

20 June 2012

Ms Karen Cooksley
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Minerva House
5 Montague Close
London
SE1 9BB

Our Ref: (A) APP/H5960/A/11/2156427
(B) APP/H5960/E/11/2156424

Your Ref: (A) 2010/3703
(B) 2010/3706

Dear Madam,

**TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 78
PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990
APPEALS BY SOUTH WEST LONDON AND ST GEORGE'S MENTAL HEALTH
NHS TRUST - LAND AT SPRINGFIELD UNIVERSITY HOSPITAL, 61
GLENBURNIE ROAD, LONDON, SW17 7DJ:
APPLICATIONS REF: 2010/3703 and 2010/3706**

1. I am directed by the Secretary of State to say that consideration has been given to the report of the Inspector, Ava Wood DIP ARCH MRTPI, who held a public local inquiry between 8 and 18 November 2011 into your client's appeals against the decisions of the London Borough of Wandsworth (LBW):

Appeal A: to refuse outline planning permission for the erection of 25,000 sqm replacement mental health facilities (Use Class C2/C2A); 839 residential dwellings (including up to 262 dwellings within the converted Main Building and Elizabeth Newton Wing and 56 extra care residential apartments) (Use Class C3); 9,200 sqm elderly persons' care home (including up to 50 close care units) (Use Class C2); 240 sqm of retail floorspace (Use Class A1); a school (Use Class D1); 3,500 sqm of non-residential floorspace: Use Class A1 (up to 160 sqm), A2 (up to 200 sqm), A3 (up to 300 sqm), A4 (up to 250 sqm), B1 (up to 200 sqm), D1 (up to 1195 sqm), or D2 (up to 1195 sqm); landscaped public park, other private and public open space; construction of a combined cooling, heat and power energy centre, associated landscaping, parking, roads, access and infrastructure and other associated works at land at Springfield University Hospital, 61 Glenburnie Road, London, SW17 7DJ in accordance with application number 2010/3703, dated 20 August 2010; and

Appeal B: against the decision of LBW to refuse listed building consent for demolition of curtilage listed buildings: White Lodge (former Cottage Hospital / infirmary), old estates building, Harewood House (former nurses' home), ABCD building (former infirmary block), Hebdon Lodge (corner house), John Meyer Wing, and the former Laundry block. Demolition of parts of listed building: corridor link between High Trees and main building, corridor link to

Elizabeth Newton Wing and dining hall at land at Springfield University Hospital, 61 Glenburnie Road, London, SW17 7DJ in accordance with application number 2010/3706, dated 20 August 2010.

2. In pursuance of section 79 of, and paragraph 3 to Schedule 6 to, the Town and Country Planning Act 1990, Appeal A was recovered for the Secretary of State's determination on 14 July 2011 because it involves a proposal over 150 units on a site of more than 5 ha, which would significantly impact on the Government's objective to secure a better balance between housing demand and supply and create high quality, sustainable mixed and inclusive communities. Appeal B was recovered on the same date because it is most effectively and efficiently decided with the planning appeal.

Inspector's recommendation and summary of the decision

3. The Inspector recommended that Appeals A and B be allowed. For the reasons given below, the Secretary of State agrees with the Inspector's conclusions and recommendations. A copy of the Inspector's report (IR) is enclosed. All references to paragraph numbers, unless otherwise stated, are to that report.

Procedural Matters

4. In reaching his decisions, the Secretary of State has taken into account the Environmental Statement (ES) which was submitted under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 in respect of the planning appeal. Like the Inspector (IR2.1-2.3), the Secretary of State is content that the ES complies with the above regulations and that sufficient information has been provided for him to assess the environmental impact of the appeal proposals. In coming to this conclusion, the Secretary of State agrees with the Inspector (IR2.3) that the ES included an assessment of the proposed bus link between St George's Grove and the appeal site.

Matters arising after the close of the inquiry

5. Following the close of the Inquiry, the Secretary of State received representations from those listed in **Annex A(i)**. These included a representation from your firm on behalf of your client, dated 11 January 2011, which drew the attention of the Secretary of State to the Inspector's Report on the Examination of the *Development Management Policies Document* (DMPD) and the *Site Specific Allocations Document* (SSAD) for LBW (see paragraphs 6 and 8 below). The Secretary of State has taken account of all these representations in his consideration of the appeals before him, but is satisfied that they did not raise matters which would require him to refer back to parties prior to reaching his decision.
6. Furthermore, the Government published the National Planning Policy Framework (March 2012) (NPPF), after the close of the Inquiry. This document replaces a raft of Planning Policy Statements as set out in its Annex 3 and, following its publication, the Secretary of State wrote to interested parties on 19 April seeking their views on its implications, if any, for these appeals. On 14 May, the Secretary of State circulated the responses, inviting further comments, and stating that he would then proceed to a decision. A list of those responding is set

out in **Annex A(ii)** below. The Secretary of State has carefully considered all of these representations in his determination of these appeals. He considers that for the most part the issues raised in relation to the NPPF cover those already rehearsed at the inquiry. In considering these further representations the Secretary of State also wishes to make it clear that he has not revisited issues which are carried forward in the NPPF or development plan documents, and which have therefore already been addressed in the IR, unless the approach adopted in the NPPF leads him to give different weight. In this case he also has the benefit of being able to rely on an up to date suite of Development Plan Documents to which full weight can be afforded (see paragraphs 8 and 10 below).

7. Copies of the representations referred to in Annexes A (i) and A (ii) may be obtained on written request to the address at the foot of the first page of this letter.
8. The Secretary of State has also taken account of the fact that the DMPD and the SSAD for LBW were formally adopted by the Council on 8 February 2012 and, together with the Core Strategy, these documents replaced the Wandsworth *Unitary Development Plan* (UDP) (2003).

Policy considerations

9. In deciding these appeals, the Secretary of State has had regard to section 38(6) of the Planning and Compulsory Purchase Act 2004 - which requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. As stated in paragraph 12 of the NPPF, that document does not change the statutory status of the development plan as a starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused, unless other material considerations indicate otherwise.
10. In this case, the development plan now comprises *The London Plan - Spatial Development Strategy for Greater London* (2011); the *Wandsworth Local Development Framework Core Strategy* (2010); the DMPD and the SSAD. Although the DMPD and the SSAD were adopted following the close of the inquiry into these appeals and replace the UDP (see paragraph 8 above), the Secretary of State is satisfied that this change of status does not raise any new issues which would affect his decision or require him to refer back to parties prior to reaching his decision on the appeals before him. He considers that the development plan policies most relevant to the appeals are those referred to by the Inspector at IR13.2.9, IR13.3.7, IR13.4.24, 13.7.5, and IR13.5.5 (taking account of the fact that the emerging DMPD and SSAD policies have now been adopted and replace those in the UDP).
11. Other material considerations which the Secretary of State has taken into account include the NPPF (see paragraph 6 above); Circular 11/1995: *Use of Conditions in Planning Permission*; and *the Community Infrastructure Levy (CIL) Regulations 2010 and 2011*. The Secretary of State has also taken account of the Written Ministerial Statement (WMS) of the Rt Hon Greg Clark MP, on *Planning for Growth*, dated 23 March 2011; and the press release by Housing

Minister Grant Shapps MP, in June 2011, which confirmed the Government's plans to release public land to build 100,000 homes.

12. In determining these appeals, the Secretary of State has had special regard to the desirability of preserving the listed buildings and their settings or any features of special architectural or historic interest which they possess, as required by sections 16(2) and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The listed buildings consist of the main hospital and the Elizabeth Newton Wing, along with curtilage buildings.

APPEAL A

13. The Secretary of State considers that the main issues in relation to Appeal A are those listed by the Inspector at IR13.1.2.

Metropolitan Open Land (MOL)

14. Having regard to the NPPF and local policies to protect MOL, the Secretary of State has considered whether the harm by inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the appeal development being partly located on MOL.
15. For the reasons given at IR13.2.1-13.2.8, the Secretary of State agrees with the Inspector's conclusion at IR13.2.9 that MOL included within the appeal site would not be harmfully affected but would benefit from the changes proposed. In coming to this conclusion, the Secretary of State agrees with the Inspector (IR13.2.8) that, although the proposed scheme would result in the loss of the golf course, it would greatly increase accessibility to the open land with scope for improved landscaping and additional recreational facilities and would provide a visual connection with the cemetery beyond. He therefore agrees with the Inspector (IR13.11.6) that the appeal scheme would increase the overall openness of the MOL and that the 13 ha of Public Park would greatly add to its accessibility. Furthermore, he agrees with the Inspector's conclusion at IR3.13.7 that, for the reasons given at IR13.3.1-13.3.6, the proposal would be a good response to the site's MOL assets with the capacity to fit in well with its surroundings with the listed buildings becoming the main visual focal point on the site. Overall, therefore, the Secretary of State agrees with the Inspector's conclusions at IR13.11.6 and considers that these weigh against the harm of inappropriateness.

Highways, Transport and Parking

16. The Secretary of State agrees with the Inspector that the development would add to existing pressures (IR13.4.2). However, for the reasons given at IR13.4.1-13.4.23, he also agrees with the Inspector's conclusions IR13.4.24-13.4.28 that the travel demands of the scheme could be managed without overly burdening the local transport network. In coming to this conclusion, the Secretary of State has taken into account in particular the upgrade of the Northern Line, due to be completed in 2014, and the fact that, by increasing capacity, this will help to reduce the pressure on the roads of the area.

Listed buildings and their settings

17. The Secretary of State agrees with the Inspector (IR13.5.1) that demolition and alteration of curtilage listed buildings is a consequence of the planning application and that, for the reasons given at IR13.5.2- IR13.5.4, it is necessary in order to make best use of the site while protecting heritage assets of genuine value and/or interest. Furthermore, for the reasons given at IR13.5.5-13.5.6, the Secretary of State agrees with the Inspector that both the main Grade II listed buildings for which consent is being sought are suited to the residential conversion and uses envisaged (IR13.5.6). He also agrees with the Inspector's conclusion at IR13.5.7 that there are sufficient safeguards in place to ensure that the new elements of the proposed scheme would not proceed at the expense of the main listed buildings or ancillary curtilage buildings to be retained.

Registered Historic Park and Garden

18. For the reasons given at IR13.6.2-13.6.3, and in particular noting that the change from the golf course to open parkland for public use will provide an opportunity to restore the contours to somewhere near the original (IR13.6.2), the Secretary of State agrees with the Inspector's conclusion that the development provides opportunities for restoring the interest and value of the Historic Park and Garden.

Loss of the golf course

19. The Secretary of State has taken account of the Inspector's comments that the existing pay and play golf course is a hugely popular facility and the only one of its kind in Wandsworth, and he has carefully considered the significant objections to this aspect of the proposal (IR13.7.1), including the post-inquiry correspondence. However, for the reasons given at IR13.7.2-13.7.5, the Secretary of State agrees with the Inspector that the prospect of wider community access to public open land and of potentially greater opportunities for sporting activities or informal recreation outweigh the loss of the golf course. In coming to this conclusion, the Secretary of State has taken account of the fact (IR13.7.4) that the precise sporting and recreational needs would be established through a park strategy, to be secured by condition; and he agrees (IR13.7.5) that the development would meet the requirements laid down in national and development plan policies for the protection of open space and the enhancement of sporting provision.

Residential amenity

20. The Secretary of State has given careful consideration to the points of concern of residents, specifically those addressed by the Inspector, in the surrounding areas of: Chancery Mews and College Gardens; Hebdon Road; and St George's Grove (IR13.8.1-13.8.7). However, the Secretary of State agrees with the Inspector's conclusion at IR13.8.8 that, taken overall, there is no undue cause for concern in relation to the neighbourliness of the proposed development.

Provision for service users

21. For the reasons given at IR13.9.1-13.9.5, and having particular regard to the ability to locate medical facilities close together (IR13.9.4) and to the vastly improved level of accommodation (IR13.9.5) which the scheme would provide, the Secretary of State agrees with the Inspector that the advantages of the

scheme would compensate for the shortfall of dedicated open space and long range views over the MOL (IR13.9.5) which are considered conducive to healing (IR13.9.3). In coming to this conclusion, he also agrees with the Inspector that it will be highly desirable for the Trust to consult closely with those bodies representing service users at reserved matters stage (IR13.9.5).

Medical considerations

22. For the reasons given at IR13.11.2-13.11.3, in particular that rebuilding the medical facilities is a Core Strategy infrastructure requirement and integrating them with a new residential community would help de-stigmatise mental illness, the Secretary of State agrees with the Inspector's conclusions at IR13.12.2 that improved mental health facilities lie at the heart of the scheme, and are both essential and of more than local significance. He further agrees at IR13.12.3 that the mental health needs are urgent and the redevelopment of outdated and unsuitable buildings cannot be delayed much longer. The Secretary of State gives significant weight to these factors.

Housing and affordable housing delivery

23. For the reasons given at IR13.11.4-13.11.5, in particular the potential of the scheme to help to meet the Borough's housing targets including affordable and family homes, the Secretary of State agrees with the Inspector's conclusions at IR13.11.5 that the development would maximise the use of previously developed land within the density expectations of the London Plan. The Secretary of State agrees with the Inspector that the scheme would resonate with the Government's call for growth and increase housing supply (IR13.12.1); and he gives significant weight to the delivery of this quantity of homes on a site allocated for mixed use development.

Other Matters

24. The Secretary of State agrees with the Inspector that, for the reasons given at IR13.11.9, the proposed improved transport provision carries only neutral weight. He also agrees with the Inspector's conclusion at IR13.11.10 that the ability of the development to deliver a site for a primary school and thereby help meet one of the infrastructure requirements of the Borough is a matter of significant weight.

Conditions and obligations

25. The Secretary of State agrees with the Inspector's reasoning and conclusions on conditions as set out at IR12.2.1-12.2.5. The Secretary of State is satisfied that the proposed conditions are reasonable, necessary and comply with Circular 11/95. With regard to the Planning Obligation (IR12.3.1.12.3.5), the Secretary of State agrees with the Inspector (IR12.3.5) that the Ice House is unconnected to the appeal site and its repair is not necessary for development to proceed. He therefore considers that that fails to meet the tests set out in Regulation 122 of the CIL Regulations and so he gives it no weight. However, he otherwise agrees with the Inspector's conclusion that the S106 planning obligation meets the statutory requirements including those set out in the CIL Regulations.

APPEAL B

26. As indicated at paragraph 17 above, the Secretary of State, like the Inspector (IR14.1), is satisfied that the demolition and alteration of curtilage listed buildings is a consequence of the planning application; and he agrees with the Inspector that there is no impediment to the granting of Listed Building Consent to accompany planning consent for the appeal scheme (IR14.1).

Overall Conclusions

27. The Secretary of State concludes that, overall, the appeal scheme is in accordance with the development plan and national policy including the NPPF, and that the concerns raised initially by the Mayor have been resolved through the imposition of conditions and planning obligations. He considers that the adverse effects of the proposed scheme, including harm to the MOL, loss of the golf course and concerns about congestion, should be weighed against the cumulative benefits (also taking account of the impact of the Northern Line upgrade in helping to reduce road congestion). He also anticipates that there will be some scope for ameliorating concerns of local residents at the detailed design stage of scheme. On balance, therefore, the Secretary of State concludes that improved mental health facilities, the contribution to the housing supply, the provision of land for a new school, and the overall benefits to the MOL collectively outweigh the level of harm identified and that very special circumstances therefore exist to justify the loss of MOL.

Formal Decision

28. Accordingly, for the reasons given above, the Secretary of State agrees with the Inspector's recommendation. He hereby allows your client's appeals and grants planning permission for:

Appeal A: the erection of 25,000 sqm replacement mental health facilities (Use Class C2/C2A); 839 residential dwellings (including up to 262 dwellings within the converted Main Building and Elizabeth Newton Wing and 56 extra care residential apartments) (Use Class C3); 9,200 sqm elderly persons' care home (including up to 50 close care units) (Use Class C2); 240 sqm of retail floorspace (Use Class A1); a school (Use Class D1); 3,500 sqm of non-residential floorspace: Use Class A1 (up to 160 sqm), A2 (up to 200 sqm), A3 (up to 300 sqm), A4 (up to 250 sqm), B1 (up to 200 sqm), D1 (up to 1195 sqm), or D2 (up to 1195 sqm); landscaped public park, other private and public open space; construction of a combined cooling, heat and power energy centre, associated landscaping, parking, roads, access and infrastructure and other associated works, in accordance with planning application number 2010/3703, dated 20 August 2010, subject to the conditions listed at **Annex B** of this letter.

Appeal B: demolition of curtilage listed buildings: White Lodge (former Cottage Hospital / infirmary), old estates building, Harewood House (former nurses' home), ABCD building (former infirmary block), Hebdon Lodge (corner house), John Meyer Wing, and the former Laundry block. Demolition of parts of listed building: corridor link between High Trees and main building, corridor link to Elizabeth Newton Wing and dining hall, in accordance with application number 2010/3706, dated 20 August 2010, subject to the conditions listed at **Annex B** of this letter.

29. An applicant for any consent, agreement or approval required by a condition of this permission for agreement of reserved matters has a statutory right of appeal to the Secretary of State if consent, agreement or approval is refused or granted conditionally or if the Local Planning Authority fail to give notice of their decision within the prescribed period.
30. This letter does not convey any approval or consent which may be required under any enactment, bye-law, order or regulation other than section 57 of the Town and Country Planning Act 1990.
31. This letter serves as the Secretary of State's statement under regulation 21(2) of the Town and Country (Environmental Impact Assessment) (England and Wales) Regulations 1999.

Right to challenge the decision

32. A separate note is attached setting out the circumstances in which the validity of the Secretary of State's decision may be challenged by making an application to the High Court within six weeks from the date of this letter.
33. A copy of this letter has been sent to the Council. A notification letter/e-mail has been sent to all other parties who asked to be informed of the decision.

