ‘get in early’ with planning for care once there is an understanding that this will be the ultimate need.
- 1.12 Within that evidence we heard that people are therefore living in nursing homes before they need nursing care, a practice that the Appellant reported to support and facilitate. That is our point. There is a recognised gap in service provision in Bexley that more nursing home beds does not fulfil.
- 1.13 If people are utilising beds that they don’t yet need, or solely to be next door to a loved one residing in a Nursing home (in an arrangement the Appellant described as using the second bedroom as a living area) then the statistics provided about current nursing bed use can surely be called into question and the need to meet the gap that these unusual arrangements fulfil must be highlighted.
- 1.14 We have heard from the Appellant that based on information from their other Bexley home at Heathfield Court that prospective residents may be moving into Bexley from outside of the area.

‘42% of residents at Heathfield Court live more than 3 miles away’.

Nicola Coveney’s Proof of Evidence – Appendix 4

- 1.15 This issue was raised as a concern by the Head of the NHS London Healthy Urban Development Unit who asks where the new residents will be coming from. It notes that while the Council and the NHS are working to support people to remain in their own homes as much as possible there will be some need for nursing homes but that the applicants show demand from outside the borough. They have concluded (based on statistics produced

against the HUDU Planning Obligations Model) that up to 72% of the population could be new.

- 1.16 There is also a concern that the pressure on local health services will be increased by introducing new residents to the borough rather than moving the demand for care around.
- 1.17 We have heard the plans for a retained GP who will be able to meet needs quickly, but we haven't heard how that GP will be identified and how local residents who have already highlighted concerns about GP provision in Bexley will be safeguarded from the impact of this.
- 1.18 The lack of GP provision in Bexley is a long standing one, and a report by the Royal College of General Practitioners (RCGP) in 2015 highlighted that "Bexley in south London will need 87% more [family doctors] by 2020 in order to keep up with the expected growing demand for appointments."
- 1.19 There is a well highlighted and mutually agreed ageing population in Bexley. The information about where that population sits within the borough and so where the proposed home sits it's somewhat confused.

The Danson Road Nursing Home Proposal document states that *"the site of the home is at the centre of the wards with the highest numbers of older people: Sidcup, Longlands, St Mary's and Blendon & Penhill wards, and the former Brampton, who have 20% or more of their population aged 65+."*

The proposed home does not sit in any of these Wards.

Highways, Parking and Safety

- 2.1 It has been repeatedly stated by the Rule 6 Party that Danson Road is one of only 3 North/South routes in the borough and it is a vital London Distributor Road. As such the weight of traffic on a daily basis, especially during peak times, is huge.

With 1,696 two-way vehicle movements (923 northbound, 773 southbound) between 08:00-09:00 daily
and 1,919 two-way vehicles movements (971 northbound, 948 southbound) between 17:00-18:00 daily.

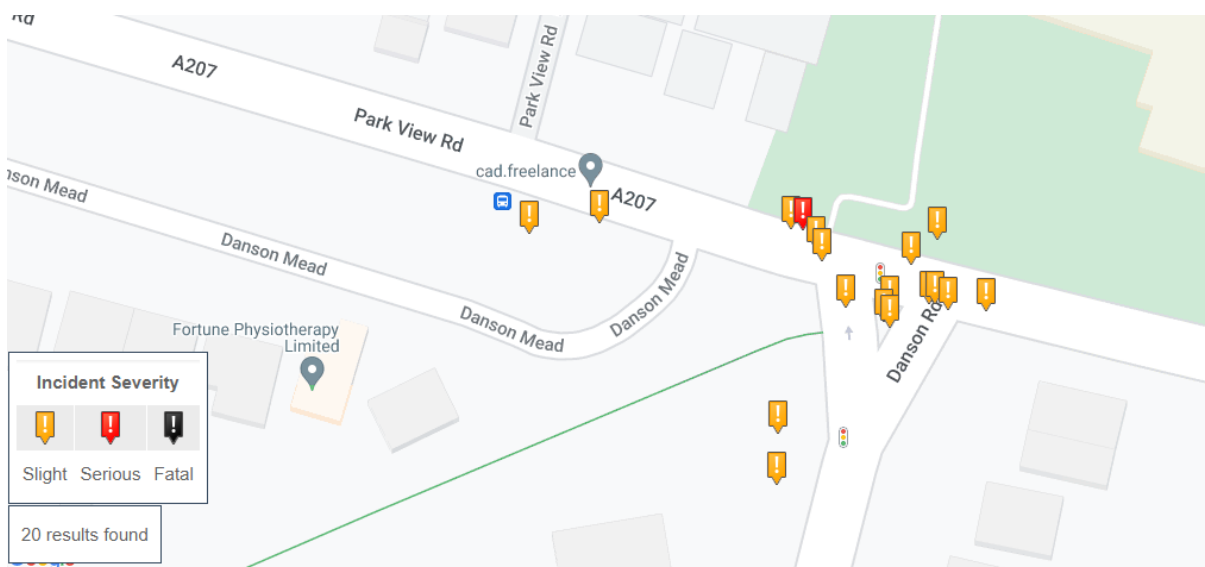
This data was provided based on most recent statistics from the DfT traffic count data in 2021.

