

Saturday, 09 March 2024

Objection to Application 23/03296/FULM

Site Address: Welling United Football Club, Park View Road, Welling, Kent, DA16 1SY

Description: Redevelopment of the site to provide new Welling FC stadium and accompanying football facilities (Class F2), residential dwellings (Class C3) and commercial uses (Class E), along with associated public realm improvements, car and cycle parking, and refuse and recycling stores.

Introduction:

This objection letter relates to application 23/03296/FULM, which is a full planning application for the redevelopment of Welling United Football Club, Park View Road, Welling, Kent, DA16 1SY to provide a new stadium and football facilities, new dwellings and commercial uses, and other related development. The site is designated Green Belt/Metropolitan Open Land.

The proposal site directly adjoins Danson Park, which is a Site of Importance for Nature Conservation, and is a Registered Park and Garden. Danson Park also contains a Grade I House (Danson Park Mansion), and the related stables, which is a Grade II* Listed Building.

Advice has been sought from Owen Hoare MRTPI, of Nimble Planning and Development regarding this objection letter.

Relevant Planning Policy:

National Planning Policy:

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide (NDG)

Local Planning Policy:

London Plan:

Bexley Local Plan

Discussion of Scheme:

Principle of Development:

Policy SP8 outlines the Metropolitan Green Belt and Metropolitan Open Land will be protected from inappropriate development.

Policy GG2 of the London Plan states that new development must protect and enhance London's open spaces, including Metropolitan Open Land.

Policy G3 of the London Plan outlines that Metropolitan Open Land (MOL) is afforded the same status and level of protection as Green Belt, and that MOL should be protected from inappropriate development in accordance with national planning policy tests that apply to the Green Belt.

Policy SP5 of the London Plan outlines that where facilities are proposed on existing open space, boroughs should consider these in light of policies on protecting open space (including Policy G3 Metropolitan Open Land) and the borough's own assessment of needs and opportunities for sports facilities, and the potential impact that the development will have.

The proposal comprises a number of separate types of development, including a sports stadium and football facilities, residential dwellings, and commercial uses.

Paragraph 152 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt (and by extension, on Metropolitan Open Land) and should not be approved except in very special circumstances.

Paragraph 154 goes on to outline some exceptions to new development being inappropriate within the Green Belt; these include the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, as long as the facilities preserve the openness of the Green Belt (or Metropolitan Open Land) and do not conflict with the purposes of including land within it, and Limited Infilling in Villages.

While the proposal would have an element relating to outdoor sport, which can be regarded as an exception to normal green belt policy in some instances, the NPPF also requires that these proposals preserve the openness of the Green Belt (and by extension, Metropolitan Open Land), and do not conflict with the purposes of including land within it; the proposal would result in the erection of a significant number of buildings, up to 25.5m in height (8 storeys), along with 104 residential units and 248sqm of commercial floor space (which are not related to the outdoor sport element of the scheme). Given the bulk, massing and nature of the proposal, the development would clearly fail to preserve the openness of the GB/MOL, and the development of the site would represent inappropriate development, which would be harmful by definition.

Furthermore, the proposed residential and commercial developments would not conform to any of the exceptions listed within paragraph 154 of the NPPF, and as such, would represent inappropriate development, which would be harmful by definition.

The 'very special circumstances' put forward have been assessed; it is unclear how the identified impacts have been reached, especially in relation to the impacts on the openness of the GB/MOL, which have been identified as "Low". The erection of a significant number of 8-storey buildings within the GB/MOL would clearly have a significant adverse impact on its openness. While the community benefits of the scheme are positive, it is unclear why the proposed residential dwellings and commercial floor space is necessary in this location, and it is felt that these elements significantly increase the harm to the openness of the GB/MOL; the application appears to be an attempt to sneak development into the GB/MOL through stealth, utilising the positive community aspects of the football club to bypass GB/MOL requirements.

Given that there are opportunities to build to the same level or more of accommodation on nearby sites, the criteria needed to override strict GB/MOL regulations has not been met.

There are also concerns that the volume of the build may mean the refurbished pitch dimensions and stadium capacity are no longer eligible to meet FA regulations.

These reasons collectively void the criteria needed for 'very special circumstances'. The build would cause significant harm to the openness of the GB/MOL, the provided 'very special circumstances' would not outweigh the harm identified, and as such, the proposal should be refused.