Yours faithfully

JEAN NOWAK

Authorised by Secretary of State to sign in that behalf

Richborough Estates

Post Inquiry correspondence (including correspondence not seen by the Inspector during the Inquiry, but excluding that relating to the NPPF)

Name / Organisation	Date
Nathalie Curry	14/11/2011 (Not seen by Inspector during the Inquiry)
Kate Hoey MP	15/11/2011 (Not seen by Inspector during the Inquiry)
Luke Donald	21/11/2011
Paul Casey, Ian Poulter, Lee Westwood	21/11/2011
Colin Montgomerie	21/11/2011
Cllr Charles McNaught-Davis	21/11/2011
Sanj Gidda	22/11/2011
Ava Wood	22/11/2011
Andrew Russell	28/11/2011
Andrew Zarraga	28/11/2011
Andrew Kinsey-Quick	28/11/2011
Mark Wade	28/11/2011
Ian Barbour	28/11/2011
Susie Kendall	28/11/2011
Lyn Rule	29/11/2011
Karen Anthony	29/11/2011
Joanne Robertson	04/12/2011
Emma Rickett	05/12/2011
Henry Pugh	05/12/2011
Katherine O'Donnell	06/12/2011
Denise Hogg	06/12/2011
Doreen Goucher	08/12/2011
Charles Evans-Lombe	08/12/2011
Patrick Alexander	09/12/2011
Victoria Walkinshaw	09/12/2011
Patrick Alexander	09/12/2011
Elena Thompson	10/12/2011
Clare Hickman	10/12/2011
Elena Thompson	10/12/2011
Ana Giffard	11/12/2011
Jennifer Long	11/12/2011
Maria Hagbro-Tedeschi	11/12/2011
Jonas Hagbro	11/12/2011
C G Pike	11/12/2011
Jackie Kerr	12/12/2011
Sarah Burleigh	12/12/2011
Sheryll Clarke	12/12/2011
Lael Gilson	13/12/2011
D M Hammet	13/12/2011

Name / Organisation	Date
Tobyn Cleaves	13/12/2011
Ebba Hedland	13/12/2011
R H Flaxman	13/12/2011
M Godowska	13/12/2011
Amanda Wratten, Threadneedle Investments	13/12/2011
Steven Ward	15/12/2011
John Murphy	16/12/2011
John Wallace	16/12/2011
Kate Brabazon	16/12/2011
Arne Hagbro	18/12/2011
Emma Hooper	18/12/2011
Stella Fenwick	19/12/2011
Lynne Rosington	03/01/2012
Rt Hon Sadiq Khan MP, Cllr Ravi Govindia, Richard Tracey AM	09/01/2012
David Lloyd	11/01/2012
Karen Cooksley / Winckworth Sherwood - appellant's agent	11/01/2012

Richborough Estates

Post Inquiry correspondence following the publication of the NPPF

First comments

Name / Organisation	Date
William Main-Ian on behalf of Sutton 1 in 4 Network	24/04/2012
Karen Cooksley / Winckworth Sherwood - appellant's agent	03/05/2012
Cllr Sarah McDermott	05/05/2012
John Dawson / Wandsworth Society	10/10/2012
Karen Cooksley / Winckworth Sherwood - appellant's agent	11/05/2012
Brian Hurwitz / Sharpe Pritchard lawyer for LBW	11/05/2012
Simon Dannreuther / SURG	11/05/2012
Malcolm Wallis et al on behalf of Neighbours of Springfield	11/05/2012
Dale Ingram / Conservation Works Ltd	11/05/2012
Charlie Arbuthnot	11/05/2012

Second comments

Name / Organisation	Date
Richard Tracey / London Assembly Member for Merton & Wandsworth	17/05/2012
John Morrill / Chair of SURG	23/05/2012
Simon Dannreuther / SURG	23/05/2012
Brian Hurwitz / Sharpe Pritchard lawyer for LBW	23/05/2012
Karen Cooksley / Winckworth Sherwood - appellant's agent	23/05/2012

Conditions

Appeal A – Outline planning application

Implementation and Procedural Conditions

1. Details of the appearance, landscaping and scale of the site (hereinafter referred to as the “reserved matters”) shall be submitted to the local planning authority. No development of any phase shall commence until details of the reserved matters for that phase have been approved in writing by the local planning authority. The development shall be carried out as approved.
2. The development hereby approved shall begin no later than 5 years from the date of this permission or within 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
3. The first application for approval of the reserved matters referred to in condition 02, and in accordance with the phasing programme referred to in condition 04, shall be made to the local planning authority within three years of the date of this planning permission.
4. No part of the development hereby permitted shall be implemented until a phasing programme for the approval of reserved matters has been submitted to and approved in writing by the local planning authority. Reserved matters shall be submitted to the local planning authority and approved in accordance with the approved phasing programme, no part of any phase shall commence until all reserved matters relating to that phase have been approved, and each phase shall be carried out in accordance with the approved reserved matters.
5. The development hereby permitted shall be carried out in accordance with the following approved plans:
 - PL- 02 rev A
 - PL- 03 rev A
 - PL- 04 rev A
 - PL- 05 rev A
 - PL- 06 rev A
 - PL- 06A rev A
 - PL- 06B rev A
 - PL- 07 rev A
 - PL- 08 rev B
 - PL- 10 rev B
 - PL- 11 rev A
 - PL- 12 rev B
 - PL- 13 rev A
 - PL- 14 rev B.

Design Codes

6. Prior to or concurrently with submission of the first of the reserved matters application(s), a Design Code shall be submitted to the local planning authority for approval. The Design Code shall be prepared in accordance with the principles and parameters established in the outline application and shall include both strategic and more detailed elements. The Design Code shall include details of building layout, design evolution, conservation, building uses, scale and massing, topography, character areas, design standards, sustainability and safety and security. No development shall commence until such time

as the Design Code for the entire site has been approved in writing by the local planning authority.

7. Any application for approval of reserved matters shall be in accordance with the Design Code approved by the local planning authority under condition 06 and as part of the application for reserved matters approval shall incorporate a statement demonstrating compliance with the approved Design Code. The development hereby permitted shall be carried out in accordance with the approved Design Code.

Design and Landscaping Conditions

8. A Park Strategy shall be submitted to and approved in writing by the local planning authority prior to commencement of the development. The strategy shall include details of active and passive sports and leisure on the park and children's play space, locations for different play typologies, details of the design, layout and species of planting to be laid out in the public park, phasing of implementation of the strategy and timing for completion and long term management. The development shall be carried out in accordance with the approved Park Strategy.
9. Full details of existing and proposed site levels shall be submitted to and approved in writing by the local planning authority before the development hereby approved is commenced. The development phases shall be constructed in accordance with the approved details.
10. Within any reserved matters application pursuant to this approval the landscape details required by condition 01 shall include detailed hard and soft landscape designs and specifications for the associated reserved matters site. The details shall be accompanied by a Design Statement that demonstrates how the landscaping scheme accords with any emerging or approved details sought as part of the Design Code for the site.
11. Prior to or concurrently with the submission of the first of the reserved matters application(s) a site wide Landscape Strategy shall be submitted to the local planning authority for approval which shall include a landscape management plan including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens. The development shall be carried out in accordance with the approved Landscape Strategy and the landscape management plan shall be carried out as approved.
12. Prior to the commencement of any phase of the development details of the means of protecting the trees (which are to be retained as shown in the approved tree strategy pursuant to condition 13) from damage during demolition and or building works shall be submitted to and approved by the local planning authority in writing prior to any demolition, building or any other works. The details as approved shall be installed prior to demolition, building or any other works and retained throughout the period of the works in respect of each phase of the development.
13. Prior to the commencement of any phase of the development, a tree strategy shall be submitted to and approved in writing by the local planning authority. The tree strategy shall specify trees to be planted, trees to be removed, trees to be retained, and measures for the management of trees to be retained. No development shall take place on each respective phase except in accordance with the approved tree strategy.
14. All planting, seeding and or turfing comprised in the approved tree strategy and details of landscaping and planting in the public park under conditions 8 and 13 shall be carried out in the first planting and seeding seasons following occupation of the buildings in that phase or the completion of that phase of the development, whichever is the sooner; and

any tree or plant planted as part of this scheme which within a period of five years from the date of planting that tree or plant, is found dead, removed, uprooted, dies, is destroyed or becomes seriously damaged or diseased, shall be replaced in the next planting season with trees or plants of a similar size and species, unless otherwise agreed in writing by the local planning authority

15. Prior to the commencement of any phase of the development, details of proposed site boundary treatment and other means of enclosure within and around the edge of that phase shall be submitted to and approved in writing by the local planning authority. The boundary treatment and means of enclosure shall be implemented in accordance with the approved details.
16. Notwithstanding condition 5, details and samples of materials proposed to be used on all external surfaces of the development shall be submitted to and approved in writing by the local planning authority before the commencement of each phase. Each phase of the development shall be carried out in accordance with the approved materials.
17. Prior to the commencement of any phase of the development, details of street furniture (including seating, bollards, bins and other minor artefacts) and of lighting (which is to be installed alongside the access and internal circulation roads and footpaths and in open public / private areas, including the positions and heights of any lighting columns or luminaries, and the means of preventing light spillage and pollution) shall be submitted to and approved in writing by the local planning authority. The approved street furniture and lighting shall be implemented in accordance with the approved details prior to the occupation of any building within each phase, and the approved lighting scheme for each phase shall be retained thereafter.
18. The new-build Residential Development hereby approved (meaning any residential units to be built on the site but excluding those created as a result of the conversion of existing buildings comprising the Main Building, the Elizabeth Newton Wing, High Trees and Glenburnie Lodge) shall be built to Lifetime Homes Standards published by the Joseph Rowntree Foundation 1999 with a minimum of 10% wheelchair-accessible units across the whole of the site.

Residential Amenity and General Amenity Conditions

19. Details of arrangements for the on-site storage of waste, including recycling and disposal facilities, shall be submitted to and approved in writing by the local planning authority prior to commencement of each phase of the development. The approved details shall be implemented prior to occupation of the buildings in each respective phase and retained thereafter.
20. Details of any outdoor tables and/or seating in connection with the permitted A3 and A4 uses, including delineation of the area or areas in which such outdoor furniture will be set out, shall be submitted to and approved in writing by the local planning authority prior to occupation of those uses within each respective phase of the development. Thereafter, the outdoor tables and seating shall only be retained in accordance with the approved details.
21. Details of any external ventilation equipment in relation to non-residential buildings, including ducting, shall be submitted to and approved in writing by the local planning authority before installation. The external ventilation equipment, including ducting, shall be installed prior to the occupation of the relevant non-residential uses, in accordance with the approved details and shall thereafter be operated and maintained in accordance

with the manufacturer's instructions.

22. The Class A3 & A4 uses permitted as part of the development shall not be open to customers other than between the hours of 08.00 and 23.30 Monday to Sunday, and activities associated with the uses shall not take place between the hours of 00.00 and 08.00 Monday to Sunday.

Sustainability Conditions

23. No development shall commence within a site for which reserved matters approval is being sought until such time as a renewable energy statement for that site, which demonstrates that at least 20% of the reserved matters site's total predicted carbon emissions will be reduced through the implementation of on-site renewable energy sources, has been submitted to and approved in writing by the local planning authority. The statement shall include the total predicted carbon emissions in the form of an Energy Statement of the development and shall set out a schedule of proposed on-site renewable energy technologies, their respective carbon reduction contributions, size specification, location, design and a maintenance programme. The approved renewable energy technologies shall be fully installed and operational prior to occupation of any approved buildings and shall thereafter be maintained and remain fully operational in accordance with the approved maintenance programme.
24. The New-build Residential Development hereby approved (meaning any residential units to be built on the site but excluding those created as a result of the conversion of existing buildings comprising the Main Building, the Elizabeth Newton Wing, High Trees and Glenburnie Lodge) shall be built to a minimum standard of Level 4 of the Code for Sustainable Homes. Prior to the occupation of each phase of the development which includes New-build Residential Development (or in accordance with an alternative timetable to be agreed with the local planning authority), a copy of the Post Construction Certificate indicating that at least Level 4 of the Code for Sustainable Homes has been achieved shall be submitted to the local planning authority for confirmation.
25. Prior to the conversion of any of the buildings to be retained for conversion to residential use (meaning the Main Building, the Elizabeth Newton Wing, High Trees and Glenburnie Lodge), an Ecohomes Assessment for that building shall be submitted to and approved in writing by the local planning authority. Thereafter, the conversion of that building shall be carried out in accordance with the approved Ecohomes Assessment prior to occupation.
26. The new-build non-residential buildings hereby permitted shall be built to a minimum standard of "Excellent" under the Building Research Establishment Environmental Assessment Method (BREEAM) or any other equivalent standard that applies at the time of construction of the development. Prior to commencement of the use of each relevant building, a copy of the Post Construction Certificate confirming that a minimum of "Excellent" BREEAM rating has been achieved (or any other level approved) shall be submitted to the local planning authority for confirmation.

Environmental Conditions

27. Prior to the commencement of development, a method statement setting out mitigation measures for Japanese Knotweed shall be submitted to, and approved in writing by the local planning authority. Thereafter, the development shall proceed in accordance with the approved method statement.
28. No development shall take place on any phase of the development until an air quality method statement has been implemented in accordance with details which have been submitted to and approved in writing by the local planning authority in respect of that

phase. The air quality method statement shall include details for:

- a) air quality measures for the control of dust, fine particles and odours; and
- b) monitoring of local air quality in terms of pollutants set out in the Environmental Statement.

Development of the phase shall be implemented in accordance with the approved air quality method statement.

29. Prior to the commencement of works in each phase, a Construction Management Plan ("CMP") shall be submitted to and approved in writing by the local planning authority and thereafter the development of each phase shall be carried out in accordance with the relevant CMP. The CMP shall set out the arrangements for managing the environmental effects of the development within that phase during the construction period and shall include a Construction Logistics Plan to be prepared in accordance with Transport for London guidance. The CMP shall include details relating to:

- a) Noise and sound proofing;
- b) Vibration and appropriate vibration monitoring equipment;
- c) dust (including means of minimising dust transmission);
- d) dirt or spoil on the public highway;
- e) air pollution;
- f) odours;
- g) the storage, removal and disposal of waste (including spoil);
- h) means of temporary artificial illumination;
- i) temporary site security fencing;
- j) the location of construction compounds and construction-related temporary buildings;
- k) arrangements for the storage of materials on the site during the course of works / construction;
- l) hours of works;
- m) wheel washing;
- n) installation and removal of tower cranes;
- o) site clearance and construction traffic;
- p) the use of A roads and other major roads;
- q) a plan to be agreed with the local planning authority to ensure minimum impact on transport infrastructure (including delivery);
- r) the registration of the site with the considerate constructors scheme;
- s) the appointment of a resident liaison officer;
- t) an annual review of the CMP with the local planning authority; and
- u) the maintenance of the existing bus service into and out of the site along a safe and operational route during the construction phase(s)

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

30. Any reserved matters application shall include a detailed surface and foul water strategy pursuant to the reserved matters site for which approval is sought. The development shall be carried out in accordance with the approved details and no dwelling on any reserved matters site for which approval is being sought shall be occupied until all necessary surface and foul water drainage to serve that dwelling has been completed in accordance with the approved details.

31. No phase of the development shall commence until an impact study of the existing water supply infrastructure has been submitted to and approved in writing by the local planning authority. The study should determine the magnitude of any new additional capacity required in the system and suitable connection point(s). Any such additional capacity which may be required shall be secured prior to the occupation of each relevant phase of the development by means of main water requisition pursuant to sections 41-44 of the Water Industry Act 1991.
32. No impact piling for each phase of development shall take place until a Piling Method Statement (detailing the 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 or sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority. Any piling must be undertaken in accordance with the terms of the approved piling method statement.
33. Development within each phase shall not commence until a desktop study, site investigation scheme, intrusive investigation and risk assessment have been submitted to and approved in writing by the local planning authority. The desk study will identify all previous site uses, potential contaminants associated with those uses, a conceptual model of the site indicating sources, pathways and receptors and any potentially unacceptable risks arising from contamination at the site and any measures to be taken to prevent and/or remedy contamination at the site. The site investigation scheme will provide information for an assessment of the risk to all receptors that may be affected, including those off site. The risk assessment will assess the degree and nature of any contamination on site and the risks posed by any contamination to human health, controlled waters and the wider environment. A detailed method statement for any required remediation works shall be submitted to and approved in writing by the local planning authority.

Implementation of that phase shall not commence until any required remediation works have been completed and a validation report to verify these works has been submitted to and approved in writing by the local planning authority. If, during development, contamination not previously identified is found to be present at the site the local planning authority is to be informed immediately and no further development shall be carried out until a report indicating the nature of the contamination and how it is to be dealt with has been submitted to and agreed in writing by the local planning authority. Any required remediation should be detailed and verified in an amendment to the remediation statement and carried out accordingly.

Ecology Conditions

34. Prior to or concurrently with the submission of the first of the reserved matters application(s) for residential development for the site, a site wide Ecological Conservation Management Plan shall be submitted to the local planning authority for approval. The plan shall include details of measures to be taken to preserve and protect wildlife and the ecological environment. No development shall commence until such time as the Ecological Conservation Management Plan has been approved in writing by the local planning authority. All species and habitat protection, enhancement, restoration and creation measures shall be carried out in accordance with the approved Ecological Conservation Management Plan

Archaeology Condition

35. No development shall take until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological work in accordance with a

written scheme of investigation which has been submitted to and approved in writing by the local planning authority.

The developer shall afford access at all reasonable times to any archaeologist nominated by the local planning authority, and shall allow that person to observe the excavations and record items of interest and finds.

Continuing Control over Development

36. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking, amending and re-enacting that Order), no extensions, additions or enlargements shall at any future time be erected or constructed to the new-build dwellings within parcels P, Q, X, Y or Z hereby approved.
37. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (or any Order revoking, amending and re-enacting that Order):
 - i. no more than 160 sqm (net (excluding the retail use shown in drawing PL-04 rev A)) of the floorspace hereby permitted shall be used for purposes within Class A1 of the Town and Country Planning (Use Classes) Order 1987;
 - ii. no more than 200 sqm (net) of the floorspace hereby permitted shall be used for purposes within Class A2 of the Town and Country Planning (Use Classes) Order 1987
 - iii. no more than 300 sqm (net) of the floorspace hereby permitted shall be used for purposes within Class A3 of the Town and Country Planning (Use Classes) Order 1987;
 - iv. no more than 250 sqm (net) of the floorspace hereby permitted shall be used for purposes within Class A4 of the Town and Country Planning (Use Classes) Order 1987;
 - v. no more than 200 sqm (net) of the floorspace hereby permitted shall be used for purposes within Class B1 of the Town and Country Planning (Use Classes) Order 1987;
 - vi. no more than 1195 sqm (net (excluding the School in parcel A) of the floorspace hereby permitted shall be used for purposes within Class D1 of the Town and Country Planning (Use Classes) Order 1987; and
 - vii. no more than 1195 sqm (net) of the floorspace hereby permitted shall be used for purposes within Class D2 of the Town and Country Planning (Use Classes) Order 1987.
38. No more than 262 dwellings shall be provided in the converted buildings (i.e. the Main Hospital Building, the Elizabeth Newton Wing, High Trees and Glenburnie Lodge), and no more than 577 New-build Residential dwellings shall be provided within the site as a whole.