- 2.2 Whilst comparisons have repeatedly been made in the Transport Statement and Summary documents with the Heathfield Court Care Home in Colyer's Lane, Northumberland Heath, it was agreed by the Appellant that the traffic levels at both sites have not been compared. It is our view that the two sites are vastly different in terms of daily traffic volumes.
- 2.3 It is of significance that the Appellant acknowledged there has been no full survey of weight of current traffic capacity levels taken at the Crook Log junction.
- 2.4 It is also to be noted that the level of vehicle movements along Danson Road are likely to have increased from the time the last traffic count was taken due to the opening of the

Queen Elizabeth Line (starting and ending at Abbey Wood) in May 2022. As traffic from the South of the Borough and beyond will be travelling North to access the station.

- 2.5 Although it is agreed that the PTAL rating of 4 relates to the bus stop at the North side of Crook Log the rest of the area is rated as PTAL level 3 and the only direct links to the site are by bus not train.
- 2.6 As of the 11th of December 2022 there are now no direct trains to Waterloo East or Charing Cross on the Bexleyheath line. This was not the case when the transport survey was undertaken.
- 2.7 The accident data supplied by the Appellant is based on Personal Injury Collision (PIC) data which states that during the 5-year period from the 1st of July 2015 to 30th of June 2020 there have been 'three slight collisions in the immediate (area) of the proposed access and egress'.

However, it is to be noted that there are frequent accidents at this junction (as we have evidenced through our photographs). And Crash Map UK shows at least 16 reported incidents close to the junction between 2017 and 2022. Although it is also to be noted that not all incidents are reported to the police and are therefore not always recorded.



- 2.8 There have been no pedestrian counts carried out and the reports provided make limited reference to the consideration of pedestrians. The traffic light-controlled crossing at Crook Log is frequently damaged by collisions and street furniture is often left damaged or not replaced for some time. The placement of plastic barriers often being the only protection pedestrians have from oncoming vehicles (also evidenced by our photographs).
- 2.9 The Road Safety Audit (page 4) notes that it took place at the Gillingham offices of M&S Traffic during January 2021 and comprised of an examination of the documents provided by the Appellant and a joint site visit and inspection which was undertaken during the morning of the 4th of January 2021 between 11:30 and 12:00 hours. Weather conditions at the time are noted to have been overcast and the road surface was wet. Traffic and free flow speeds were reported as low. There were low-level pedestrian flows and no cycle movements

observed. However, more crucially, it states that the audit was undertaken in the Covid-19 period, therefore we do not consider it to be accurate.