Tall Buildings and Visual Amenity:

Paragraph 135 of the NPPF states that planning decisions should ensure that all developments will add to the overall quality of the area over the lifetime of the development, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, are sympathetic to

local character and history, including the surrounding built environment and landscape setting, establish and maintain a strong sense of place using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit, optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development. Paragraph 139 of the NPPF goes on to state that development that is not well designed should be refused.

Planning Practice Guidance (PPG) states that achieving good design “is about creating places, buildings, or places that work well for everyone, look good, and will adapt to the needs of future generations.”

Policy D4 of the London Plan (2021) states that the design of development proposals should be thoroughly scrutinised by borough planning, urban design, and conservation officers, utilising the analytical tools set out in the London Plan, local evidence, and expert advice where appropriate.

Policy D9 of the London Plan (2021) outlines that boroughs should determine if there are locations where tall buildings may be an appropriate form of development, subject to meeting the other requirements of the Plan. This process should include engagement with neighbouring boroughs that may be affected by tall building developments in identified locations. Any such locations and appropriate tall building heights should be identified on maps in Development Plans, and tall buildings should only be developed in locations that are identified as suitable in Development Plans.

Policy DP11 states that irrespective of location, all development proposals for new buildings, extensions and alterations, conversions, changes of use and public and private spaces will be expected to follow the principles and requirements set out in the Local Plan, and should ensure that the layout, height, scale and massing, façade treatment, and materials are complimentary to the surrounding area contribute positively to the street scene.

Policy DP12 outlines that the proposed heights for buildings should reflect other design and policy requirements, including the requirement to have regard to the existing or emerging character and context of the area. It goes on to state that, subject to these requirements, the maximum height of buildings shall not normally be more than 45 metres within and near the town centres of Abbey Wood Village and Lower Belvedere, 25 metres within the borough’s identified Sustainable Development Locations, Strategic Industrial Locations (SIL), and the Thamesmead and Abbey Wood London Plan Opportunity Area not covered by Part 2a of this policy; and 15 metres across the rest of the borough.

Policy SP5 outlines that all development within the borough should be of high-quality design, contributes positively to the local environment, and protects the best elements of Bexley’s character.

Furthermore, for development proposals that include buildings taller than 15 metres, applicants must submit design appraisals with alternative options to demonstrate whether similar densities can be achieved using more traditional and human-scaled typologies including terraced housing, maisonettes, and courtyard apartments.

The proposed buildings would measure up to 25.5m in height; the proposal site sits outside of the town centres of Abbey Wood Village and Lower Belvedere, the borough’s identified Sustainable Development Locations, Strategic Industrial Locations (SIL), and the Thamesmead and Abbey Wood London Plan Opportunity Area, and as such, as outlined in Policy DP12, should have a maximum height of 15m.

As outlined within the design and access statement, the surrounding area is almost entirely made up of low-rise buildings, with a maximum height of four-stories. The proposed buildings would be tall buildings of very substantial volume and mass. Their presence would be a dominant feature within a number of views from along Park View Road and the surrounding streets, and from Danson Park which must enjoy unobstructed views as depicted within its supporting legal document.

The buildings would appear vastly larger than any other nearby building, with a sense of there being a building at odds with the size of other local buildings and the grain of the surroundings.

The height of the buildings would be emphasised by the arrangement of windows in a vertical plane. The step back of the uppermost level and use of differing colour palettes and materials would not have any meaningful effect on mitigating this given that the building would be of immense proportions compared to anything surrounding it. The need to use these architectural devices to mitigate the scale of the buildings indicates that they would be adversely large and of inappropriate design and scale.

It is believed that there is an opportunity to introduce some type of transformational change to the site, but the proposed development is at odds with its context and does not accord to the principles of good design, as required by Local and National Planning Policy.

In this instance, it is considered that the proposal is overly large, and would fail to fit into the local context due to the dominating scale, massing, and design. As such, the proposal fails to comply with the tall buildings policies contained within the London Plan and Local Development Plan, and the relevant design policies within the London Plan and the NPPF. As such, it is considered that the proposal should be refused.

Heritage:

Paragraph 201 of the NPPF states 'Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal'.