Transport

39. Prior to or concurrently with the submission of the first of the reserved matters application(s) a site-wide Car Park Management Plan shall be submitted to and approved by the local planning authority in writing. The Plan shall cover each phase of the development, and identify the location and number of car parking spaces to be provided. The total number of car parking spaces within the development hereby approved shall not exceed 952. The parking arrangements approved shall be implemented prior to the first occupation of that phase and retained for no purpose other than the parking of vehicles.
40. Prior to the commencement of development of any phase of the development, details shall be submitted of the car club facility identifying the location of not less than four spaces (in total across the site) and which shall be provided prior to the first occupation of

the relevant phase and maintained for a period of not less than three years from the spaces being brought into use,

41. A site-wide Delivery and Servicing Plan, to be prepared in accordance with Transport for London guidance, shall be submitted in writing for approval by the local planning authority in relation to each relevant phase of development. The approved details shall be implemented upon occupation of each phase and retained thereafter.
42. Development shall not commence until details of the bus / cycle / pedestrian route linking the Springfield Hospital site and the adjacent St George's Grove site shown on Drawings PL-11 rev A and PL-13 rev A, to include details of arrangements for the granting of rights of access along any part of the route not intended to be adopted as public highway and details of how motorised four-wheel vehicles other than buses will be prevented from using this route, have been submitted to the local planning authority for approval in writing. The development shall be carried out in accordance with the approved details.
43. Details of, including number, location and design, of Electric Vehicle Charging provision to be provided in accordance with London Plan policy 6.13 (or subsequent policy) shall be submitted for approval by the local planning authority in writing before commencement of any phase of development. The approved details shall be implemented before occupation of each phase of development and retained thereafter.
44. Details of on- site street parking to the east of parcels P and Q shall be submitted to and approved in writing by the local planning authority as part of the reserved matters details in relation to that phase of the development. The development shall be carried out in accordance with the approved details.
45. Prior to the commencement of each phase of the development hereby permitted, details of cycle parking facilities shall be submitted to and approved in writing by the local planning authority. Such details should include the location, number and type of cycle parking stands or spaces (including secure spaces) to be provided in the relevant phase and, where applicable, details of any shelter, covering or means of enclosure of those spaces. Each phase of development shall be implemented in accordance with the approved details and retained thereafter.
46. The service vehicle areas shown on the approved drawings, or on any drawings approved pursuant to planning conditions attached to this permission, shall be provided and made available for use before occupation of the relevant phase of the development and shall be retained for purposes relating to the servicing of the development and for no other purpose.
47. Vehicular access to the site from Hebdon Road shall be for no more than 92 residential units in Parcels U, V, Z and part of Y as shown on Drawing PL-12 Rev B. Details of measures to prevent access for vehicles other than bicycles and emergency vehicles from the roads in Parcels U, V, Z and part of Y to the rest of the site shall be submitted to, and approved in writing, by the local planning authority prior to the commencement of the relevant phase(s) of development. Thereafter, the approved measures shall be implemented and retained.
48. Prior to commencement of each phase of the development hereby approved, details shall be submitted to and approved in writing by the local planning authority to demonstrate adequate levels of daylight and sunlight achieved within the new residential units and on existing neighbouring residential properties as assessed against the standards in the BRE published "site layout planning for daylight and sunlight – a good practice guide" extant at the time that phase is to be submitted. Development of that phase shall thereafter be carried out in accordance with the approved details.

Appeal B - Listed building consent

1. The works hereby approved shall commence no later than five years from the date of this consent.
2. The works of demolition/alteration hereby authorised shall be carried out in accordance with the following approved plans:

ME 01

ME 02

ME 03

ME 04

ME 05

ME 06

ME 07

ME 08

362-PL-300 P01

362-PL-301 P01

362-PL-302 P01

362-PL-303 P01

362-PL-304 P01

362-PL-305 P01

362-PL-306 P01

362-PL-307 P01

362-PL-308 P01

3. The works of demolition/alteration hereby authorised shall not be carried out in any phase before a contract for the carrying out of the works of redevelopment of the site for that phase has been made and reserved matters approval or detailed planning permission has been granted for the redevelopment of the relevant phase for which the contract provides.
4. A mitigation strategy comprising a programme to record the curtilage-listed buildings prior to demolition, and the recording of the two listed buildings and the retained curtilage-listed buildings prior to any works to the buildings to be converted shall be submitted to and approved by the local planning authority in writing prior to the commencement of works. Records of the curtilage-listed buildings shall be sent to English Heritage, London Region (1 Waterhouse Square, 138-142 Holborn, London EC1N 2ST) with a copy sent to the local planning authority within 4 weeks from commencement of works
5. The developer shall give the local planning authority 28 days advance notice of the start of any works and, for a period of 14 days before any work begins, reasonable access to the building(s) shall be given to Assistant Director of Planning and Environmental Services and or a person/body nominated by the local planning authority for the purpose of recording the building(s) and or interior(s) by making measured drawings or taking photographs.
6. Details of areas required to be made good following the removal of buildings and structures attached to the retained listed buildings and details of measures to be taken to salvage materials, fittings and fixtures (as agreed by the local planning authority) shall be submitted to and approved in writing by the local planning authority prior to the removal of any building/structure. The works to the listed building shall be carried out in accordance with the approved details.



Report to the Secretary of State for Communities and Local Government

by Ava Wood DIP ARCH MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Date: 24 January 2012

**Town and Country Planning Act 1990 & Planning (Listed Buildings and
Conservation Areas) Act 1990**

London Borough of Wandsworth Council

Appeals by

South West London and St George's Mental Health NHS Trust

Inquiry held on 8 November 2011

Springfield University Hospital, 61 Glenburnie Road, London SW17 7DJ

File Refs: APP/H5960/A/11/2156427 & APP/H5960/E/11/2156424

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Appeal A: File Ref: APP/H5960/A/11/2156427

Springfield University Hospital, 61 Glenburnie Road, London SW17 7DJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by South West London and St George's Mental Health NHS Trust against the decision of the Council of the London Borough of Wandsworth.
- The application Ref: 2010/3703, dated 20 August 2010, was refused by notice dated 13 January 2011.
- The development proposed is redevelopment of Springfield Hospital Site entailing the erection of 25,000 sqm replacement mental health facilities (Use Class C2/C2A); 839 residential dwellings (including up to 262 dwellings within the converted Main Building and Elizabeth Newton Wing and 56 extra care residential apartments) (Use Class C3); 9,200 sqm elderly persons' care home (including up to 50 close care units) (Use Class C2); 240 sqm of retail floorspace (Use Class A1); a school (Use Class D1); 3,500 sqm of non-residential floorspace: Use Class A1 (up to 160 sqm), A2 (up to 200 sqm), A3 (up to 300 sqm), A4 (up to 250 sqm), B1 (up to 200 sqm), D1 (up to 1195 sqm), or D2 (up to 1195 sqm); landscaped public park, other private and public open space; construction of a combined cooling, heat and power energy centre, associated landscaping, parking, roads, access and infrastructure and other associated works. (Outline application with appearance, landscaping and scale reserved).

Summary of Recommendation: That Appeal A be allowed, subject to the conditions listed in Annex A to this Report

Appeal B: File Ref: APP/H5960/E/11/2156424

Springfield University Hospital, 61 Glenburnie Road, London SW17 7DJ

- The appeal is made under made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
- The appeal is made by South West London and St George's Mental Health NHS Trust against the decision of the Council of the London Borough of Wandsworth.
- The application Ref: 2010/3706, dated 20 August 2010, was refused by notice dated 11 February 2011.
- The works proposed are demolition of curtilage listed buildings: White Lodge (former Cottage Hospital / infirmary), old estates building, Harewood House (former nurses' home), ABCD building (former infirmary block), Hebdon Lodge (corner house), John Meyer Wing, the former Laundry block. Demolition of parts of listed building: corridor link between High Trees and main building, corridor link to Elizabeth Newton Wing and dining hall.

Summary of Recommendation: That Appeal B be allowed, subject to the conditions listed in Annex A to this Report

1. Procedural Matters

- 1.1 On 14 July 2011 the Secretary of State for Communities and Local Government announced that he would determine Appeal A, because it involves a proposal over 150 units on a site of more than 5 hectares, which would significantly impact on the Government's objective to secure a better balance between housing demand and supply, and create high quality, sustainable mixed and inclusive communities. Appeal B was recovered on the same date because it is most effectively and efficiently decided with the planning appeal.

- 1.2 A pre-inquiry meeting was held on 12 September 2011. Notes of the meeting are included as Inquiry Document (ID) 26 and indicate the main areas for consideration identified in the appeals.
- 1.3 The inquiry sat for 8 days from 8-11 November 2011 and then from 15-18 November. An evening session was held on 9 November to enable third parties unable to attend the inquiry during the day to express their views. The inquiry timetable is included as Annex E to this Report. The inquiry was adjourned on 18 November, having heard all the evidence, with a view to closing in writing after the completed S106 planning obligation had been submitted by the agreed date of 19 December 2011. The inquiry closed in writing on that date following submission of the completed document.
- 1.4 An accompanied visit to the appeals site and its surroundings was carried out on 2 November along the lines of the itinerary and plan included as ID1. During the course of the inquiry, and following the adjournment on 18 November, I undertook a number of unaccompanied visits around the site and other areas referred to in the evidence, in particular the streets and train stations referred to by a number of third parties and the points listed on behalf of the St George's Grove residents. My journeys around the area were carried out on foot or by public transport, and included the bus route around St George's Grove. There was additionally an accompanied visit to the Grade II* Royal Victoria Patriotic Building (originally built as an asylum) arranged by the Wandsworth Society.
- 1.5 The proposal forming the subject of the planning appeal is in outline with layout and access to be determined at this stage. Matters of scale, appearance and landscaping are reserved. The application plans are listed in Core Document (CD) D1-30. The Masterplan (CD D1-32) is produced for illustrative purposes only, but is a good indicator of the appellant's intentions, and draws from the parameter application plans. Illustrative site sections are included in CD D1-33.
- 1.6 In relation to the listed building appeal, it was agreed at the inquiry that works described as demolition in connection with High Trees and the Elizabeth-Newton Wing in fact amount to alterations. The plans for the listed building appeal considered by London Borough of Wandsworth (the Council or LBW) comprise CDs D1-34, D1-35 and D1-36.

2. ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

- 2.1 The proposed development falls within the scope of Schedule 2 Paragraph 10 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (EIA Regulations). The planning application was accompanied by an Environmental Statement (ES) and a non-technical summary¹. Mitigation measures where required are proposed and secured through conditions or planning obligations².
- 2.2 Additional information was submitted by the appellant to enable easier navigation through the ES documents, with updated tables of contents for

¹ CD D1-23 to D1-28 – Environmental Statement, non-technical statement and appendices

² ID17 – Summary of ES mitigation measures

the main text and the technical appendices (IDs 19 and 20). A new non-technical summary was also submitted (ID21) outlining alternatives considered by the appellant and the design evolution leading to the final application scheme. The information was supplied in detail in the main ES.

- 2.3 Although a third party indicated that the ES did not take account of the proposed bus link between St George's Grove and the appeal site, ID25 demonstrates that this element of the proposed scheme was assessed and indeed formed part of the evidence to the inquiry.

3. THE SITE¹ AND ITS SURROUNDINGS

- 3.1 The site and its surroundings are described at length in the Section 2 of the Statement of Common Ground (SoCG) (CD S1A), but a brief description follows to enable this Report to be self-contained. The descriptions below additionally provide the reader with references to documents or images to assist with understanding of the site and its local environment.

3.2 The Site and its Context

- 3.2.1 The site extends to some 33.3 hectares² and is owned by the South West London and St George's Mental Health NHS Trust (the Trust), though parts of the site and some of its buildings are leased to other parties. It is situated in a predominantly residential area, but adjoined by a mix of other land uses such as the Ernest Bevin School at its north eastern corner³ and Streatham Cemetery⁴ abutting the south eastern edge of the site. Residential development in the area is mainly low rise⁵; the exceptions are the recent development at St George's Grove⁶, and student accommodation at Horton Halls⁷ adjoining the south western boundary of the site.
- 3.2.2 The site is also flanked by a number of green spaces⁸: playing fields associated with nearby schools (Burntwood, Beechcroft and Ernest Bevin), the cemetery mentioned above, plus sports grounds and playing fields (Ironsides and Spencer clubs) to the north west.
- 3.2.3 The main vehicular and pedestrian access to the site is from Glenburnie Road at the north eastern corner of the site. A second access is located at Burntwood Lane mid-way along the north western boundary of the site. Bus stops, underground stations (Tooting Bec and Tooting Broadway) and mainline stations (Earlsfield and Wandsworth Common) around the site are illustrated on CD M-01⁹. There is one bus stop within the site serving the G1 route.

¹ Referred to as the Springfield Hospital Site

² CD A01: Site location plan and CD aerial photograph

³ CD A13: Photos 3.5 and 3.6

⁴ CD A13: Photos 4.1 and 4.2

⁵ CD A13: Photos 3.3, 3.4, 3.7, 3.8, 3.9 and 3.10

⁶ CDs B63 - B71: Application material for key worker and private housing at St George's Grove

⁷ CD A13: Photos 2.11 and 3.12 and CDs B-59 to B-62 application material for Horton Halls

⁸ CD D18: Design and Access Statement, page 5

⁹ CD S1A: Main SoCG describes the local road network, identifies local train and underground stations and bus routes

3.2.4 Almost half of the site, approximately 15 hectares, is designated as Metropolitan Open Land (MOL). Much of this lies on the western part of the site and is used by the golf club and course. Part of the site is listed as Grade II in the Register of Historic Parks and Gardens¹. The original estate extended well beyond the confines of the current site but is now built on; for instance College Mews was once the kitchen garden. The airing courts and parkland (now laid out as the golf course) provide the most obvious links to the original estate and its planned gardens. The gardens and grounds of the original lunatic asylum were an intrinsic part of the hospital, and played a key role in the treatment and well being of patients².

3.2.5 The extent of the MOL, within and outside the site, and the Registered Park and Gardens are shown on CD A09. A Tree Preservation Order (TPO) covers some 135 trees on the south eastern part of the site³.

3.3 The Buildings and Uses on Site

3.3.1 The appeal land is occupied by the Springfield University Hospital and its grounds, and is used primarily for mental health care⁴. In addition to mental health facilities, the site supports a care home for elderly people, a nursery, a gym, day care centre, residential accommodation for NHS workers⁵ and a 9-hole golf course⁶. The course is operated by the Central London Golf Club who lease the land from the Trust.

3.3.2 There are some 69 individual buildings on the site⁷. The main hospital building, constructed in 1840 as a place of refuge and healing, is undoubtedly the focal point within this large group of building, given its size, location and Tudor Style⁸. It is listed as Grade II⁹; large parts of it are vacant and the building features in the Heritage at Risk Register 2011 under priority category C. The Elizabeth Newton Wing was added in 1897 to provide services for children with learning disabilities¹⁰. This is also listed as Grade II¹¹. An Ice House (Grade II listed), once associated with the Hospital, is situated within the curtilage of Burntwood School¹².

3.3.3 Over time, as mental health services have grown and treatment methods evolved, the hospital has grown and developed in response to changing needs and practices. Over the course of the C19, curtilage buildings were added to provide ancillary services: the chapel, a laundry, mortuary and

¹ CD A10: Historic Park and Gardens Listing Details

² CD D1-19: Landscape Strategy – Heritage setting and historical development

³ CD A11: TPO 1994

⁴ See also Common Appendix 2 (CA2): Short history of the development of Springfield Hospital

⁵ CD A13: Photographs 1.55 to 1.58

⁶ CD A13 – Photographs 2.19 to 2.22

⁷ CDs A03 & A04: Map of on-site buildings and Schedule of buildings and structures on the site. Also see CD A13: Aerial photographs 1.1 to 1.3

⁸ CD A13: Photographs 1.4 to 1.13,

⁹ CD A06: Listed building record

¹⁰ CD A13: Photographs 1.40 to 1.43

¹¹ CD A06: Listed building record

¹² CD A13: Photographs 3.13 and 3.14

ballroom, workshops, superintendent's house, amongst others¹. The buildings survive but are not used for their original purposes. These buildings are listed by virtue of their date (pre-1948) and location within the curtilage of the main listed buildings. The chapel is included in the LBW's list of buildings of local architectural or historical significance (the Local List), as are two parish boundary posts².

3.3.4 Over the years further buildings were added. These include a care home, a day care centre, community facilities, service buildings, a golf clubhouse and additional NHS facilities³. A number were built on MOL⁴. The latest additions to the site are the Phoenix Unit (opening in 2005) and the Wandsworth Recovery Centre (opened in 2009)⁵.

4. PLANNING POLICY

4.1 National Policy

4.1.1 The national policy documents directly relevant to considering the merits of the appeals, and referred to in evidence, comprise Planning Policy Guidance (PPG) 2, 13 and 17, Planning Policy Statements (PPS) 1, 3, 4 and 5.

4.1.2 The parties agreed that the National Planning Policy Framework (NPPF) is a material consideration but due to its emerging status carries little weight in these appeals. During the course of the inquiry, on 15 November, the Localism Act 2011 reached the statute book. At my request the advocates referred to the Act in their closing submissions. In June 2011 the Housing Minister confirmed the Government's plans to release public land to build 100,000 homes⁶.

4.2 The Development Plan

4.2.1 The development plan comprises The London Plan, Spatial Development Plan for Greater London (2011) (CD F8-01), saved policies of the Wandsworth Unitary Development Plan (CD F1-01) and the 2010 Wandsworth Local Development Framework Core Strategy (CD F1-02). A comprehensive list of policies which may be relevant is set out in the main SoCG. Policies central to considering the planning and heritage merits of the appeals are:

The London Plan (LP)

2.18	Green Infrastructure: The Network of Open and Green Spaces
3.2	Improving Health and Addressing

¹ CD A13: Photographs 1.18, 1.19, 1.20, 1.21, 1.22, 1.23 and 1.24. See full list in the main SoCG paragraph 2.15.

² CD A08: 2010 Local List

³ CD A13: Photographs 1.25, 1.28, 1.29, 1.31, 1.32, 1.35-1.37, 1.44-1.46, 1.50-1.53, 1.55-1.64.

⁴ CD A04: Building Nos. 34, 35-56, 59, 60, 61, 62-64 and 65.