- 2.10 Parking at the site was shown to be adequate based on calculations made in the absence of specific regulations for care homes. As residents of this area, we do not believe that 17 car parking spaces will be at all sufficient for a home of this size. We also do not believe that overspill car parking will not occur. There will be at least 24 staff on site at any one time and despite assurances from the appellant that staff will be advised not to park on site or travel by car this cannot be proven nor enforced.
- 2.11 It was agreed by the Appellant that the parking beat surveys were undertaken on Wednesday 30th and Thursday 31st March 2022 every 3 hours between 06:30-18:30 for the roads within 500m surrounding the site. With the total parking capacity usages showing as between 51.5% and 73.0%. The Appellant agreed that these numbers did not take into consideration seasonal variation due to the time of year they were taken. We know as residents that parking spaces are a rarity in the summer months when visitors to the park will park in every available space along these roads. Especially as there is charge to park in Danson Park between May and September at weekends.
- 2.12 Whilst it is agreed that statistical analysis can (and has been) undertaken it should not detract from the first-hand experiences of local residents. We witness frequent accidents, street furniture damage, danger to pedestrians and lack of parking availability on a regular basis and this should not be underestimated.
- 2.13 It is to be noted that there are a large number of children who use the Crook Log pedestrian crossing on a daily basis we believe this development will have an adverse effect on their safety due to increased traffic levels.
- 2.14 We believe that the mitigation suggestions will force additional traffic up heavily parked side roads and one route encourages the additional traffic to directly pass the back entrance to Crook Log school.

Character and Appearance

- 3.1 It is noted that Danson Road is viewed by some as a prestigious road with a mixture of large family homes that are both semidetached and detached in nature. But are all of 2 storey height.
- 3.2 Whilst it was noted that Crook Log Leisure Centre stands relatively near to the development site it is far enough away and is not actually in Danson Road. Therefore, it does not impact the character of Danson Road itself.
- 3.3 We believe that although attempts have been made to create the illusion of 4 separate dwellings on the plot, this will not be achieved, and the width of the frontage will be significantly wider than the existing houses.
- 3.4 The Appellant stated that the increase in footprint and volume would not be apparent from the frontage of the building. We do not agree with this statement.

- 3.5 There is no dispute from the Appellant that the proposed construction will be wider than what is there now.
- 3.6 Whilst it is noted that there is no legal requirement that the design of the building must match what is currently there, it is the view of the Rule 6 Party that the design is not in keeping with the rest of the Road, although it is agreed that the houses in this road do vary somewhat in design. They do not however vary in height and, again, are all two storey buildings.
- 3.7 There is also the issue of the Northern flank building which runs directly parallel to the main pedestrian path of the park and, whilst this is dealt with under the section heading of Setting of Danson Park, it is to be noted here that it is not in keeping with the rest of the road, in that it is of a very modern design and is proposed to be constructed of dark metal. This is not in keeping with the current houses. It was stated that this section of the building would “settle into the garden scape”. There is nothing in the local area that is made of these materials currently and we do not believe it would blend in well at all.
- 3.8 It has been estimated by the Appellant that the current footprint of built form on the site is 18% and that the proposal will see 46% of the site being used. It is our belief that a building of this size is too large for the proposed site and as such will be too large to enable it to remain in keeping with the local area. Therefore, it will look out of place.
- 3.9 It was noted that the proposal changes the grain of the area significantly with its 3-storey element and that it will detract from the existing character and appearance of the road and could be viewed as being obtrusive.
- 3.10 The National Planning Policy Framework (2021) states that decisions should ensure that developments *‘are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)’*. We do not believe that this development is sympathetic to the local character or history of the setting.
- 3.11 Architectural images show the frontage of the proposed property in their literature and papers, but the proposed northern flank is often not visible from those images or is not shown clearly.
- 3.12 It is agreed that in this instance the site will change from a C3 – domestic residential use to a C2 residential institution use and that difference will substantially affect the character and appearance of the surrounding area both by its type and by its design.
- 3.13 London Plan Policy D3 (D1) states that development proposals should: enhance local context by delivering buildings and spaces that positively, respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions.
- Alongside this, Boroughs are encouraged to set out acceptable building heights, scale, massing and indicative layouts for allocated sites, and, where appropriate, the amount of floorspace that should be provided for different land uses. We do not believe that this requirement has been met in its bulk, scale and density.
- 3.14 It is our view that by putting the application on the proposed site it will result in the area being over densified.

- 3.15 We believe that to demolish four large properties with a density of approximately 28 habitable rooms and replace them with a structure with in excess of 80 habitable rooms would result in massive over development of the site.