Policy HC1 of the London Plan outlines that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings.

Policy DP13 states that development proposals should consider whether the proposal has the potential to impact on a non-designated view. Non-designated views should be identified through the Development Management process. A proposal with the potential to impact on a non-designated view must demonstrate that the proposal will not have an adverse impact on that view.

Policy SP6 states that The Council will manage Bexley's heritage assets, whilst seeking opportunities to make the most of these assets by applying the NPPF and London Plan requirements for development proposals affecting heritage assets to conserve and enhance the significance of heritage assets, their settings, and the wider historic environment, and the requirements to protect assets from development that is likely to adversely impact on the significance, integrity, character or appearance of those assets or their settings.

There is a duty under Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, when considering whether to grant listed building consent for any works, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The site immediately adjoins Danson Park, a registered park and garden which contains a Grade I House (Danson Park Mansion), and the related stables, which is a Grade II* Listed Building.

Given its proximity and the level of intervisibility between the site and these heritage features, it is considered that the application site would sit within all three of their settings, and the proposal would impact the view between the surrounding streets, and the designated heritage assets. Danson Park House particularly must also enjoy unobstructed views as clearly detailed within its supporting legal documents.

Although the proposal would not directly harm the fabric of the designated heritage assets, given that the proposal would be harmful to the character and appearance of the locality, it follows that the proposal would cause harm to the setting of the heritage assets in that it would compete with the Listed Buildings and registered park and garden, and would negatively affect how these heritage features are experienced. Accordingly, the proposal would fail to preserve the setting of the Heritage Features and as such would not meet the statutory requirements of Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

It is considered that the impacts would be so great as to represent significant harm, and the positive impacts would not outweigh the impacts on designated heritage assets. As such, it is not considered that the proposal would comply with the relevant Local Development Plan Policies as outlined above, the provisions of the NPPF. As such, the application should be refused.

Residential Amenity:

Paragraph 135 of the NPPF sets out six criteria against which planning decisions should meet to deliver well-designed places. This includes criteria (f), which requires development to “create places ... with a high standard of amenity for existing and future users.”

Planning Practice Guidance (PPG) states that achieving good design “is about creating places, buildings, or places that work well for everyone, look good, and will adapt to the needs of future generations.”

Policy D3 of the London Plan (2021) states that development proposals should deliver appropriate outlook, privacy, and amenity.

Policy DP11 states that new development should ensure that appropriate levels of privacy, outlook, natural daylight and other forms of amenity are provided, ensure existing properties' amenity is appropriately protected, and ensure that all proposed development and uses do not unacceptably affect residents or occupiers of either the proposed development or of existing neighbouring residents, businesses and community facilities by means of noise, odour, vibration and light spill or other disturbances.

The proposal would be significant in height and sits within close proximity to a number of residential occupiers, including across the road to the north, and to the west.

It is considered that due to the height of the proposal, and the proximity to these residential occupiers, there would be a significant and severe loss of light/daylight to both the front windows of

the dwellings along Park View Road and Denham Close, which almost exclusively serve habitable rooms, and a significant loss of outlook to these windows.

Similarly, there would be a significant loss of light/daylight to the rear gardens of dwellings along Roseacre Road to the west of the application site, and the rear facing windows of these dwellings, which again, largely serve habitable rooms. Again, there would be a loss of outlook from the rear windows of these dwellings.

Furthermore, the dwellings along Park View Road and Roseacre Road would experience significant overbearing impacts due to the height and scale of the proposed buildings, which would result in unacceptable residential amenity impacts.

WUFC currently has approximately 750 weekly attendance figure. The proposed increase in venue use would significantly increase activity and noise levels, often extending into the late evening. This would create a noise level far beyond what one would anticipate in the setting. These concerns are heightened during the summer when windows are open, and residents are likely to be enjoying their gardens. This impact would be felt both by future occupiers of the site itself, and future residential occupiers.

Moreover, the increased use of floodlights alongside the pitch would exacerbate the situation. Despite any lighting studies provided, nearby residents would undoubtedly experience the indirect effects of the floodlighting. The transition from a dark night sky to an intensely illuminated area would adversely affect the quality of living conditions, especially during the winter months when lighting would be required from late afternoon onwards. Again, this impact would be felt both by future occupiers of the site itself, and future residential occupiers.