⁵ CD A04: Building Nos 28 and 12. CD A13: Photographs 1.48, 1.49, 1.26 and 1.27

⁶ CD G22: Press release of Mr Shapps' housing policy announcement

	Health Inequalities
3.3	Increasing Housing Supply
3.4	Optimising Housing Potential
3.5	Quality and Design of Housing Developments
3.6	Children and Young People’s Play and Informal Recreation Facilities
3.7	Large Residential Developments
3.8	Housing Choice
3.9	Mixed and Balanced Communities
3.14	Existing Housing
3.16	Protection and Enhancement of Social Infrastructure
3.17	Health and Social Care Facilities
3.19	Sports Facilities
5.10	Urban Greening
6.3	Assessing Effects of Development on Transport Capacity
6.7	Better Streets and Surface Transport
6.9	Cycling
6.10	Walking
6.12	Road Network Capacity
6.13	Parking
7.1	Buildings London’s Neighbourhoods and Communities
7.2	An Inclusive Environment
7.4	Local Character
7.5	Public Realm
7.6	Architecture
7.8	Heritage Assets and Archaeology
7.9	Heritage-led Regeneration
7.17	Metropolitan Open Land
7.18	Protecting Local Open Space and Addressing Local Deficiency
7.19	Biodiversity and Access to Nature
7.21	Trees and Woodland
8.2	Planning Obligations
8.3	Community Infrastructure Levy

The Unitary Development Plan (UDP)

RDP 1	Pedestrian access, parking, servicing, waste
RDP 2	Plot ratio
RDP 4	Mixed-use developments

TBE 1	Layout and form of development
TBE 5	Design and external appearance
TBE 8	High buildings, views and skyline
TBE 10	Conservation areas
TBE 12	Listed buildings
TBE 13	Listed buildings
H 3	Protect / enhance character and amenity of residential areas
H 5	Conversion to new dwellings
H 9	New housing development
H 11	New housing development
H 15	Hostels and residential care homes
BIN 1	New business, industrial and warehouse development
CS 1	Community premises
CS 2	Community premises
CS 3	New education / childcare facilities
CS 5	New education / childcare facilities
CS 6	Springfield Hospital facilities
CS 7	Health care facilities
LR 2	Loss of sports facilities
LR 3	Loss of sports facilities
ON 1	Loss of open space
ON 4	Metropolitan Open Land
ON 5	Land adjacent to Metropolitan Open Land
ON 6	Historic gardens / parks
ON 9	Loss of trees
T 2	Land use and transport
T 3	New public transport facilities
T 5	Walking
T 6	Cycling
T 9	Car parking

The Core Strategy (CS)

PL 1	Attractive and Distinctive Neighbourhoods and Regeneration Initiatives
PL 3	Transport
PL 4	Open Space and the Natural Environment
PL 5	Provision of New Homes
PL 8	Town and Local Centres
IS 1	Sustainable Development

IS 2	Sustainable Design
IS 3	Good Quality Design and Townscape
IS 4	Protecting and Enhancing Environmental Quality
IS 5	Achieving a Mix of Housing including Affordable Housing
IS 6	Community Services and the Provision of Infrastructure
IS 7	Planning Obligations

4.3 Other Relevant Policy and Guidance Documents

4.3.1 Of the documents listed in the main SoCG, the Council's Important Local Views Supplementary Planning Guidance (SPG) 2003 is of most relevance. This comprises CD F3-04. The Springfield Hospital Revised Development Brief 2000 (CD F3-01) has been overtaken by events and is regarded as carrying little weight.

4.3.2 The Council's Site Specific Allocation Document (SSAD) and its Development Management Policies Document (DMPD) have undergone examination in public but had not been adopted by the time the inquiry was adjourned. The SSAD and DMPD form CDs F4-14, F4-16 and F4-17. The submission version of the SSAD allocates the Springfield Hospital site for development and notes :

Potential for additional development and conversion of the listed buildings on the site. New and improved hospital facilities, residential and small-scale commercial / retail use serving the hospital, residential and school facilities. The Metropolitan Open Land must be retained as open space and its use as a public park would compliment [sic] the setting of the listed buildings and any new development. The locally listed chapel should be retained and used for community facilities.

4.3.3 Emerging DMPD policies of note are:

DMS1	General Development Principles – Sustainable Urban Design and the Quality of the Environment
DMS2	Managing the Historic Environment
DMH3	Unit Mix in New Housing
DMH4	Residential Development Including Conversions
DMH7	Residential Gardens and Amenity Space
DMH8	Implementation of Affordable Housing
DMO1	Protection and Enhancement of Open Spaces
DMO2	Playing Fields, Pitches, Sport, Play

	and Informal Recreation
DMO3	Open Spaces in New Development
DMO4	Nature Conservation
DMO5	Trees
DMC1	Protection of Existing Community Facilities
DMC2	Provision of New and Improved Community Facilities
DMT1	Transport Impacts of Development
DMT2	Parking and Servicing
Annex 1	Transport Standards

5. PLANNING HISTORY

5.1 Section 3 of the main SoCG lists the applications determined at the hospital site, based on records available. CD B01 comprises a schedule of planning history. The applications are many and varied.

5.2 For the purposes of these appeals, the planning events of note are:

- 1970 – Permission granted for erection of a single storey extension to the sports pavilion.
- 1991 – Use of part of site as a 9-hole golf course (approved).
- 1998 – Floodlit golf practice area enclosed by 6m and 10m high netting (approved).
- Paragraphs 3.100 to 3.123 of the main SoCG (CD S1A) document the history of applications associated with the golf course between 1991 and 2002. Some were withdrawn, others approved or refused.
- 2009 – LBW refused an outline application for redevelopment of the appeal site along the lines of what is proposed now but with up to 1,200 residential units and significantly greater non-residential floorspace, including retail, commercial, assembly/leisure and Classes A3, A4 and A5, among others. An associated application for listed building consent was also refused (Committee report at CD B41)
- A number of buildings, structures and other operations took place during the period of Crown Immunity which ceased in 2006. These included the District Store, Diamond Estate and Shaftesbury Clinic on MOL, built in 1977, 1986 and 1992 respectively¹.

5.3 The authorities responsible for the site have been seeking to secure new mental health facilities since 1989. In 2002 permission was granted for a hospital for older people and the Phoenix Unit (Building 28 on Map CD A03). The committee report notes that the applications had been submitted in the context of a Conservation Plan (CDL09), and a phasing document that

¹ CD A03 – Buildings 60, 34, 35 and 36 on Map

showed how the Trust proposed to upgrade and improve the Hospital site (CDB29).

- 5.4 The Trust went on to publish the "Springfield Village: Vision and Masterplan" in 2005¹, which was noted by LBW when permitting the Wandsworth Recovery Unit in 2006 (Building 12). Concern was expressed at the time at the piecemeal approach to redevelopment of the site and a request was made to the Trust for the Council to be formally consulted on the masterplan.
- 5.5 In response to this request, plans to develop the site on a block-by-block basis were abandoned and in 2008 the outline and listed building consent applications referred to above were submitted. The decision notice for the planning application cited eight reasons for refusal (CD B43). Following the decisions, the Trust re-engaged with officers of LBW, English Heritage, the Mayor and Transport for London (TfL) before submitting the current appeal schemes for permission and consent in August 2010.

6. THE PROPOSALS

6.1 Listed Building Consent Works²

- 6.1.1 Listed building consent is sought for demolition of a number of pre-1948 curtilage listed buildings³. These are listed in the description in the banner heading above and illustrated on Plan ME01 (CD D1-34). Although described as demolition in the application, the works involving removal of corridor links on the main Hospital and Elizabeth Newton buildings amount to alteration.
- 6.1.2 The application for listed building consent does not include details of restoration and re-use of the two main listed or the curtilage listed buildings to be retained (see Plan ME01). A Conservation Strategy Report submitted with the outline application (CD D1-20) includes illustrative plans of how the main listed buildings could be converted. English Heritage expressed reservations in the absence of an application for conversion of the listed buildings⁴. However, the main SoCG records that the format of the applications were developed and agreed with English Heritage and LBW. The appellant confirms that an outline application with defined parameters, design code and landscape strategy was accepted⁵.

6.2 Outline Application⁶

- 6.2.1 The application seeks approval for, among other matters, the quantum of development proposed for the site, location of and land uses of development parcels, heights of buildings, access points plus the amount, type and location of open space⁷. The parameter plans (CD D1-30) provide

¹ Common Appendix CA1-1

² CD S1A: Main SoCG Section 12

³ CD D1-11: Photographs of curtilage buildings to be demolished

⁴ CD E1-09: Letter from English Heritage dated 27 October 2010

⁵ APP/PB/4.2 – Mr Burley's Appendix PB3, paragraph 2.5

⁶ CD S1A: Main SoCG Section 5

⁷ See full list in paragraph 5.3 of main SoCG (CD S1A)

the basis for achieving the masterplan and for the subsequent reserved matters. The illustrative masterplan (CD D1-32) represents the overarching vision for the site and shows an indication of the landscaping.

6.2.2 The parameters of the application are based on the following quantum of development¹:

- A maximum of 839 residential units, of which 262 would be accommodated in the converted hospital building, the Elizabeth Newton Wing, Glenburnie Lodge and High Trees².
- The dwelling mix proposed is 296 houses and 543 flats³. A total of 168 affordable homes are proposed, representing 20% of the total development. Of these, 74% will be social rented and the rest shared ownership. A new 'extra care' facility of 56 units is to be included in the total number of residential units, of which 10 would be for people with learning disabilities.
- The child yield expected from the development justifies a one-form entry school, but the proposal makes provision for land for a larger primary school⁴.
- Existing community facilities (day care nursery, gymnastic club and community horticulture project) would be re-accommodated within the site.
- A residential care home for elderly people with up to 50 close care units⁵.
- A 170 sqm Energy Centre
- A maximum of 400 sqm retail floorspace.
- Non-residential uses to include use classes A1-A4, B1, D1 and D2. The proposed maximum quantum for each use is listed in Table 5.2 of the main SoCG, totalling at 3,500 sqm.
- New mental health facilities occupying some 25,000 sqm of floorspace.

6.2.3 Development heights in storeys and in metres are indicated on Plans PL07 Rev A and PL08 Rev A. Pedestrian and cycle routes are intended to connect to the centre of the site with 6 accesses into the site for pedestrians and cyclists⁶. The present G1 bus service would be re-routed to access and exit the site from St George's Grove⁷, and another service (315 or 129) would

¹ CD D1-30 – Plans PL03A and PL04A indicate the parcels of development across the site and ground floor uses. Plan PL05A shows the intended uses at upper floors. Total proposed floorspace: 147.310 sqm

² CD A03: Buildings nos 1, 23, 66 and 7 respectively

³ CD S1A: Main SoCG Table 5.1 – Proposed dwelling mix

⁴ CD D1-30: Plan no PL03A – Parcel A

⁵ CD D1-30: Plan no PL03A – Parcel H

⁶ CD D1-30: Plan no PL011A

⁷ CD M28 – Draft St George's Grove Planning Application drawings

enter and leave from Burntwood Lane. Bus stops, stands and routing are shown on Plan PL13A (CD D1-30).

- 6.2.4 A total of 952 car and 1,316 bicycle parking spaces are proposed. The car parks would be accommodated in a mix of integral garages, surface/street parking, parking courtyards and basement car parks.
- 6.2.5 Open space on the redeveloped site would comprise the proposed 'Springfield Park', the formal garden in front of the main hospital building, gardens around High Trees and open space close to the Glenburnie Road entrance¹. Three hard landscaped public squares are also proposed². The intended format of private open spaces for mental health service users and staff and internal landscaped courtyards³ are illustrated in the Design and Access Statement pages 64-68. Private communal gardens are proposed for use by residents of the listed buildings, elderly care home and extra care facilities. All residential units across the site would have access to private amenity space.
- 6.2.6 The public park would occupy the land currently used as the golf course. The golfing facility and clubhouse would be lost, to be replaced by approximately 13 hectares of publicly accessible open land intended to provide for a variety of formal and informal recreational uses⁴.

7. OTHER AGREED FACTS

- 7.1 The main SoCG and its updating supplement (CD S1A and S1B) demonstrate the extent to which the Council and the appellant agree on a range of topics relating to the appeals. However, when giving evidence the Council's planning witness resiled from the agreement reached on the provisions of the emerging Site Specific Allocations Document (SSAD)⁵. Furthermore, she is of the view that UDP Policy TBE8 expects other views to be taken into account and not just those identified in paragraph 4.36 of the SoCG.
- 7.2 CD S2 comprises a supplemental SoCG between the appellant and TfL.

¹ CD D1-19: Landscape strategy

² CD D1-30 – Public squares marked on Plan PL06A. CD D1-18 – Design and Access Statement, page 45 illustrative image of main public square

³ CD 1-30: Plan PL06A

⁴ CD K07: Sport and Recreation strategy, letter from Montagu Evans to Assistant Director of Leisure and Amenity Services at LBW, dated 10 August 2011

⁵ Paragraph 4.53 of the main SoCG

8. THE CASE FOR LONDON BOROUGH OF WANDSWORTH

The material points are¹:

Appeal A

8.1 Introduction

8.1.1 No one doubts the value of the care provided at this hospital. The need to improve its outdated and inadequate facilities is also universally recognised. The principle of its redevelopment for mixed uses, including residential, is not in dispute, as the existing allocation in Policy CS6 of UDP (CD F1-01) and draft allocation in the SSAD (CD F4-17 page 155) respectively confirm.

8.1.2 Equally, no one can question the strength of feelings held by local residents. They are legitimately concerned about the effect that this particular scheme would have on their day-to-day lives, particularly as a result of impact on a transport network which is under severe pressure, even before over 800 residential units are added to the area. The aspiration to build houses on valuable and sensitive MOL is also highly controversial. The receipt of several thousand objections to this scheme clearly demonstrates the considerable community opposition to the current proposals.

8.1.3 The Council shares these concerns which have been developed in the evidence by reference to the following three issues:

- the harm that the proposal would cause to the setting and views of MOL;
- the ability of the scheme to deliver its stated modal split objectives and the consequent effects on the transport network and local residents; and
- whether there are very special circumstances which clearly outweigh the harm caused by the inappropriateness of development on MOL and other harm, thereby justifying the grant of permission.

8.2 Metropolitan Open Land

8.2.1 Policy at strategic and local levels provides the same strict protection against development on MOL as PPG2 applies to the Green Belt². When applying that policy the following issues arise:

- whether the proposal amounts to inappropriate development in the MOL;
- the effect it would have on the openness and purposes of the MOL; and
- the effect of the proposal on the visual amenity of the MOL and on the character and appearance of the area.

¹ Inspector's note: The Council's evidence focused primarily on the reasons for refusal. Nevertheless, I record its position with regard to the other topics raised in the pre-inquiry meeting.

² CD F8-01: The London Plan Policy 7.17; CD F1-01: UDP Policy ON4 and CD F4-16: draft DMPD Policy DM01

Inappropriate Development

- 8.2.2 There is no dispute that the proposal to locate parcels P and Q and parts of X, Y and Z, together with a new internal road system¹, within the MOL would lead to inappropriate development. The definitional harm caused to MOL carries substantial weight.

Effect on openness

- 8.2.3 Existing views of the MOL from the approach road² and from its western edge³ maintain an overall sense of openness. Views from the west provide a wider sense of openness, due largely to the undeveloped aspect of the golf course. The contouring does not have a substantial effect on that openness, as claimed. From the roadway to the east there is again a perception of being within a generally open landscape, with a clear break between the urbanised development of the hospital and the suburbs lying beyond the site⁴.
- 8.2.4 Notwithstanding the existence of the golf centre with its practice area⁵ and the District Store⁶, this part of the MOL is more sensitive to change than the southern part of the site where the Diamond Estate and Shaftesbury Clinic (built pursuant to Crown Immunity) have already affected openness to a greater degree⁷. The location for the proposed parcels P and Q is more susceptible to harm, given the relationship between the defined boundary of MOL running along the turn of the access road and the extent of open space lying beyond.
- 8.2.5 The main concern here is the effect as a result of developing the semi-detached and terraced dwellings in parcels P and Q, which would involve the incursion of a concentrated form of development in this part of the MOL. The design rationale for this approach does not appear to have been properly informed by the policy objective of attaching significant weight to maintaining openness.
- 8.2.6 Parcels P and Q are intended, for instance, to frame the semi-open area of land surrounding High Trees and define the curve of the road.⁸ The terracing is also described as an important 'threshold' between High Trees and open space. Parcel Q involves the building out of dwellings specifically to frame the geometrical composition of the main building and structure views towards it⁹. Each parcel is then filled out to its full extent in an

¹ CD D3-06: Plan SPR-SK105, Illustrative drawing, proposed site areas on MOL

² LBW/BS/1.2 – Mr Sellers' Appendix 9, photo 7

³ LBW/BS/1.2 – Mr Sellers' Appendix 9, photos 1, 4 and 6

⁴ LBW/BS/1.2 – Mr Sellers' Appendix 9, photos 1, 6 and 7

⁵ LBW/BS/1.2 – Mr Sellers' Appendix 9, photos 1, 2 and 3 and CD A-13: photos 1.59, 2.5 and 2.7

⁶ CD A13: photo 1.60

⁷ CD A13: Photos 1.53 to 1.56

⁸ APP/AT/2.1: Prof Taylor's proof 5.4.6 and 5.6.13 and APP/AT/2/2: Prof Taylor's Appendix pages. 96-97 (before and after images).

⁹ APP/AT/2.1: Prof Taylor's proof 5.4.11; 5.6.12 ii-iii (viewpoint 6), 5.6.19 iv (viewpoint 13) 5.6.21 iv-v (viewpoint 15) and APP/AT/2.2: Prof Taylor's Appendix pages 94-95, 106-107 and 111.

attempt to define a clear edge to the open space and distinguish it from its urban context¹.

- 8.2.7 However, the design objective of providing a sense of enclosure around High Trees can still be achieved without the provision of semi-detached parkland houses as proposed². Semi-detached or detached dwellings near the road side would achieve a greater sense of openness in views through to the MOL. The buildings would not have to be of three storey heights. Wrongly, far greater weight has been attached to achieving the sense of enclosure than to maintaining openness.
- 8.2.8 Framing of views to the main building appears to be the main justification for building out four dwellings deep into this part of MOL. The geometrical composition of the main building including its wings is already a strong one. The addition of development into the view, at least to the depth that is proposed, is not justified, as the main building does not require much if anything to underscore an appreciation of its form³. The design explanation for intruding into MOL in this location is weak.
- 8.2.9 Defining an edge between the built form and the MOL where one does not currently exist, is also not a compelling argument in favour of the design approach presented. This approach – and the reasoning that the proposal would increase the defined open space⁴ – is predicated upon disregarding a development plan defined MOL boundary that already uses readily recognisable features in the area near proposed parcels P and Q. In this case, the clear delineation between built form and open space, provided by development of parcels P and Q, would be at the expense of a broad expanse of built development intruding beyond what is already a clearly defined boundary to the MOL.
- 8.2.10 The new building line would be brought back from the buildings currently on the MOL but the greater depth of development, and height up to 11.5m above external ground levels (which the parameter plans indicate as being raised 1m above the rest of the MOL⁵), would create a sense of substantial blocks of development advancing into open landscape. The semi-detached dwellings would allow views through. But the terraced blocks would create a solid wall of development fronting onto the historic drive, curtailing the openness of this part of the site and blocking views through the development towards a cherished view of the open countryside⁶. It is difficult to reconcile removal of the few isolated buildings currently in the

¹ APP/AT/2.1: Prof Taylor's 5.5.6-5.5.7 and 5.6.18 ii (viewpoint 12) and APP/AT/2.2: Prof Taylor's Appendix pages 104-105

² CD D1-18: Design and Access Statement, page 31 shows parcels P and Q involving parkside houses facing west towards the MOL and terraced houses alongside the inner edge of the road. The parkland houses are illustrated conceptually on pages 58-63 of the Design and Access Statement

³ APP/AT/2.2: Prof Taylor's Appendix pages 94-95 and 110-111, viewpoints 6 and 15

⁴ APP/AT/2.5 – Prof Taylor's rebuttal proof 2.1.2.