Setting of Danson Park

- 4.1 The history of the park is not disputed by either party and it is agreed that Danson Park is a Registered Park and Garden (RPG) irrespective of the buildings within it (including Danson House and the Stable block).
- 4.2 The Northern section of the RPG had no important English Landscape features in it, its value was its open views from Watling Street, as it highlighted Boyd's affluence and status. This view largely remains, obscured only by quite temporary barriers such as hedges, trees or fences.
- 4.3 It is agreed that the proposed buildings will be within the curtilage of the proposed development site it but is a concern that the development will be only 0.9 metres away from the current hedge line in places.
- 4.4 We are concerned that the close proximity of the development to the site boundary will potentially cause this hedge to die.
- 4.5 The North-eastern corner of the proposed development is both the tallest and the closest to the boundary. For this reason, we believe that the development will dwarf the gates leading to loss of their significance and resulting in harm to this area of the RPG.
- 4.6 The key disagreement was the level of harm the development would cause to the significance of the RPG due to the proposed development. The appellant's view is that this will be none at all or just a little above none whereas we believe this harm to be less than substantial but still quite great.
- 4.7 It was agreed that the ornate iron gates at the Crook Log entrance reflect the history of the evolution and transition from the original estate to a public park. And that they are therefore of historic significance.
- 4.8 The appellant agrees that the gates are a welcoming feature of the RPG as well as a positive one. It was noted that not all gates to the park are of any significance but that these gates are.
- 4.9 We accept that the gates are not listed in their own merit but that they form part of the wider park which is in itself designated as an RPG.
- 4.10 It is to be noted that the gates are approaching 100 years old and are part of the borough's civic heritage.
- 4.11 Whilst it is agreed that some of the original 18th and 19th century features have been lost there is less agreement on the historic value of Danson Park due to its conversion to a municipal park, we do not believe that these parts of the park detract from the importance of it.

The openness of the park and parkland is retained in this Northern area.

- 4.12 The materials to be used on the side elevation, which runs parallel with the path, use metal facias which are out of character with the neighbouring area and it's 1930's style nature.
- 4.13 The current view upon entering the park is very open with two houses being visible. However, the buildings along the boundary are relatively short in comparison to the length of the gardens.
- 4.14 The fact that North Lodge, 1 Danson Mead has been extended by 2.5 metres (and complies with planning regulations) is in no way comparable with the construction of an approximate 50-metre-long structure which will extend the near entirety of the length of the current back gardens at 2-8 Danson Road.
- 4.15 The proposed solid mass design removes a significant amount of openness to Metropolitan Open Land, and we believe this will have a detrimental impact of the transitional effect you currently get upon entering the park and walking along the path. This damage to the openness of metropolitan open land, which contravenes Policy G3 of the London Plan.
- 4.16 Currently a large stand of trees in the main park are visible from the start of the footpath and it is believed that these views will be lost if the development is permitted.
- 4.17 It is the view of the Rule 6 Party that the level of harm to this section of the park is 'great', but we concur with the classification of 'less than substantial harm' but only because of the limited area of the park, as whole, that will be affected.
- 4.18 This development reduces the greenness and environmental value of the area by building over part of the green corridor of existing gardens.
- 4.19 Since Danson Park gives enjoyment to hundreds of thousands of visitors a year, the creation of this development does not equate to any public benefit that would outweigh this harm.
- 4.20 It is to be noted that Bexley Council's Parks and Open Spaces department made comment during the consultation phase of this proposal but that those comments have not been seen by either party and the report to the planning committee states that they had 'No objections. Please see (CD4.18).