As such, it is considered that the proposal would have a significant negative residential amenity impact on both neighbouring and future occupiers, and as such, the proposal fails to comply with Local and National Planning Policy and should be refused.

Highways and Transport:

Policy T4 of the London Plan states that the cumulative impacts of development on public transport and the road network capacity including walking and cycling, as well as associated effects on public health, should be considered and mitigated.

Policy DP23 states that in applying the principles of sustainable development in line with Policy SP1, the Council will seek to balance the need for parking and the environmental, economic, and social impacts of traffic movement and parked vehicles. Therefore, proposals for residential development will be expected to provide parking within the lowest applicable maximum London Plan standards.

The application site sits within an area with a PTAL level of 3 and 2, signifying “moderate” to “poor” public transport connectivity. Bexley is a borough where use of the private car is high at 72%, especially by London standards.

The proposal site offers eight disabled parking spaces, six within the building footprint and two on-street in nearby roads; two additional car share spaces, one on-street and one off-road. It is expected that the total car ownership would be 67 cars for the 104 flats, leading to 61 additional vehicles parking on nearby streets. Given the breakdown of properties at one, two and three bedrooms this is somewhat of a conservative estimate. This is a significant number of vehicles which would need to park in unallocated, on-street locations, which would lead to parking pressure, and highway safety

issues relating to the need to park vehicles on local streets that are already congested and often at capacity.

This is in addition to the Education, Events Hall, and other Visitor Attendance outside of match days for 50+ hours per week increased usage, as outlined within the application documents, would again lead to significant amounts of on-street parking during match days in addition to the on-street parking from residents, which would lead to an increase in danger to highway users.

As such, it is considered that the proposal fails to comply with Policies T4 of the London Plan and DP23 of the Bexley Local Plan and would result in a significant harm to highway safety due to the significant and unacceptable increase in on-street parking. As such, the proposal should be refused.

Flooding and Drainage:

Paragraph 167 of the NPPF states that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere.

Policy SI12 of the London Plan (2021) states that development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is addressed.

Policy SI13 of the London Plan (2021) states that development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible.

DP29 states that development proposals should not adversely affect the quality or quantity of water in watercourses or groundwater. New development will be required to protect and/or enhance the water quality of existing water resources, such as watercourses and groundwater.

The submitted drainage document appears to be a generic desktop study, rather than a site specific report relating to the local drainage and sewerage conditions.

At present, the surrounding drainage and sewage network appears to be at capacity, and it is unclear whether the network will be able to accept additional output. Nearby flats above a double height shop, suffered from sewage flooding, requiring resident evacuation for several months to carry out repairs. This may be due to hydraulic overload in the Local Sewerage System; this occurs when the amount of rainfall surpasses the capacity that the sewer network is designed to handle, in addition to the normal household sewage. This is a critical problem, and repercussions during adverse weather conditions have left the area struggling with significant flooding and standing water. Furthermore, the inclusion of a pump station at each block may cause issues relating to overuse, which would exacerbate these underlying issues.

Additionally, the locality suffers from low water pressure during high use periods at present, and as such, there are concerns relating to the availability of water on the supply in the future.

It is also noted from SUDS documents that waste water will be pumped into the sewerage drainage system from the proposed block adjacent to it. There was recent attendance by Thames Water to assess a continuing drop in the road surface, despite ongoing repairs. There is cause for concern as to the increased rate of flow as against capacity.

As such, it is considered that further information is required to ensure that the local water systems can handle the proposed increase in use, and that at present, the proposal fails to comply with Local and National Planning Policy in this regard.

Ecology and Biodiversity Net Gain:

Paragraph 180 of the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

Although the application was submitted prior to the to the mandatory net gain requirements which came into effect on 12 February 2024 in the Environment Act 2021, as confirmed within Appeal APP/H1840/W/23/3319716, as the NPPF required that decisions should contribute to and enhance the local environment in a number of ways, including provision of net gain in biodiversity, biodiversity net gain needs to be demonstrated for the development, even if the application was submitted prior to the mandatory net gain requirements coming into effect on 12 February 2024.