⁵ CD D1-30 – Application plan nos: PL09 and PL10 Rev B, existing and proposed topography

⁶ LBW/BS/1.2 – Mr Sellers' Appendix 9, photo 1, view from the perimeter of the MOL across the Wandle Valley to Holy Trinity Church (Putney)

MOL and introduce a more intensive and concentrated form of development with increased adverse impact on openness.

- 8.2.11 The presence of the golf clubhouse and driving range cannot be ignored, but from the entrance road the trees mask these features, and the golf course preserves openness. The buildings in the MOL are currently isolated with space about them. Impact on openness and accessibility is considerably less than any form of residential development. By contrast, the new development would permanently block views across open land¹.
- 8.2.12 The basic comparison between existing and proposed building footprint, while agreed², must be treated with caution. The golf course, for instance, preserves the openness of the MOL. The building is used, at least in part, for purposes that are associated with the golf course. The fact that the function room can be used not just by those playing golf, and can be hired for purposes including weddings and parties, does not take it away from being properly regarded as appropriate in MOL terms.
- 8.2.13 If the 'appropriate' building on MOL is not accounted for, the comparison of the before and after footprints begins to give a different picture³. The resulting figure does not make any allowance for roads, pathways and hardstanding. However, these features do not impinge upon its openness in the manner anticipated by the guidance, or are associated with the appropriateness of the golf centre use.
- 8.2.14 It is clear from guidance in Annex C of PPG2 that footprint is not the definitive indicator of impact on openness. The footprint calculation carried out does not take into account private garden space within parcels P and Q which in reality would have an effect on openness, even if they do not involve built development. The gardens would be accessible only to residents and would not be visually open. They would make no contribution to openness. In such circumstances, it is proper to add at least the back garden space to the calculations of proposed building footprint. When this measurement⁴ is compared with an assessment of existing garden space and built footprint⁵, the development would involve a decrease in MOL⁶.
- 8.2.15 There are no volumetric figures for the totality of development within the MOL, including the replacement of 2-storey development at the Diamond Estate and the Shaftsbury Unit with 3-storey development in parcels X, Y and Z. The Council therefore remains sceptical about the suggestion that overall the volume of built development within the MOL would decrease. It

¹ LBW/BS/1.4 – Mr Sellers' rebuttal proof, photos A, B, D and E

² CD S1A: Main SoCG paragraph 9.36, APP/AT/2.6: Prof Taylor's rebuttal Appendix 12 and 13, pages 59 and 61.

³ 6175 – 763 (footprint of the golf building) = 5412 sqm, which is less than the proposed 5804 sqm.

⁴ Taylor rebuttal App. 12: building footprint of 5804 plus back gardens on their own at 5565 sqm gives 11,369 sqm.

⁵ 1514.38 + 284.22 + 2349.70 sqm = 4148.3 sqm for gardens drawn from ID7, plus a total building footprint of 6175 = 10,323.3 sqm.

⁶ 11369 - 10323.3 = 1045.7 sqm.

cannot therefore be demonstrated that these proposals would avoid harm to the MOL when assessed in these terms.

- 8.2.16 The approach taken to parcels X, Y and Z involves a better balance being struck when replacing old and new. The building line of development would be drawn back in this location, although the modest widening of the unbuilt area has to be seen in the context of a bus route running across the MOL, which would have a negative effect to a degree. The opening up of views generally towards this corner of the site would not be significant, as the Trust's own visual material indicates¹. Overall, the development of X, Y and Z would not cause harm, but by the same token it would not offset the harm caused by parcels P and Q.
- 8.2.17 Burntwood School, Horton Halls and St George's Grove lie outside the MOL and their height cannot sensibly generate a justification for the height of the proposed buildings within the MOL in the appeal site. It should also be recognised that the Trust does not rely upon any particular imperative for parcels P and Q to be located in the positions intended, as far as delivering redevelopment of the hospital is concerned.
- 8.2.18 A financial appraisal has demonstrated that the scheme delivers the maximum reasonable affordable housing². The masterplan was not based on the requirement to achieve any defined quantum of housing development³. It follows that the masterplan was not based on any requirement to locate development specifically in parcels P and Q. There is no evidence that the family housing in this location needs to be this size for other commercial reasons. On the contrary, there is evidence to suggest that it is too large even for the local market⁴. Furthermore, there is no evidence to confirm that regeneration of the medical facilities can only be achieved with the scheme that is before the Secretary of State; alternatives have not even been considered⁵.
- 8.2.19 The conclusion is that there is no justification for creating the adverse effect that these proposals would have on the openness of the MOL.

Effect on the purposes of the MOL

- 8.2.20 The Council accepts that the proposals would be likely to enable a greater degree of public access to the site, but this has to be balanced against loss of the golf course. Although run by a private club, it is open to the public on a pay and play basis and is clearly a popular facility.
- 8.2.21 The potential linkage with Streatham Cemetery in the vicinity of parcels X, Y and Z is not part of an obviously attractive route through to this part of the site. The extent of the route would be limited by the balancing ponds and it

¹ APP/AT/2.2: Prof Taylor's Appendix pages 116-117, viewpoint 18

² CD D2-03: Assessment of economic viability and affordable housing provision prepared by BNP Paribas Real Estate

³ Confirmed by Mr Taylor in cross-examination

⁴ CD D2-03: Assessment of economic viability and affordable housing provision prepared by BNP Paribas Real Estate, page 7.

⁵ Ms Goddard's response in cross-examination

would run alongside a new bus route¹. Furthermore, connections into the Cemetery, which would be the only feasible reason to pass into this part of the site, would require the agreement of Lambeth Council which has not yet been sought. It cannot therefore be concluded that this linkage as part of the green chain identified in UDP Policy ON7 would be delivered.

- 8.2.22 In short, the scheme would represent urban sprawl in PPG2 terms and would not safeguard the MOL from encroachment, for reasons that have been set out above. The overall effect on the purposes of the MOL would be adverse.

Visual Amenity

- 8.2.23 Similar points arise with regard to effect on the MOL's visual amenity. The contours of the golf course and the mediocre built form of the existing buildings would be replaced by more modern development, and the views across the area in front of the main building would be improved. However, the bulk and height of parcels P and Q would impinge upon views from and towards the MOL that are presently characterised by a far greater sense of openness.

- 8.2.24 The Council acknowledges that the views it has relied upon in this case are not specifically identified in its SPG on important local views (CD F3-04). The SPG seeks to identify examples of such views or the "main" views covered by the guidance² – the intention is not to be prescriptive. This is confirmed by descriptions of the character of the MOL perimeters. It is clear that development could unacceptably affect views from these perimeters, even if it did not lie specifically within the identified important viewpoints. It cannot have been the intention of policy to preclude views not specifically identified in SPG.

- 8.2.25 There is nothing to prevent the views identified by the Council in this case from being taken into account in applying UDP Policy TBE8 (F1-01, page 30). When this exercise is carried out, the extent of the impact involves a breach of that policy even though the views are not identified in the SPD.

8.3 Highways and Transport

Existing Situation

- 8.3.1 There is no dispute in this case that the residential area in the vicinity of the site lies within a transport network that is under severe pressure. The roads in the area are already experiencing high levels of traffic congestion³.
- 8.3.2 The surrounding local residential streets carry relatively large flows of traffic and several experience rat-running, as a result of drivers seeking to avoid congestion and restrictions on the main network⁴. Some local roads in fact carry more traffic than the nearby strategic main roads of the Trinity Road

¹ CD D1-30: Plan no: PL03 Rev A, Parcel Plan

² CD F3-04: Paragraphs 7 and 32.

³ CD E3-01: Mayor Stage 1 report, page 19 paragraph 120.

⁴ LBW/DT/2.2 – Mr Tidley's Appendix 1, Report by Director of Technical Services on a traffic study in the area, September/October 2010

red route and the Upper Tooting Road red route¹. There is more northbound traffic on Beechcroft Road than on parallel Trinity Road; and more on Burntwood Lane than on Upper Tooting Road².

- 8.3.3 Extensive traffic calming measures, including 20mph zones have needed to be introduced in the vicinity of the appeal site³. This can inconvenience residents, to the extent that some have been removed in Burntwood Lane⁴, and it is being opposed in Fishponds Road.
- 8.3.4 Local residents have confirmed the significant issues they have to face when seeking to move around the area on their daily business. Any visit to the area reveals the difficulties in moving around residential streets near the site. Problems at the junction of Trinity Road and Burntwood Lane are extreme and long-standing⁵. These roads have been rated within the top 10 most congested roads in the country. Traffic forms in single file on three arms and very long queues regularly form on all arms, as anyone passing through the junction can confirm⁶. The evidence from the inquiry establishes that this junction does not operate satisfactorily and is a major constraint on the network.
- 8.3.5 The site is poorly served by public transport, as its PTAL rating of 1-2 demonstrates⁷. A small slither of the site falls within PTAL 3, just inside the Glenburnie Road entrance, which cannot affect the overall judgment on accessibility. TfL has stated that the site is "isolated" and "car dependent"⁸. That is a fair description.

Context of the proposed scheme

- 8.3.6 It is common ground at least that improvement of public transport is crucial to enable these proposals to proceed⁹. The GLA has also found that the proposed development would make a significant contribution to congestion¹⁰. Even the Trust agrees that increases in traffic would only be manageable if the proposed mitigation measures are secured and successful in meeting the modal split objectives, which lie at the heart of the transport assessment¹¹.
- 8.3.7 The clear implication of that agreement is that if the modal split cannot be demonstrated to be met by measures proposed in the scheme, the traffic on the network would be unmanageable. The agreement is not predicated on

¹ LBW/DT/2.1: Mr Tidley's proof paragraphs 2.2-2.3 and CD D1-21: Transport Assessment Appendix E1

² LBW/DT/2.1: Mr Tidley's proof paragraph 2.4 and CD D1-21: Transport Assessment Appendix E1.

³ LBW/DT/2.2 – Mr Tidley's Appendix 2, 20MPH schemes location plan

⁴ LBW/DT/2.2 – Mr Tidley's Appendix 4, Report in 2009 by the Director of Technical Services

⁵ CD M27: Report by the Director of Technical Services on the junction of Trinity Road-Burntwood Lane-Bellevue Road, CD D1-21: Transport Assessment paragraph 14.12.1

⁶ LBW/DT/2.2 – Mr Tidley's Appendix 5, photos at junction during morning peak period

⁷ CD M08: Map showing PTAL in vicinity of site

⁸ CD C02 : TfL pre-application letter, 17 September 2009, page 5.

⁹ CD E3-01: Mayor Stage I report paragraph 129 and paragraph 136.

¹⁰ CD E3-07: Mayor Stage II report, paragraph 55.

¹¹ CD S1A: Main SoCG paragraph 13.198.

any vague concept of future measures that might arise out of a review of the travel plan, if current measures failed to do the job of meeting modal split objectives, but on the measures proposed now.

- 8.3.8 The Council remains unconvinced that the measures proposed will be successful in securing the Trust's modal split objectives for the various land use elements of the scheme¹. If the Secretary of State agrees with the Council's assessment of trip generation, the extra traffic that would arise would not be manageable on the network.
- 8.3.9 Against this background, it is worth noting that the proposal would generate over 2000 person trips in the morning peak hour; an increase of over 170% on the existing situation. These trips would be allocated across transport modes, such that pedestrian trips would increase by nearly 1000%, cycling trips by nearly 140%, bus trips by over 260%, rail trips by over 320%, tube trips by over 260%, over 750% in the case of car passenger trips, but car driver trips by only 30%².
- 8.3.10 The clear disparity between increases in trips by car and non-car modes raises at the outset a strong instinctive concern that the analysis in the Transport Assessment (CD D1-21) places excessive relative weight on the ability of the proposals to achieve the anticipated modal split. The validity of that concern³ has been borne out by examination of the proposal and of the assessment which underpins the modal split targets.

Proposed Improvements

Bus Provision

- 8.3.11 The site is currently served only by the G1 bus service⁴. This is a low frequency, tortuously routed service with 20% of its buses running between 5-15 minutes late⁵. At the heart of the proposed development is the proposed alteration to this service.
- 8.3.12 However, the movement from a frequency of 3 to 4 services per hour would not be significant. Re-routing the service through the site and out into St George's Grove would not greatly alter its tortuous nature, nor make a significant difference in journey times along the route. The re-routing proposed would also place the service beyond the reach of residents whose current ability to access the existing bus stops on Burntwood Lane is consistent with TfL guidance. Provision of this route also requires the final agreement of TfL to a particular proposal, quite apart from the need to

¹ LBW/DT/2.2: Mr Tidley's Appendix Table 2 – proposed mode shares for various land use, derived from Transport Assessment

² LBW/DT/2.2: Mr Tidley's Appendix Table 1, Before and after total trips mode shares, derived from Transport Assessment

³ CD E2-14: Memo from Technical Service Department, dated 29 November 2011 concern was shared to a considerable extent by the Engineering Services team within the Council despite its decision not to object to the scheme

⁴ CD M04: SW London bus map extract; CD S2: Transport SoCG Table 4.1 details of bus service

⁵ LBW/DT/2.2: Mr Tidley's Appendix 10, London Buses Quality of Service Indicators, April-June 2011

secure planning permission for the amended route through St George's Grove. However, TfL is not in a position to confirm its agreement to the scheme – it has not endorsed the detail.

- 8.3.13 There is also a contribution towards another bus service, but no clarity about what this will actually deliver. Improvements to the 315 service have been mooted in the past. Indeed, it was assumed that these would take place when the Transport Assessment analysed likely modal split for the site and resulting trip generation by car. Improvements to the 127 service were also discussed at a previous stage. Without knowing the services to be provided, the influence of bus provision on achieving modal split objectives cannot be predicted.
- 8.3.14 All other bus routes, including the higher frequency services on the Upper Tooting Road, Trinity Road and Garratt Lane, would be beyond the maximum 8 minute walk time to access services, as set out in TfL guidance (at 630m distance). Most stations (Earlsfield, Wandsworth Common mainline and Tooting Broadway tube) are around 20 minutes' walking distance; again well beyond TfL's maximum 12 minute walk (960m) from the site. Tooting Bec tube is a 13 minute walk away and also beyond this maximum distance.
- 8.3.15 The appellant's bus accessibility plan (CD M05) is based on distances from the centre of the site and should not be measured from particular site entrances, as put forward on behalf of the appellant. The Council accepts that people would walk beyond the TfL recommended distances. PTAL already takes into account the fact that different people will walk different distances to access public transport services and sets out maximum walk times which are based on the likely *propensity* to walk. This underlines the difficulty in placing confidence on challenging modal split assumptions.

Travel Plan

- 8.3.16 The proposal includes a travel plan which builds upon the voluntary travel plan already in place at the hospital¹. The site-wide travel plan² contains some additional measures. Primarily, these are an on-site car club (4 spaces) and car sharing scheme; financial incentives to use public transport in the form of an Oyster smart card; widening of the existing bicycle user group; the design and launch of a travel plan website to market the travel plan initiatives to staff and a car park management strategy. The obligation also seeks to improve modal split primarily through contributions towards improved pedestrian and cycle connections to existing public transport nodes.
- 8.3.17 The measures would, to a limited extent, encourage access by modes other than the car. However, the Council does not consider that this would be sufficient to justify confidence in the modal split targets being achieved for the following reasons:

¹ CD M31: South West London St George's NHS Trust Voluntary Travel Plan

² ID 10E – S106 planning obligation

- It is unclear what financial incentive might be offered, if any, beyond the mere provision of an Oyster card to employees.
- The travel plan website is unlikely to offer any significant benefit.
- Extension of an existing bike club at the hospital is also unlikely to offer any significant benefit. It has not been demonstrated that the current scheme has had a substantial effect on access by non-car modes.
- The contributions would encourage some to walk or cycle to existing stations or bus stops, but the propensity to use these facilities will be determined primarily by distance from site to service, which would obviously remain as the key disincentive to such use.
- Pedestrian links to Streatham Cemetery and north of St George's Grove depend on third party consents which have not yet been received.

8.3.18 There is no suggestion that the PTAL rating for the site would change once the development is in place. The available evidence does not provide much confidence that the modal split targets would be achieved. Concerns about the ability of the scheme to deliver on its modal split aspirations are further heightened by the Council's analysis of likely trip generation.

Trip Generation

8.3.19 The Trust's transport case is founded on a shift to non-car modes. The Transport Assessment assesses trip generation by reference to the different elements of the proposals. The Council takes issue with several significant aspects of the analysis, which underestimates the vehicular trips that would be made to the site. Correspondingly, the likely mode share attributable to the non-car modes is overestimated.

Hospital

8.3.20 The assumed reduction in car trips to the hospital from a baseline of 60% to a proposed 44%¹ would be unlikely to occur. Even TfL regard it as "ambitious"². Different sources of data are relied upon to demonstrate that the voluntary travel plan instituted in 2009 has already achieved significant strides towards that target. This information is unreliable and actually shows a recent increase in vehicles entering the hospital in the morning peak.

8.3.21 Staff travel surveys were carried out in 2006³ and June 2011⁴. The Trust says that the results show a reduction in car-based trips by staff from 60% to 47%. However, the response rate of 21% was low⁵, as confirmed by the low level of entries against different modes. Furthermore, the introduction to the questionnaire stated that it would allow the Trust to understand how staff could travel more easily using sustainable travel modes. This would

¹ CD D1-21: Transport Assessment, Appendix O, Trip generation and modal split by land use and LBW/DT/2.2: Mr Tidley's Appendix, Table 3

² CD D3 -03: Minutes and agenda of meeting held with TfL, 2 June 2011, page 3.

³ CD D1-21: Transport Assessment, paragraph 4.4 and Table 4.1

⁴ LBW/DT/2.2: Mr Tidley's Appendix 8 and APP/CR/3.2: Mr Rooney's Appendix CR2

⁵ Accepted by Mr Rooney in cross-examination

not generate a random response. The survey would be more likely to elicit responses from those with an interest in sustainable travel modes¹. In any event, the results contain no information regarding the time of day at which travel was undertaken. This evidence could not therefore be treated as indicating likely travel patterns during the peak hour in the Transport Assessment. This survey work could not of itself be regarded as reliable evidence of a reduction in car mode share amongst staff².