Loss of Family Housing

- 5.1 It is agreed that the area has a high proportion of family housing but that does not mean that there isn't a shortage elsewhere within the Borough.
- 5.2 It was stated that the Council has accepted that the development is in accordance with the development plan, including Policy H8 of the London Plan and Policies CS01 and CS03 of the Core Strategy. However, CS03 does not relate to this development. CS07 does relate to the site and states:
- 'CS07 D - ensuring that the heritage assets and areas that are characterised by mainly semidetached and detached family housing are retained and, where possible, improved, including the surrounding environment, and that new development is in keeping with the local and historic character of these areas;'*
- 5.3 It was also noted that the **Bexley Housing Strategy 2020-2025** clearly states that what is needed in Bexley is a broader range of housing options for older people than is currently available. And that *'The option of multi-generational living should also be explored with properties which can accommodate several generations of the same family.'*
- 5.4 It was stated by the Appellant that this case is not one involving a loss of family housing, but rather is about the delivery of residential nursing home accommodation. But the Rule 6 Party does not agree that there is a need for more nursing homes of this type within the borough.
- 5.5 It was stated that there could potentially be some recycling of homes where single older persons move out of large family homes into care. But it is noted that we have heard evidence to suggest that as much as 72% of care home residents could come from outside the borough so this cannot be proven.
- 5.6 It was also stated that all older persons wishing to downsize will move into a nursing home – this is simply not true.
- 5.7 It is the view of the Rule 6 Party that the creation of 66 additional bedrooms on the site do not constitute homes as is suggested. Rather that it is one institution with 70 bedrooms.
- 5.8 The Rule 6 Party is not opposed to a care home or it's C2 usage but rather one of this size on this site.
- 5.9 The appellant noted that the London Plan at Policy H2 encourages housing development on small sites, but it was then acknowledged that this development was actually over the 0.25-hectare threshold and therefore could not be classed as such.

Effect of Living Conditions

- 6.1 It is noted that in relation to our concerns over loss of sunlight to 1 Danson Mead, a daylight and sunlight impact assessment was carried out by the Appellant, and it concluded that there would be a less than a 7% reduction in the amount of sunlight the two bedroom windows on the first-floor level currently receive.
- 6.2 It was noted in the shadow diagrams provided by the Appellant that the Rule 6 Party's concerns that the amount of shadow cast over the main pathway into the park during the winter being significant do confirm this but that the shadows shown would be best and worst-case scenarios. We still have concerns around the shadows cast during the winter months when ice and snow will remain for longer periods on the footpath due to the construction of the new buildings.
- 6.3 The concerns of the residents at 10 Danson Road were raised with regards to the effects on the buildings structure during excavation of the basement at the proposed site. This was said to be covered by inclusions to the section 106 Agreement.
- 6.4 Concerns were raised by the Rule 6 Party with regards to the drying out of the soil on (and around) the proposed site due to basement excavation and that this could also affect the foundations of Number 10 Danson Road.
- 6.5 It was stated that no soil tests have been carried out to ascertain the suitability of the site for basement excavation.
- 6.6 It was also agreed by the appellant that trees adjoining the site could be adversely affected by the excavations.
- 6.7 The Rule 6 Party raised concerns over the potential access to sunlight that the prospective care home residents would receive. The Appellant has carried out sunlight and daylight analysis, but it was acknowledged that none of the 8 north facing bedrooms would receive any sunlight but that the predicted daylight levels meet accepted standards.

Planning Balance

- 7.1 The NPPF, paragraph 11d sets out 3 subsections in a 'basket' and the appellant has only carried out 2 of the requirements set out in that basket. This lawful approach has not been applied correctly the by Appellant's Planning Witness in his attempt to apply the tilted planning balance in the NPPF at 11d.
- 7.2 The latest Housing Land Supply Report 2022-2027 which forms part of the Local Plan Core Documents demonstrates that the Council has identified a supply of specific deliverable sites and unspecified small sites windfall sufficient to provide a minimum of five years' worth of housing against it's housing requirement, with the appropriate NPPF buffer of 5% given the recently published results of Government's Housing Delivery Test 2021 measurement. The current Development Plan which includes the London Plan 2021 is also up-to-date.
- 7.3 It is to be noted that we do not agree with the appellant's balance weightings and these have been noted by the Inspector.

Conclusion

The Rule 6 Party has taken part in this Inquiry on behalf of the Danson Neighbours' Residents' group.

It is the view of the Rule 6 Party that this development should not be allowed to go ahead. Whilst some of our initial concerns have been addressed during the course of this Inquiry there are still a significant number of concerns that have not.

The Inspector is respectfully asked to refuse this appeal.