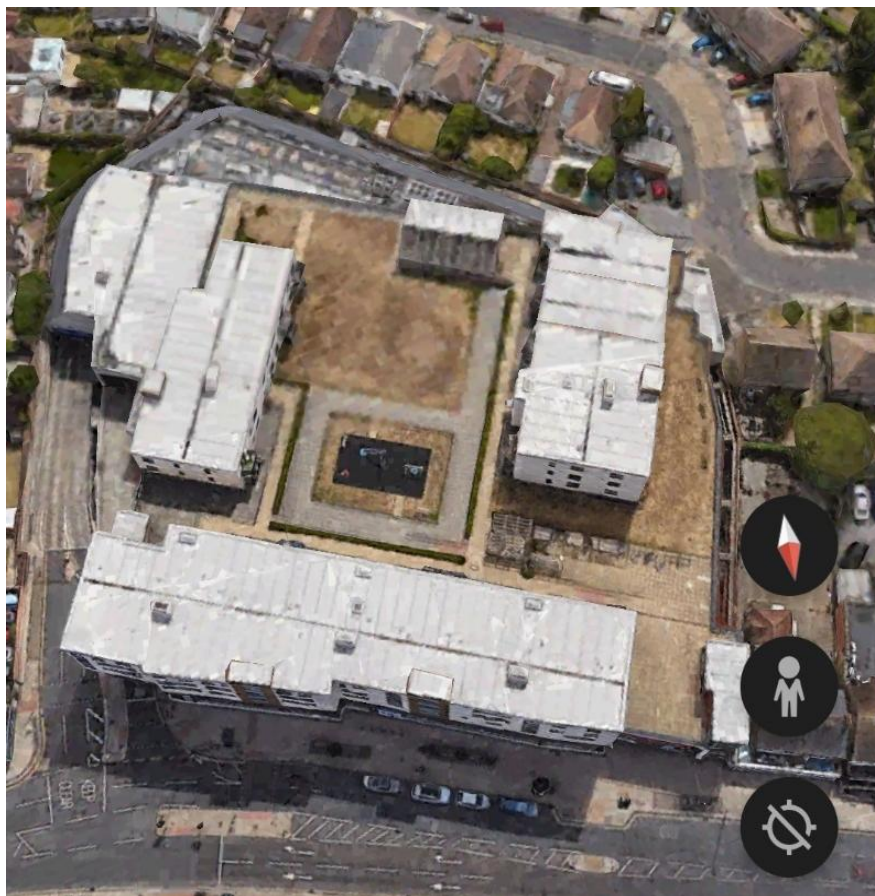
Policy SP9 states that in its planning decisions, planning policies and action plans, the Council will protect and enhance the borough's biodiversity and geodiversity assets, in line with national and regional policy, by protecting, conserving, restoring, and enhancing ecological networks, Sites of Importance for Nature Conservation (SINC), Local Nature Reserves, Strategic Green Wildlife Corridors and local wildlife corridors, thus securing measurable net gains for biodiversity, recognising and promoting those sites where ecological value has increased to a higher grade of nature conservation importance.

The net loss is compounded by the loss of deciduous woodland, that will not be replaced and as a priority habitat, should have been retained in line with Paragraph 185(b) of the National Planning Policy Framework (NPPF) (revised 2023). There is also concern that the woodland was afforded protected status on GB/MOL, should not have been felled without permission and should be replaced.

Furthermore, as outlined within the Biodiversity Net Gain Report, "the headline results indicate that there is an estimated negative BNG (i.e. loss) of 33.12% for habitats. In addition, the trading rules cannot be satisfied under the current proposals, as deciduous woodland is being lost from the site and not replaced."

Deciduous woodland is a habitat of principal importance and therefore should be retained in line with Paragraph 179(b) of the National Planning Policy.

The reality of proposals to mitigate habitat loss that are not sustainable, not monitored and rarely achieved because of soil depletion/erosion in rooftop troughs overtime. There is often a failure to maintain the area resulting from an adverse impact on resident service charges to maintain the imposed, privately funded, area on top of already onerous costs to high rise blocks; a photograph and original planting plan of the nearby, now decimated, supermarket and three storey flatbuild with a green roof to mitigate ecology impacts is included below:



The proposed pitch replacement of grass with 3G astroturf may adversely affect the biodiversity net loss estimate. Concerns have also been raised, at Parliamentary committee level, as to its safe use and possible detriment to health. Report TCSOO27 Evidence on toxic chemicals

As such, the proposal fails to deliver biodiversity net gain. As such, the proposal would fail to comply with Policy SP9, and Paragraph 180 of the NPPF, and as such, permission should be refused.