- 8.3.22 Traffic surveys were also carried out in July 2007³ and March 2011⁴. As with the staff survey, the later traffic survey was not before the Council when the application was determined. Nevertheless, the later survey has done nothing to assuage the concerns expressed at the time of the decision. In fact it confirms that in the critical morning peak the number of vehicles using the site increased by at least 10% when compared with 2006 levels⁵.
- 8.3.23 It is now argued that the increased vehicle trips in 2011 were attributable to school run trips (not hospital trips) passing through the site, which would not have been there in 2007, due to restrictions at the time relating to construction works at the site⁶. Little weight should be attached to this purported explanation. The Transport Assessment did not seek to qualify the figures from the 2007 survey in any way⁷. If something was likely to have affected hospital trips it should have been picked up then. Even when preparing for the inquiry, the Trust's evidence⁸ regarded flows in this survey as representative.
- 8.3.24 What is more, the construction works which specifically involved closing off the left turn inside the site access were completed before the survey was carried out. Accordingly, traffic at the time of the survey was able to pass through the site as it was able to at the time of the 2011 survey. Even the installation of traffic lights during those construction works would not have deterred traffic to a material degree. It also appears that attributing the increase in traffic to the school run has resulted from a site visit that Mr Rooney performed after receiving Mr Tidley's evidence and not through any analysis of the March 2011 data. In short, there is no evidence to demonstrate that the increase in trips in 2011 was attributable to through traffic that was not there in 2007.
- 8.3.25 Parking accumulation within the site is said to have reduced between 2007 and 2011⁹. However, at the time of the 2007 survey, parking on the hospital site was unmanaged, such that cars not associated with the hospital use were able to park freely within the grounds. Any reduction in

¹ Accepted by Mr Rooney in cross-examination

² Accepted by Mr Rooney in cross-examination

³ CD S1A: Main SoCG, paragraph 13.57; CD M25: Survey locations and CD D1-21: Transport Assessment Appendices E1, E2 and E3

⁴ APP/CR/3.2: Mr Rooney's Appendix CR/1

⁵ APP/CR/3.2: Mr Rooney's Appendix CR/1 page 19 and LBW/DT/2.1 – Mr Tidley's proof, Table at paragraph 3.9.

⁶ APP/CR/3.4: Mr Rooney's rebuttal Appendix CR/R/1

⁷ CD D1-21: Transport Assessment, page 14 paragraph 4.7.

⁸ APP/CR/3.1: Mr Rooney's paragraph 4.4.

⁹ APP/CR/3.1: Mr Rooney's proof, paragraph 5.9

absolute parking since then does not mean that car parking associated with the hospital use has reduced. The Council remains unconvinced that there is reliable evidence of a sustained reduction in car use associated with the hospital.

- 8.3.26 This position is underscored by evidence of other hospital travel plans. Research by the DfT has found that travel plans in a study of 21 organisations, including four hospitals, achieved a median 15% reduction in car driver mode share¹. These are not average results for travel plans, but results for successful travel plans. Clearly every organisation will differ by nature and location. However, the consistent theme is a substantial provision of new services and the use of parking charges². The services proposed here do not compare, and would be unlikely to generate the same significant change in activity. Even if the results were typical of travel plans per se, they still suggest that a more typically achievable reduction from a baseline mode share of 60% would be 15%, resulting in a mode share of 51% rather than the target 44%.

Residential

- 8.3.27 The car mode share for the residential element of the proposal has been underestimated, given its reliance upon an unrepresentative sample of local census data. The residential mode splits employed by the Trust are derived from the 2001 census journey to work data for three super output areas³. The use of output area 0028 is unjustified, as it includes residents living nearer to rail-based public transport (the Northern line) and it is more populated than other areas. Part of the output area has a PTAL rating of 3, whereas only a minimal part of the appeal site achieves that rating. The data used distorts the modal split in favour of alternative modes.
- 8.3.28 Had data from areas of similar PTAL characteristics and a greater number of output areas been selected⁴, the derived car driver mode share for journey to work would be 35% not the 29% assumed in the Transport Assessment⁵. This approach was accepted to be reasonable⁶ and it makes sense, because it draws information from a population pool of a similar size to the proposal, from an area which has similar transport-related characteristics. This plainly

¹ LBW/DT/2.2: Mr Tidley's Appendix 6, Making Travel Plans work – Lessons from UK case studies

² LBW/DT/2.2: Mr Tidley's Appendix 6, Making Travel Plans work – Lessons from UK case studies Addenbrookes pp. 91-111: 14% car trips reduction achieved; high level of bus service (21 in peak hour, 5 entering site); discounted tickets; park and ride agreement with supermarket; Nottingham pp. 85 and 114: 16% shift with a number of high quality bus services and parking charges; Plymouth pp. 50 and 116: 90-54% movement in car trips with a considerable increase in bus services and parking charges – a doubling of services and the vast majority of the existing routes serving area stopping at the hospital; Oxford Radcliffe p. 115: 4% down on cars with parking charge and discounts on fares up to 20%.

³ LBW/DT/2.2: Mr Tidley's Appendix 9, output area 00BJGS0020, 00BJGS0027 and 00BJGS0028

⁴ LBW/DT/2.2: Mr Tidley's Appendix, (page 4) output areas selected for re-calculating mode shares

⁵ LBW/DT/2.2: Mr Tidley's Appendix Table 4, Mode shares for residential trips

⁶ Accepted by Mr Rooney in cross-examination

provides a more robust assessment and results in an increase in car mode share.

- 8.3.29 There is no evidence to substantiate the claim that the proposal would involve new residents moving afresh into new development with sustainable travel at its heart, and that the modal splits would probably be higher than those drawn from the existing area anyway. The approach is inconsistent with the concept of using super output areas in the first place.

Commercial

- 8.3.30 The assumed car mode share for the commercial use (5% for am peak trips¹) is unrealistic. So too is the 67% public transport mode share, which is way beyond what any of the existing evidence suggests should be achievable. The Trust relies upon limitation on car park spaces for this use. However, this will not prevent more widespread use of the shared parking spaces. The traffic impact of the commercial use is underestimated by 41².

School

- 8.3.31 The methodology used to arrive at the mode split data for the school use is flawed in several material respects. In response to Mr Tidley's evidence, the Trust increased its car mode share for school use. However, other issues remain.
- 8.3.32 First, TRAVL data relied upon to generate figures for total person trips includes all trips to the relevant schools, including staff trips. This does not help with ascribing a mode split to staff trips, which will be different to pupil trips. The Council has data for staff travel at nearby schools which shows a car driver mode share of between 41% and 54%³ when compared with the 16%⁴ for other trips. This was not accounted for.
- 8.3.33 The assessment assumed that 114 pupils at the school would be drawn from the development within the appeal site. However, these should have been subtracted from the assumed pedestrian modal splits for total school role and a new assessment of modal splits carried out for the remaining 358 pupils. This would again lead to an upwards list in car mode share⁵.
- 8.3.34 The Trust further argues that the analysis overestimates trips because it assumes entirely new pupils when in fact the existing nursery on the site would be reinstated under the proposal. This has not been demonstrated clearly within the Transport Assessment.
- 8.3.35 It is further asserted that the new school would fill a gap in existing provision and draw in pupil trips that are currently being made by car, replacing them with trips on foot. This is said to be reflected in evidence that all applicants living within 1000m of local school were offered a place

¹ CD D1-21: Transport Assessment, Appendix O, page 4

² LBW/DT/2.1: Mr Tidley's proof paragraph 3.15, derives the figure from the Transport Assessment initial assessment at Appendix O, page 4.

³ LBW/DT/2.2: Mr Tidley's Appendix, page 6 paragraphs 5.6-5.7

⁴ LBW/DT/2.2: Mr Tidley's Appendix, page 5 Table 5

⁵ LBW/DT/2.2: Mr Tidley's Appendix, page 5 Table 5

there in 2011¹. The point was not of sufficient merit to be included in the Transport Assessment. But in any event it is unsupported by any real analysis of how the new school would actually change existing travel patterns within its catchment. There is no evidence of how pupils who may attend the school are currently travelling to their existing one. The fact that places were offered to children within a defined catchment area does not tell us what proportion of pupils actually live within or beyond a km away from the school.

- 8.3.36 Similarly, the suggestion that there would be the potential for linked trips to the school was not included in the Transport Assessment; and has not been quantified in any way. There is no justification for using such trips to support the more detailed trip generation figures for the school. The Transport Assessment underestimates car driver trips at the morning peak hour by at least 92 and possibly up to 123².

Conclusion on trip generation

- 8.3.37 The likely number of car trips has been substantially underestimated, along with the assumed car mode share. The Council's figures demonstrate that this increase in traffic generated by the proposals would be at least 80% when compared with the existing position, substantially higher than the 30-37% as claimed by the Trust³.
- 8.3.38 The appellant suggests that if the modal split objectives are not met by its currently proposed mitigation measures, the site-wide travel plan would still enable further measures to be delivered. The travel plan⁴ includes provisions relating to monitoring and review. However, no amount of monitoring will achieve mode shift and there are no suggestions about what might be done in the event that targets are missed by any particular degree. Reference was made to the potential removal of hospital staff parking permits for those living within say a 1km radius of the site, or parking charges, yet this would only apply to one element of the mixed uses on the site. It would in any event be the subject of consultation and no confidence can be placed in the proposition that any such schemes would be delivered.
- 8.3.39 The Council supports travel plans and considers them suitable for many developments. But in this case is not satisfied that the modal shift target would be achieved even with the travel plan in place.

Highways Impact

- 8.3.40 The Council has allocated the additional traffic predicted to relevant junctions in the area according to the distribution used in the Transport Assessment. This results in junction flows 50-100% higher than claimed by the Trust⁵.

¹ APP/CR/3.5: Mr Rooney's rebuttal Appendix CR/R/5, A guide for admissions to primary schools in Wandsworth

² LBW/DT/2.2: Mr Tidley's Appendix Table 8, Council's estimate of additional car driver trips

³ LBW/DT/2.2: Mr Tidley's Appendix Table 8, Council's estimate of additional car driver trips

⁴ CD D1-21: Transport Assessment, Appendix M page 39.

⁵ LBW/DT/2.2: Mr Tidley's Appendix Tables 9-10 columns C and D.

- 8.3.41 The VISSIM modelling results¹, even before the addition of the Council's extra trips to the network², do not adequately describe the extent of the problems on the network. The model outputs are primarily presented in a visual display which was not before the inquiry and they do not generate information relating to queue lengths or individual junction capacity that is comparable with traditional models.
- 8.3.42 The sensitivity results in the additional modelling also do not give evidence of queue lengths or junction capacity³. However, they show increases in journey times - on the Upper Tooting Road and Trinity Road in particular - of up to 47 seconds on links with existing journey times of around 4 minutes - an increase of 25% on top of traffic that is already on a highly congested network, even without allowing for the knock-on consequences for use of other links in the network. If the Council's evidence is correct, there is nothing to indicate that TfL would endorse these modelling outputs to be acceptable.
- 8.3.43 The Trust has proposed contributions towards the installation of SCOOT⁴ on junctions within the area⁵. However this is already being rolled out and the average 12% improvement in flows that TfL have reported only relates to normal flow conditions⁶ which plainly do not occur in this area. Furthermore, the 12% is an average; some junctions will not perform as well as this, particularly those that are already suffering from high levels of congestion. The case studies of successful SCOOT operations relate to junctions that are far less constrained than this area, in particular the Burntwood Lane/Trinity Road junction that is the focus of much local concern.
- 8.3.44 The Trust and TfL acknowledge that contributions aimed at improving this junction are necessary⁷. It cannot be assumed that any such works can be delivered. The need to take land from Wandsworth Common and the MOL is highly controversial. The extent of land take required is unknown and land ownership issues would be extremely difficult to resolve. Discussions about junction improvements already have a very long and protracted history⁸ and this will continue. There is a great deal of uncertainty about whether any improvements could actually be delivered, so as to mitigate the impact that would arise in this case.
- 8.3.45 The Council accepts that redevelopment of this site for mixed use, including regeneration of the hospital, would generate additional traffic on the network. It is not the purpose of this appeal to decide in the abstract what the appropriate level of impact would be; this requires a balancing exercise

¹ CD D1-21: Transport Assessment, Appendix Q, VISSIM model results

² ID11, Tab 6: Re-run of VISSIM model with Council's trip generation rates

³ ID18: Note on VISSIM Models confirming that TfL considers the model is appropriate for testing major development schemes and is unsuited to modelling busy networks.

⁴ Split Cycle Offset Optimisation

⁵ ID10E: S106 planning obligation

⁶ CD S2: Transport SoCG, paragraph 4.196.

⁷ CD E3-07: Mayor's stage II report, paragraph 56 and CD S2: Transport SoCG paragraph 4.76

⁸ Outline schemes for the junction date back as far as 1989

that is influenced by the particular quantum of developed proposed and the nature of the transport mitigation offered at the time, as the draft SSAD recognises¹.

- 8.3.46 It is clear that in this case, the proposal represents a form of development which would create an unacceptable burden on the transport network, with no realistic prospect of a satisfactory outcome for those living in the area.

Parking

- 8.3.47 The Trust proposes to adhere to a Parking Management Plan (CD D1-17), reduce parking options for hospital staff over time, exclude new residents from obtaining permits for surrounding areas and contribute towards extension of parking controls outside the site.
- 8.3.48 Parking in the local area is under pressure. A variety of controls have had to be imposed, particularly to the east and south of the site². To the north of the site, opposite what would become the main site entrance, the roads between Fieldview and Tilehurst Roads have no restrictions. Recent surveys of these roads already show high average parking occupancy in excess of 85%³ - a generally adopted threshold to indicate parking stress.⁴ These streets voted against parking controls in 2009⁵.
- 8.3.49 Preventing residents from obtaining permits would not address pressure on streets without controls and could still lead to added pressure outside control hours on surrounding roads.
- 8.3.50 The Trust accepts the need to offer a contribution towards implementing further CPZs in the area, given that parking would be worsened as a result of development. However, local residents should not have imposed upon them further parking controls at the behest of a development that is unacceptable in transport terms, particularly when they have expressed a desire to avoid such controls in the past.

Policy and Density Issues

- 8.3.51 The London Plan density matrix⁶, as well as references to the site within the Council's Housing Land Reports and SHLAA⁷, is relied upon to argue that the extent of residential development on the site is appropriate and has been supported by the Council in the past.
- 8.3.52 The fact that a scheme falls within the range of densities deemed appropriate for a site with a low PTAL rating does not mean that it is acceptable in policy terms. The policy does not endorse development which would have an unacceptable impact on MOL or on the surrounding transport network on a detailed examination of its merits.

¹ CD F4-17: SSAD, page 155.

² CD M20: Summary of Controlled Parking Zone Restrictions – August 2011

³ LBW/DT/2.2 – Mr Tidley's Appendix 11, Parking survey summary

⁴ LBW/DT/2.1: Mr Tidley's proof paragraph 4.13

⁵ LBW/DT/2.2 – Mr Tidley's Appendix 12, Report by Director of Technical Services, September 2009, page 3 of 11

⁶ ID11: Tab 10, Assessment of site against the London Plan SRQ matrix

⁷ ID2: Tab 3, 2009 Strategic Housing Land Availability Assessment data

- 8.3.53 Similarly, the fact that the Strategic Housing Land Availability Assessment (SHLAA) refers to a development capacity for the site should be given little weight. The SHLAA methodology is used to produce broad estimates of capacity for the whole borough. The SHLAA entries do not reflect or pre-determine an allocation for development¹. It is not a tool to be used when assessing the appropriate level of development in a planning application. For the purposes of granting permission, the level of housing to be provided must be determined through detailed evidence and analysis. That evidence shows the transport impact of this scheme would not be acceptable, notwithstanding the SHLAA entry.

Conclusions on Highways and Transport

- 8.3.54 Overall, the conclusion is that the proposal represents an unacceptable form of redevelopment on the site, in the absence of evidence which demonstrates the likely delivery of modal split objectives advanced by the Trust.

8.4 Heritage Assets

- 8.4.1 The Conservation Strategy (CD D1-20) demonstrates how the conversion works may be achieved and also identifies how potential areas worthy of special attention and retention may be taken into account in achieving the number of units proposed. Indicative layouts have been provided and the Council officers were satisfied with the level of information to assess the proposals. The timing and requirements to convert and repair the listed buildings would need to be agreed to ensure the conversion works are commenced and completed at appropriate times and before all of the new-build works were completed and occupied².
- 8.4.2 Although an outline application is unusual in dealing with proposals for and adjoining listed buildings, Members agreed that detailed conversion of the listed buildings can be addressed at a later date, as some protection is secured through Design Codes and provisions of the S106.
- 8.4.3 As confirmed in the main SoCG (CD S1A, section 12), the proposal would secure renovation and long term future of the main listed buildings, bringing with it considerable heritage benefits. Conserving and re-using other curtilage listed buildings (the Chapel, mortuary, ballroom, High Tree and Glenburnie Lodge) would support the overall heritage interest of the site.
- 8.4.4 The scope of demolition of the curtilage buildings was largely agreed through the Council's Brief for Springfield Hospital, which was subject to public consultation in 2000. The majority of curtilage buildings to be demolished are of low to moderate importance. White Lodge is a building of some interest, however its architectural merit must be balanced against the wider regeneration benefits. Its removal is necessary in order to facilitate a larger development scheme with regenerative benefits³. Harewood House,

¹ ID7: Email from Senior Strategic Planner (GLA) to LBW, dated 10 November 2011, and CD F9-01: The London Strategic Housing Land Availability Assessment and Housing Capacity Study 2009, paragraph 1.3.

² CD E03-03: LBW committee report, pages 48 and 49

³ CD S1A: Main SoCG, paragraphs 12.112-12.137

Hebdon Lodge and the ABCD Building are not considered to be of architectural or historic interest and their demolition is acceptable.

8.4.5 The settings of the main listed buildings are currently compromised by the golf course and car parks, and views of them obscured by a collection of ancillary buildings. Development being sited mainly to the rear and west of the main hospital building avoids intrusion into its primary setting. New buildings to the front of the Elizabeth Newton Wing would be no higher than existing buildings and those to the rear would not be seen behind the listed building. Removal of ancillary buildings and opening up spaces around the two listed buildings would improve legibility and enhance their settings.

8.4.6 Transformation of land that forms the registered park from a golf course to a new public park is welcomed in landscaping and visual amenity terms. The strategy recognises the historic landscape significance of the site through its different treatment of spaces.

8.5 **Biodiversity and Trees**

8.5.1 The Council accepts that a wide variety of small, medium and large trees on the site are in poor health and offer nothing more than occasional amenity group value. On the other hand, there are also a great many of value.