Conclusion

It is considered that the proposal as put forward would fail to comply with Local and National Planning Policy; it would be principally unacceptable and would fail to accord to Green Belt requirements. While the positive impact of the club on the Local Community is recognised, it is not considered that these impacts would fall under “very special circumstances” which would allow the erection of a 25.5m tall apartment block and commercial space on Metropolitan Open Land, outside of an area where tall buildings are acceptable in line with Local Policy.

Furthermore, it is considered that there would be a general visual harm, and associated harm to a number of heritage assets as a result of the proposal.

Low level builds avoid building Act 22 status with no lift and dry/wet riser, sprinkler system, green roof maintenance and servicing requirement, so constitutes affordable housing. Integral ground level amenity space provides end user friendly sociable, alternative options demonstrating densities can be achieved using more traditional and human-scaled typologies including terraced housing, maisonettes, and courtyard apartments.

It is also considered that there would be harm to the residential amenity of existing nearby occupiers, and future occupiers of the proposal through a loss of daylight, light and outlook, overbearingness, increased noise and disturbance, and the impacts of the proposed floodlighting.

There is a severe under provision of parking spaces, which would lead to dangerous levels of on-street parking, and harm to the safety of road users.

There are concerns relating to water quality and drainage, and it is considered that further information is required in relation to this.

The proposal would result in the loss of a significant amount of deciduous woodland, which is on Danson Park grade II listed land, is a priority habitat that needs to be retained, and would result in a significant loss of biodiversity on the site.

Welling football pitch is a valuable local leisure resource with a long history of inclusivity, a great leveller, developing teamwork, is used by many local schools and encompasses all age groups interested in the sport. It will be needed even more so with the volume of new builds and refurbished properties already available and new ones proposed to meet planned targets.

As such, it is considered that the proposal must be refused in favour of the proposed sites identified below providing ample, viable alternatives and is not exhaustive.

Possible development sites

Car park

- Westwood Lane car park at the junction of Bellegrave Road and Westwood Lane
- 40 to 62 Welling High Street Ray Morris Autos to Medident

Refurbish and build 2 or three storeys of flats/duplex properties on the current run down single storey

- Ray Morris Autos to medident dental, inclusive.

This has very little negative impact to existing residents but serves to address ongoing supply of appropriate housing, is easy walking distance to the overground rail line, with the added improvement of much needed regeneration to the high street, both to the required standard and enhancing the currently run down high street aesthetic.

And /or

Hyundai Ancaster garage

If the intention is to reduce car ownership, car sales showrooms in town and on prime usable land are obsolete.

Residents support Bexley Planning in committing the utilising of developer Section 106/CIL fees for those proposed build options to refurbishing the football pitch increasing seating and grounds space in line with, maintaining FA/regulation pitch status and where possible improving the adjoining cricket pitches and nursery, which are also within the GB/MOL grounds.

Freeholder Permission

Planning application is made by WUFC as leaseholder. The freehold is owned by the Mayor and Burgesses (townspeople of the borough). In the event of planning permission being granted despite the grounds protected status and with such a contentious build proposed on so many levels, build permission must be sought in the guise of a referendum enabling local residents to vote.

Whilst this document primarily objects to the 23/03296/FULM application, this document stands towards and will be acted upon against any other such, inappropriate, unworkable proposed builds in the Welling area.

Local discussions show that existing residents are well aware of the need for, and welcome the provision of more affordable, mixed use, mixed tenure housing. Asking that they be built to Bexley local plan ideals and best practice, be affordable, enjoyable properties to further enhance the area and the health and welfare of new and existing residents.

Development Management should avoid cramming people into oppressive overdeveloped, unworkable sites and preserving existing vital amenity/leisure facilities for existing and prospective residents to the area, and that Bexley Planners champion that cause alongside existing residents.

This document is robust, has legal merit and is produced on behalf of a group of residents who will challenge this as necessary to prevent such unacceptable developments eroding protected green belt/Metropolitan open space and so adversely affecting the environment.