8.5.2 The proposal aims to retain as many of these as possible. The replanting scheme intended would be vital in achieving a quality environment. The Council is satisfied that the tree and other biodiversity issues could be addressed through conditions and that the principles of the landscape strategy (CD D1-19) accord with the site allocation in the SSAD (CD F1-16).

8.6 **Residential Amenity**

8.6.1 Two-storey houses adjoining the boundary with College Gardens and Chancery Mews would be acceptable in principle. The 2-3 storey buildings adjacent to Hebdon Road would be suitable in terms of layout and position. Overshadowing, loss of sunlight, daylight or privacy would not occur. No objections are raised by the Council regarding noise and disturbance from the site itself.

8.6.2 The number of properties served from Hebdon Road is as much if not more a matter of planning balance and site design rather than traffic implications. The projected volume of additional traffic is not considered to represent a threat to highway safety or its users. In terms of amenity and environmental impacts, the properties are all situated on an adopted highway and modest levels of traffic can be expected with movements occurring to and from Lingwell Road¹.

8.7 **Golf Course**

8.7.1 The Council acknowledges that considerable objections have been raised to the loss of the golf course and recognises that the facility offers a valuable resource to the local community. However, opening up the MOL as a public park in the manner indicated in the proposed development would generate

¹ CD E3-03: LBW committee report, page 55

greater local benefits, even if that is not sufficient to outweigh the MOL objections described earlier.

8.8 **The Benefits**

Medical Benefits

- 8.8.1 The Council accepts that the scheme would deliver a range of medical benefits, primarily to those living within the 5 London Boroughs served by the Trust (Wandsworth, Merton, Sutton, Richmond upon Thames and Kingston upon Thames), as outlined in the Trust's evidence. With the exception of the Phoenix Unit and the Wandsworth Recovery Centre, the remaining buildings are unsuitable for continued medium- or long-term care. The value of that care is clear and it has been eloquently described in evidence to the inquiry.
- 8.8.2 The Council shares the view of the Trust that the only realistic way to deliver high quality care, in modern mental health facilities on the site, is through the redevelopment of part of the hospital for non-hospital uses. Rebuilding of the mental healthcare facilities at Springfield Hospital is an infrastructure requirement in the CS¹. However, when considering these legitimate and important benefits as part of the overall balancing exercise that policy requires, it is necessary to take into account that these particular proposals are not being promoted as the only way in which the medical benefits could be provided.
- 8.8.3 As Ms Goddard accepted for the Trust, there is scope to alter the proposed development while still enabling the medical benefits to come forward. Similarly, the evidence is that the placement of dwellings on parcels P and Q as part of the masterplan process was not driven by any requirement to deliver a particular quantum of redevelopment. This suggests that development on this area of the MOL is not as part of any defined financial imperative to achieve the enhanced medical facilities proposed.
- 8.8.4 Further, there is no detailed evidence to establish whether any reduction in housing on the site would affect the overall funding model for the scheme. The financial model was not produced in evidence. The only information provided related to the broad proportions of funding that are anticipated to come from the redevelopment (70%) as opposed to debt, grant and other site disposals (30%)². There is no evidence to explain in detail how the scaling back of the quantum of residential development to address transport-related concerns would alter those proportions; nor is there evidence to demonstrate that any such alterations would alter the debt profile or overall risk so as to prevent the medical facilities from coming forward.
- 8.8.5 Similarly, the appellant has chosen to progress this scheme this far without a joint venture partner, in particular a housing developer. That option has always been open to the Trust, and if followed, would hold in prospect a new development appraisal which could again reconsider the relationship

¹ CD F1-02: Core Strategy, Appendix 1, Infrastructure delivery schedule, page 150

² APP/KG/1.1: Ms Goddard's proof, paragraph 5.2

between quantum and transport impact, while enabling delivery of medical benefits.

- 8.8.6 Therefore, significant weight should not be attached to the suggestion that the medical benefits arising from redevelopment of this site would not be realised, should permission be refused.

Housing and Affordable Housing

- 8.8.7 The proposal would deliver substantial numbers of new dwellings, including affordable housing. This would contribute materially to meeting the Council's housing requirements as set out in the CS¹ and the pressing need for additional housing in London as set out in strategic policy.

- 8.8.8 It is common ground that the Council has a 5-year supply of housing even in the absence of the redevelopment of this site,² which is not programmed to come forward until a later stage of the CS. In so far as the draft NPPF advises that the 5-year supply figures should be the subject of a 20% allowance to ensure delivery, this should be given little weight. As with the rest of the document, it is only at consultation stage.

Other benefits

- 8.8.9 As demonstrated above, redevelopment of the hospital would also enable the restoration of nationally important listed buildings, in particular buildings that are on the Buildings at Risk Register. It would also allow for additional public access to the MOL as part of a new parkland and open space to replace the golf course, potentially including playing pitches for local sports clubs serving the wider area. The potential for improved connection with the surrounding area and for creating a chain of public open spaces would improve accessibility and amenity possibilities for the local community.

8.9 Overall Balance

- 8.9.1 The evidence advanced by the Council in this case demonstrates that, notwithstanding the universal support for the principle of redeveloping this site, there remain significant concerns with the way in which the proposal seeks to achieve this. That evidence is consistent with an overwhelming degree of genuinely held local concerns about the scheme. The case represents a clear opportunity for the government's localism agenda to be applied, on the basis of well-founded planning objections.
- 8.9.2 For the reasons set out above, the harm that would be caused to the MOL and to the transport network by the redevelopment proposal should be accorded the greater weight, such that very special circumstances do not justify the grant of permission.

¹ CD F1-02: CS, Strategic Priorities and Policy IS5; CD F8-01: London Plan, Policies 3.3 and 3.8

² ID11: Tab 9, Table 1.5 of the AMR 2011, page 251 confirms 101% performance against London Plan targets

Appeal B

- 8.9.3 The level of agreement between the parties on the merits of the listed building consent application is recorded in the main SoCG (CD S1A). Nevertheless, in the absence of an acceptable redevelopment scheme for the site listed building consent should also be refused.

9. THE CASE FOR THE TRUST

The material points are:

Appeal A

9.1 Compliance with the Development Plan

- 9.1.1 S38(6) of the Town and Country Planning Act 1990 requires the decision-maker to look at the overall balance of policy compliance and conflict, including all those aspects of an application which are common ground.
- 9.1.2 If that approach is taken – even if one accepts the Council’s reasons for refusal – there is still a very high degree of development plan support for the appeal scheme, both in terms of the number of policies which are satisfied¹, and the substantive importance of the issues with which those policies are concerned. Particular attention is drawn to the following:
- The principle of the development is consistent with both the existing allocation of the site under Policy CS6 of the UDP and Policy 9.1 of the emerging SSAD. It does not offend against any of the provisions of the emerging site-specific SSAD policy for Springfield (to which both parties agree that very significant weight should be attached)²;
 - The appeal scheme accords with all the relevant provisions of the London Plan³;
 - The density of the development is consistent with the SRQ Density Matrix at Table 3.2 of the London Plan. The Council agrees that the density is acceptable and would maximise the potential of the site, in accordance with the requirements of the London Plan⁴. This is important, because Policy 3.4 of the London Plan states that development which does not optimise potential “should be resisted”;
 - The appeal scheme complies with all relevant policies relating to the protection and/or enhancement of heritage assets such as the listed buildings and the Historic Park and Garden;
 - The proposal accords with national guidance in PPS1 (and the 2007 Supplement to it) on sustainable development; PPS3 on the provision of housing in line with sustainable development principles; and the draft NPPF;

¹ ID23: Mr Brown’s closing submissions, Appendix lists the development and other policies with which the scheme accords

² CD S1A: Main SoCG paragraphs 4.49 and 4.53

³ CD S1A: Main SoCG paragraph 14.119

⁴ CD S1A: Main SoCG paragraphs 7.23-7.25

- Aside from the Council's concerns about the impact of parcels P and Q on the MOL, all relevant development plan and national policies requiring good design are complied with;
- In relation to MOL, the alleged conflict is restricted to the proposals for parcels P and Q. At 50 out of the proposed 839 residential units, these represent less than 6% of the overall number of dwellings, and there is no complaint whatsoever about the new hospital facilities, the proposed retail or community uses, or the flexible non-residential floorspace. In other words, the overwhelming majority of the scheme is therefore agreed to be fully compliant with MOL policy.

9.1.3 It is clear that the proposed development demonstrates a very high degree of accordance with the development plan. Even if the concerns expressed in the Council's reasons for refusal were well-founded, we question whether this would be sufficient to place the proposal in breach of the development plan overall. Turning to the reasons for refusal.

9.2 Impact on MOL

Context

9.2.1 The Council's second reason for refusal¹ is very specific. It relates only to parcels P and Q; and to their relationship (especially in terms of height) towards Burntwood Lane.

9.2.2 The GLA was entirely satisfied with the impact of the appeal scheme on the MOL. Specifically, the GLA concluded² that:

- The proposal would secure significant benefits by removing existing dispersed buildings.
- The development would provide access to the 'countryside', enhance landscapes and secure nature conservation interest.
- The creation of Springfield Park would result in an increase of open land within the MOL, i.e. the built area would be reduced.
- In the southern part of the site, connectivity to the off-site green spaces would be increased.

9.2.3 In evidence to the inquiry, the Council's witness accepted the principle of development on parcels P and Q, as well as the principle of the parkside apartments and their height in views towards Burntwood Lane. His only criticism was directed at the proposed terraces on the inside of parcels P and Q, facing High Trees, which he would have preferred to see as semi-detached. At the application stage, the only stated reason for this approach³ was in order to avoid the need for on-street parking along the historic carriageway. There was no concern at that stage to preserve views

¹ CD E3-08: Decision notice

² CD E3-01: Mayor's Stage I report, paragraphs 42-46

³ LBW/BS/1.2: Mr Sellers' Appendix 5, paragraph 9: memorandum from Mr Seller's dated 5 November 2010

or glimpses through the development to the MOL beyond¹. Any such argument would have been contrary to his own previous advice that the appellant should consider something like the Royal Crescent at Bath on these plots². There are very good reasons why the GLA and the Council's conservation and design officer do not agree with the reason for refusal.

Principle of Development on Parcels P and Q

- 9.2.4 Although the appeal scheme proposes development on MOL, this has to be seen in the light of the fact that the openness and visual amenity of this part of the MOL is already adversely affected by significant built development. These are: the dwellings on Burntwood Lane, the District Store, golf club and driving range, the associated mounding (in places as high as 3.5m), the Diamond Estate and Shaftesbury Clinic. All of these have an adverse effect on the visual amenity of the MOL, and the last three in particular are harmful to its openness³.
- 9.2.5 By removing development which is currently dispersed over a large part of the site, and replacing it on plots which are closer to the retained hospital buildings, the harm would be reduced. The approach is consistent with the advice in Annex C, paragraph C6 of PPG2. The inevitable consequence of consolidating the footprint of existing sporadic development to a more confined part of a site is more intense development on that part. If that were not permissible, there would never be any incentive for a developer to remove existing sporadic development in the manner which paragraph C6 contemplates.
- 9.2.6 It is indeed possible to provide a sense of enclosure for High Trees and to frame views of the listed building without developing as far out into the MOL as proposed on parcels P and Q. But the argument against such an approach could be applied to any development which proposed a redistribution of existing built footprint on the MOL. The only redevelopments which would ever be acceptable on that basis are those which either remove all existing development on MOL, and replace it with nothing, or simply leaving everything where it is. There is no incentive for any developer to contemplate the former, while the latter prevents any improvement. If the overall benefits to the MOL are achieved, the fact that the scheme might have been conceived differently is irrelevant.

Benefits to the MOL

- 9.2.7 The proposed scheme would result in a reduction in built form over the existing situation. In terms of built footprint alone there would be a reduction of some 371 sqm⁴. If roads and hardstanding are added in, there would be a reduction of 3,711 sqm, if the driving range and associated

¹ CD E3-03: Committee report, pages 45-46, Mr Sellers' comments summarised and reported to members:

² CD D1-28: EIA Volume 3, Appendices, page 163: Memorandum from Mr Seller's, dated 22 January 2009, regarding 2008 application

³ CD S1A: Main SoCG paragraphs 9.12-9.14

⁴ CD S1A: Main SoCG, Table 9.1 page 106

areas are excluded, or 5,581 sqm if the driving range and associated areas are included¹.

- 9.2.8 If the Council's approach of including areas of garden land in the calculation were adopted, there would be a reduction of some 7,800 sqm of proposed gardens and built footprint on the MOL². On the basis of the smaller gardens identified by Mr Sellers³ there would still be 640 sqm more MOL than at present. On any and every analysis, the appeal scheme results in a material reduction in built form on MOL.
- 9.2.9 Categorising the golf clubhouse as ancillary to use of the site for outdoor recreation is inconsistent with PPG2. The clubhouse, with its three function rooms used for conferences and weddings, exceeds the requirement of essential in PPG2 terms by a significant margin. Neither the clubhouse nor the driving range could be described as small or unobtrusive. It is also difficult to see how a use which genuinely requires an extensive clubhouse and a 10m high driving range can be said to preserve the MOL's openness.
- 9.2.10 It follows that the golf clubhouse and driving range cannot be "appropriate" development in the MOL. In any event, nowhere in PPG2 is there support for discounting buildings that have an appropriate use. Indeed, in circumstances where it is accepted that the clubhouse and driving range have an adverse impact on the MOL, benefits of their removal cannot be ignored.
- 9.2.11 The calculations referred to above are before any allowance is made for the existing 2,969 sqm car park in front of the main hospital building, which would be returned to parkland. The main SoCG acknowledges that the potential for inclusion of the car park into the MOL, as part of a future review of the CS, is a positive material consideration that would assist with addressing the current deficiency of public open space in the area⁴.
- 9.2.12 Critically, the reduction in built form is not simply a mathematical advantage. When coupled with relocation of the new buildings to parcels P and Q, and parts of X, Y and Z, the reduction in footprint brings significant benefits to the MOL, as described below.
- 9.2.13 There would be a tangible improvement to the openness of the MOL. Removal of the clubhouse and driving range, which sit at a pivotal point in the swathe of MOL land, would allow fine long views across the site, including views to and from adjoining areas of MOL.
- 9.2.14 The Diamond Estate and Shaftesbury Clinic obliterate any visual connection between the appeal site and Streatham Cemetery. Pulling development back behind the lines of parcels X, Y and Z allows these views to be reinstated, fulfilling an important policy objective of both the Council's and the GLA's Green Chain policies⁵. Removing the car park and associated clutter from the front of the Main Building will not merely conserve, but

¹ CD S1A: Main SoCG, Table 9.1 page 106

² APP/AT/2.6: Prof Taylor's rebuttal Appendices ATR12 and ATR13

³ ID5: Existing front and rear gardens

⁴ CD S1A: Main SoCG, paragraphs 9.32-9.34

⁵ CD F1-01: UDP Policy TBE-8(e); CD F8-01 London Plan Policy 7.17 D(d)

positively enhance the historic view out from the site. Unlike the view from Burntwood Lane, this is specifically identified by the Council in its SPG as a view of local importance¹.

- 9.2.15 The existing view of the golf clubhouse and driving range would be replaced with a view of parcels P and Q². However, the building line of these would be some 80m further away. That additional 80m deep swathe of open land cannot be anything other than an improvement in the openness of the existing views. Looking out from the carriageway on the inside of parcels P and Q, there are currently relatively few points from which there is any real sense of openness, because the carriageway is lined by trees and/or the District Store³.
- 9.2.16 The appeal scheme would additionally result in a much clearer definition between built form and MOL. As matters stand, there is no obvious logic to the MOL boundary. Removing the existing sprawl of sporadic development and drawing the development back behind clearly defined lines gives the MOL the sort of definition which both PPG2 (paragraph 2.9) and the London Plan suggest is desirable⁴. It is beyond the scope of this application to actually redraw the MOL boundary, but the appeal scheme would provide a clearly legible basis for any such exercise.
- 9.2.17 Removal of existing sporadic development within the MOL creates the opportunity to provide a new public park. MOL objectives include the provision of opportunities for outdoor sport and recreation⁵, and the London Plan specifically promotes use of MOL for outdoor recreation and biodiversity⁶. Removal of the golf course and creation of a new 13 hectare public park would be a major benefit to the role of Springfield in this regard.
- 9.2.18 There are also compositional reasons for development on parcels P and Q. They form part of a carefully considered design response to the site as a whole, and the listed buildings in particular. The Paragon at Blackheath is a similar example of the sort of formal setting to the park to be created⁷. Removing the District Store provides an opportunity to create a new pivotal point with housing (parcel P) defining and framing the semi-open area of land surrounding High Trees and defining parkland to the west. Parcel Q complements parcel P, it sets up a cross axial frame on the open space in front of the main hospital building and restores the historical relationship with the landscape⁸.
- 9.2.19 There should be no objection to the principle of development on Plots P and Q, not least because this is the vehicle for obtaining the wider benefits to

¹ CD F3-04: Important local views SPG, Local Views Map 1

² APP/AT/2.2: Prof Taylor's Appendix AT8, viewpoint 13

³ APP/AT/2.2: Prof Taylor's Appendix AT8, viewpoint 7

⁴ CD F8-01: London Plan, Policy 7.17 D(a)

⁵ PPG2, paragraph 1.6

⁶ CDF8-01: London Plan, Policy 7.17 and paragraph 7.56

⁷ APP/AT/2.2 : Prof Taylor's Appendix AT7

⁸ APP/AT/2.1: Prof Taylor's proof Section 5.6 explains the comparative benefits of development on parcels P and Q, in particular with reference to viewpoints 12, 13 and 15

the openness of the MOL across the site. It cannot be the intention of MOL policy to hamper schemes that bring forward such tangible benefits.

Height of the Proposed Development on Parcels P and Q

- 9.2.20 The decision notice (CD E3-08) cites UDP Policy TBE8. As the main SoCG indicates¹, only the views identified in the Council's SPG are protected by Policy TBE8.
- 9.2.21 The Important Local Views SPG (CD F3-04) sets out the foreground or backdrop that the Council is seeking to protect or to open up by way of the policy. The SPG identifies View 11 (Local Map 1) which relates to the *".....skylines on Wimbledon and Clapham ridges, particularly across the Wandle Valley"* section of Policy TBE8. Section (e) of the policy looks to protect *"views of and from the perimeter of the Commons and other areas of MOL"*, as identified by the red arrow pointing in the direction of Horton Halls on Local Map 3 of the SPG. The policy seeks to protect views specifically identified by the Council by way of the SPG and not every view of or from the MOL. Furthermore, it looks to protect these views from harm caused by high buildings.
- 9.2.22 The views from Burntwood Lane are not among those identified in the SPG. Because of the strong hedge-line and mounding associated with the golf-course, views into the site from Burntwood Lane are currently very limited. Accordingly, if they are protected by Policy TBE8 at all, these must be views to which less weight should be attached.
- 9.2.23 The use of a strong architectural framework to define the edge of the MOL is a recognised characteristic of a number of the open spaces within Wandsworth², and (as witnessed by the permissions granted for the Burntwood School³, Horton Halls⁴ and St George's Grove) is a device which the Council has itself specifically endorsed in its decisions on the MOL at Springfield. Unlike Horton Hall and St George's Grove, development on parcels P and Q would be restricted to 3 storeys, with a parapet level of 8.7m and a maximum ridge height of 11.5 m⁵. This creates an appropriate sense of definition, respects the main listed building and compares favourably with the height of properties in Burntwood Lane. It is entirely appropriate.

Conclusions on MOL

- 9.2.24 In the context of the London Plan criteria for the inclusion of land within MOL (Policy 7.17), it is clear that the proposed development would perform better on every criterion in the following manner:
- There would be a clearer distinction between MOL and the built-up area.

¹ CD S1A: SoCG paragraph 4.36

² CD F3-04: SPG, paragraphs 34 and 35

³ CD B56: Application at Burntwood School and Design and Access Statement

⁴ CD B59: Committee report for Horton Halls 2002, page 107 – the buildings were *"..not unattractive and would frame the adjoining MOL"*

⁵ CD D1-30: Parameter plans PL07A and PL08A

- A wider range of facilities for open-air leisure and recreation would be delivered.
- It would allow restoration of the Historic Park and Garden, enhance the setting of the listed buildings and improve the biodiversity value of the site.
- Connection between the links of the Green Chain to Streatham Cemetery would be restored.

9.2.25 There is no conflict between the appeal scheme and MOL policy. While the development on parcels P and Q is technically “inappropriate”, the overall benefits to the MOL far outweigh any harm which might be caused. Adding in the other benefits which are not related to MOL, the balance is overwhelmingly in favour of the appeal scheme.

9.3 Highways and Transport

Preliminary Observations on the Reason for Refusal

- 9.3.1 It is implicit in the reason for refusal that, if the proposed shift in transport modes is met, there is no cause for concern. Furthermore, if there is “sufficient means of remedy”, so as to correct any imbalance that might arise if the travel plan targets are not achieved, the reason for refusal must also fall away.
- 9.3.2 Although Council members were concerned that there was insufficient justification to demonstrate that the proposed shift in transport modes would be achieved, the Council’s own Highways and Transportation officers did not object¹, and TfL was satisfied that the appellant’s Transport Assessment was robust². TfL has a statutory duty to ensure there is an efficient transport network in London. It is the body responsible for the junction which would be most affected by the appeal scheme (the Burntwood Lane/Trinity Road junction) and would be responsible for the proposed improvements in public transport to serve the site. It is clear that TfL only arrived at its conclusions after detailed consideration of the proposal, including auditing and verification of the traffic modelling by independent consultants³.
- 9.3.3 The inputs and modelling for the Transport Assessment have been under discussion with the Council for in excess of three years; the criticisms now raised in evidence were never previously conveyed. These criticisms are not aimed at the proposed shift in transport mode, but at the basic trip generation rates used in the Transport Assessment. If there was any merit in the points they should have been identified a long time ago.
- 9.3.4 The Council has not attempted to explain the practical effects of the criticisms, save for a mathematical calculation of percentage increases in flows through surrounding junctions. Springfield is an allocated site, on

¹ CD E2-14: Memorandum from LBW Engineering Services (highways and traffic), dated 29 November 2010

² CD E3-01: Mayor’s Stage I report

³ CD S2: Transport SoCG paragraph 4.190

which the Council relies to make a significant contribution to the Borough's housing needs. It is inevitable that this will produce additional traffic, which will add to congestion on the local network. At no stage has the Council explicitly complained about the density of the appeal proposals – indeed, the SoCG states that they are acceptable¹.

- 9.3.5 Doubts about the level of mode shift predicted relate to the PTAL rating for the site. The London Plan SRQ Density Matrix² specifically takes the PTAL rating of a site into account when identifying the range of densities which a site can be expected to accommodate. It is therefore highly relevant that proposed density of the proposed scheme (on a site within an existing PTAL rating of between 1 and 2) is 51.5 dwellings per hectare (dph)³, which is at the mid-to-lower end of the range that would be expected for a site with a PTAL of between 0 and 1. Under Policy 3.4 of the London Plan, there is a policy imperative to optimise housing output⁴; the overall levels are anything but too high.
- 9.3.6 This conclusion is entirely consistent with the SHLAA. The Council's own Housing Land Reports since 2007 have variously estimated that the Springfield site could accommodate between 1,464, and 839⁵ dwellings. While recognising that SHLAAs are not intended to be used as a development control tool, they are an important part of the underlying evidence base for development plans and should therefore be robust. Particularly as the SHLAA estimates on four separate occasions are likely to have been done on the basis of an increasingly detailed understanding of the site and its constraints. The extent of public concerns about the level of development at Springfield was well known, and would reasonably have been taken on board when identifying the potential capacity of the site. There have also been two applications supported by Transport Assessments and which would have been taken into account.
- 9.3.7 The PTAL rating of the site does not mean that people will not use public transport. As TfL's guidance recognises, people's propensity to use public transport depends not only on the distances involved, but also on the reasons why they are travelling (commuters are more likely to walk further); the frequency of the public transport services available (people will walk further for high frequency services) and the quality of the walk.
- 9.3.8 All four rail and underground stations around the site have very high frequency services⁶, of the sort where no-one need worry about having to wait long if they miss their train. The walk to all four stations is generally flat and in the main along pleasant residential streets. The appeal scheme will not only open up new routes to these stations⁷, but will make a financial contribution towards improving the quality, safety and legibility of the

¹ CD S1A: Main SoCG paragraph 7.23

² CD F8-01L: London Plan Table 3.2 at page 85

³ CD S1A: Main SoCG page 73

⁴ CD F8-01: London Plan, Policy 3.4 page 84

⁵ CD F2-01 to F2-04: LDF Monitoring, housing land reports 2007-2008 to 2010-2011, Tables 6.8 and ID2: Tab 3, Strategic Housing Land Availability Assessment data

⁶ CD S2: Transport SoCG, Tables 4.3 and 4.4

⁷ CD D1-30: Application Plan PL11A, Access plan pedestrians and cyclists

existing routes. The upgrade to the Northern Line, to be completed by 2014, will deliver faster and more frequent trains, in addition to increasing capacity by 20%¹. Improvements at Earlsfield Station will better meet passenger needs, while extension of platforms (intended by 2018) will increase train capacity of the route². These improvements will be in place by the time the development is complete.

- 9.3.9 All of the above factors point to the conclusion that the question at Springfield is not whether the appeal scheme proposes too much development, but whether it offers enough by way of mitigation.

Trip rate and modal splits

- 9.3.10 To examine the reason for refusal it is necessary to assess what trip rates and modal splits it is reasonable to expect from each of the scheme's individual components.

Mental Healthcare Facilities

- 9.3.11 At the consultation stage TfL described the travel plan targets as "ambitious"³ but was prepared to accept that with a suitably robust travel plan they were achievable. Specifically, the Transport Assessment modelling requires a reduction from 60% to 44% in the proportion of hospital-related vehicular trips⁴.
- 9.3.12 A voluntary travel plan was developed by the appellant for hospital staff and visitors and has gradually been implemented since 2009. Under the plan, the appellant has already begun reducing the number of parking spaces on the site. A comparison of the car park accumulation surveys carried out in 2007 and 2011 shows that the maximum number of cars parked on site has reduced by 174 (from 571 in 2007 to 397 in 2011).
- 9.3.13 The staff survey carried out this year indicates that there has already been a drop of around 13% in the number of staff who travel to work by car, and an increase of around 6% in the number who travel to work by bus⁵. The Council questions the reliability of the survey, given the response rate. There are over 1000 employees at Springfield, and 223 responses cannot be described as statistically insignificant. The broad picture is accurate and shows that there has already been a very significant move towards achieving the modal shift which the Transport Assessment requires.
- 9.3.14 The staff survey has to be read together with the March 2011 Count-on-Us survey⁶ which shows a 14% reduction in the number of vehicles entering Springfield over a 24 hour period, and a 16% reduction in the numbers leaving. Increase in vehicle movements during the am peak hours registering in the 2011 survey⁷, when compared to 2007, can be explained

¹ CD S2 – Transport SoCG paragraphs 4.111-4.113

² CD S2 – Transport SoCG paragraphs 4.114-4.116

³ CD D3 -03: Minutes and agenda of meeting held with TfL, 2 June 2011, page 3

⁴ CD D1-21: Transport Assessment Appendix O, Section 1.1

⁵ APP/CR/3.2: Mr Rooney's Appendix CR2, results of the 2006 and 2011 surveys

⁶ APP/CR/3.2: Mr Rooney's Appendix CR1

⁷ APP/CR/3.2: Mr Rooney's rebuttal Appendix CR1, pages 20 and 21

by traffic restrictions through the site during construction of the Wandsworth Recovery Centre¹ which might have resulted in fewer through movements. Such restrictions were not present during the 2011 survey. Further analysis of the 2011 survey² shows that many more vehicles made a through movement during the am peak period than at any other time, and these are likely to be associated with the school run.

- 9.3.15 The survey results are the best evidence available. Taken individually, none would necessarily be conclusive, but in the present case they corroborate one another. Collectively, they present clear evidence that the appellant has already gone a very long way indeed towards achieving the 16% reduction required. There is no reason to doubt that further measures proposed in the site-wide travel plan³ would provide the additional 1 or 2% which is needed.
- 9.3.16 Critically, the site-wide travel plan would be a living document, subject to monitoring, review and amendment as the development proceeds. If the predicted targets are not met, there is scope for additional measures, such as incentives to staff to use public transport, restriction of parking permits to staff living in excess of a given distance, or even the introduction of parking charges to discourage the use of private cars. Keeping the travel plan under review and acting on it is a standard component of any modern travel plan.

Residential

- 9.3.17 This is not a case of modal *shift* since the residential community at Springfield would be an entirely new creation. The 29% car driver share figure used in the Transport Assessment⁴ is derived from a weighted averaging of the actual modal splits of the three residential output areas most closely connected with the site⁵. That is the level which is currently being achieved by existing dwellings.
- 9.3.18 Details of the proposed output areas were specifically shared with TfL and LBW at the beginning of the Transport Assessment process⁶. At no stage had anyone indicated dissatisfaction with the choice of Output Areas 20, 27 and 28, and there is no reason to agree with the suggestion that different areas should have been selected.
- 9.3.19 In any event, Springfield will be a new residential community which would be positively encouraged to start life with different expectations as to the use of the motor car. The higher proportion of flats would generate a lower trip rate than houses. Reduced parking standard will discourage ownership of cars. Improvements to public transport and to public transport accessibility would not only benefit the site, but should also encourage

¹ APP/CR /3.5: Mr Rooney's rebuttal Appendix CR/R/1

² APP/CR/3.5: Mr Rooney's rebuttal Appendix CR/R/2, page 2

³ APP/CR/3.4: Mr Rooney's rebuttal proof, paragraphs 2.14-2.16

⁴ CD D1-21: Transport Assessment Appendix O, Section 1.2

⁵ APP/CR/3.5: Mr Rooney's rebuttal appendix CR/R/4, geographical extent of the census output areas

⁶ CD D2-01: Arup's response to LBW comments on Transport Assessment, 5 January 2009

mode shift in the existing houses in the output areas. Measures such as the car-club has the potential to take 20 vehicles off the road for every car-club car provided, and which of itself results in members using public transport more¹. These are not features of the other output areas which the Council belatedly suggests should have been used². They are things which demonstrate that the appeal scheme can at least match the 29% mode split of existing properties in the area.

Commercial

- 9.3.20 The level of car trips generated by the flexible commercial use would be restrained in line with the proposed low level of on-site 'destination' car parking provision, parking restraint and due to on-site car parking enforcement measures in place as part of the overall car parking management strategy (CD D1-17). Vehicles would also be prevented from parking on streets nearby by CPZs already in operation and any others that might emerge from extension of CPZs³. These measures would combine to reduce the propensity for people to travel to the site by car.
- 9.3.21 In any event, as the commercial floorspace is a small element of the scheme, the increased car mode share forecast by the Council is not significant⁴.

School

- 9.3.22 The Council points to a number of reasons why the trip generation associated might be higher than that assumed in the Transport Assessment. Equally, in other respects it is reasonable to suppose that it would also be lower. For instance:
- The Transport Assessment assumes that all vehicular traffic associated with the school will enter and exit the site via Burntwood Lane. This is unlikely in practice⁵, i.e. the Transport Assessment will have exaggerated the impact of the school on Burntwood Lane.
 - Approximately $\frac{3}{4}$ of the school and nursery students would come from the surrounding area. Springfield is identified as an area with a need for a new school⁶. By meeting this local need and providing a school within walking distance, there is every probability that the appeal scheme would help take existing vehicles off the road.
 - No allowances have been made for linked trips. This is particularly important, given the existing nursery on the site. There will be a proportion of existing nursery traffic that would, in future, also drop off an older sibling at the school, without adding to the trip generation.

¹ CD D1-21: Transport Assessment Appendix N, Streetcar proposal

² LBW/DT/2.2: Mr Tidley's Appendix, (page 4) output areas selected for re-calculating mode shares

³ Contributions in the S106 obligation towards monitoring and possible consultation

⁴ LBW/DT/2.1: Mr Tidley's proof paragraph 3.15 and LBW/DT/2.2: Mr Tidley's Appendix Table 8

⁵ Agreed by Mr Tidley and Mr Rooney

⁶ CD F1-02: CS, page 136

Conclusion on Trip Generation

- 9.3.23 Without departing from the view that the Transport Assessment is robust, the model has been re-run in accordance with the lower end of the estimated car driver trips forecast by the Council¹. This should be regarded as a sensitivity test². TfL considers VISSIM is appropriate for testing major development schemes and is suited to modelling busy networks³.
- 9.3.24 The results show that the additional traffic would add to the delays experienced on certain links in the vicinity of the site⁴. This is before the benefits of SCOOT are added in. The results are not surprising but this is not a case where it is seriously suggested that there would be a materially adverse effect on highway safety. In any case, Wandsworth is never going to meet its housing targets with developments which are car-free. Given the congested state of the network, it is inevitable that additional traffic will lead to additional congestion. That is the unavoidable consequence of meeting the pressing need for housing in London. The question is not "can this be avoided?" but "what can be done to mitigate it?"

Mitigation measures

- 9.3.25 The Trust has done everything that has been asked of it⁵.
- Contribution to SCOOT (which TfL studies indicate improves junction performance by an average of 12%⁶) would link 7 junctions, smoothing flows throughout the area.
 - The scheme would provide the bus link through St George's Grove which TfL has been seeking. This would eliminate two cul-de-sacs in the route of the G1 and improve overall efficiency of that service for the benefit not only of residents of the new development, but of all existing users.
 - An additional bus service is to be provided into the site. TfL has not yet decided which service this would be, but the scheme has been designed to ensure that it could accommodate either the 127 or the 315 service.
 - New bus lay-over facilities within the site would relieve pressure at existing congested locations at Balham and Tooting.
 - New cycle and pedestrian routes through the site⁷ which would be of benefit to the surrounding area.

¹ The lower estimate referred to is 92 additional car driver trips instead of 123 set out in Mr Tidley's Table 8 (LBW/DT/2.2). The re-run features in ID11 Tab 6

² The future base figure takes account of committed developments, which includes the St George's Grove development (see Transport Assessment CD D1-21 Table 12.1)

³ ID18: Note on VISSIM Models, drafted by Mr Rooney

⁴ ID11 Tab 6 shows estimated increases in journey times, based on the Council's lower trip generation figures.

⁵ See S106 planning obligation

⁶ ID11 Tab 5: TfL publication, May 2011, Draft network operating strategy, pages 27 and 28 of document

⁷ CD D1-30: Application Plan PL11A

- Contribution of £780,000 for the improvement of routes to the nearby train and underground stations and a further £30,000 to the provision of cycle facilities outside them.
- Although TfL does not require physical improvements to the Burntwood Lane/Trinity Road junction for the appeal scheme to proceed, a further £1.1million would be provided for off-site highway improvements and pedestrian crossings, which could be applied either to the Trinity Road junction or to other area-wide traffic management and safety measures, as TfL thinks most appropriate.

9.3.26 Mitigation is no longer a matter of looking simply at the impacts on specific junctions. What TfL is seeking is a balanced mix of off-site mitigation measures which are specific to the local highway network, and wider contributions to public transport. That is how it has been approaching the problem of integrated transport in London. The significance of the public transport improvements should not be under-estimated. They have been welcomed by TfL, and were indeed welcomed by Council officers when the application was reported to Committee¹.

9.3.27 The trip generation estimates and modal assumptions are robust, and the mitigation package proposed is an appropriately balanced package of contributions to an integrated transport strategy.

9.4 Heritage Assets

(Inspector's note: Notwithstanding extensive agreement between the Trust and LBW, a statement on heritage matters² was prepared to respond to questions posed by me in the pre-inquiry note. The sections following summarise the material points).

Effect on the Special Architectural or Historic Interests of Listed Buildings³

9.4.1 Although curtilage listing applies to buildings which were in existence on July 1 1948, it does not necessarily follow that all such buildings are of architectural or historic value, or indeed that their existence contributes to the significance of a listed building or its setting. Further, where buildings within the curtilage of a listed building are considered to be of importance, English Heritage will list them in their own right, rather than simply relying on their curtilage relationship and section 1(5) of the Listed Building Act.

9.4.2 At Springfield Hospital, the main building was listed in 1983. The Elizabeth Newton Wing was listed somewhat later, in 1997, when English Heritage looked at the site for listing purposes in relation to an outline planning application and listed building consent application to enable comprehensive redevelopment of the hospital. While the Elizabeth Newton Wing was statutorily listed at the time, no other curtilage building was recommended

¹ CD E3-03: Officer's report to committee

² APP/PB/4.2: Mr Burley's Appendix PB3, Dr Miele's statement on heritage matters

³ Inspector's note: although the planning appeal applies only to alterations involving removal of parts of listed buildings, for ease of reference this section also records the appellant's case with regard to demolition of curtilage listed buildings

for listing, including those scheduled for demolition as part of that application. The parties agree that the buildings proposed for demolition are of no or limited architectural or historic merit, or the significance is limited to historic associations¹.

- 9.4.3 Policy HE9 of PPS5 expects the decision maker to form a judgement about the degree of harm to significance arising from a proposal, in this case mainly demolition. The policy distinguishes between harm that is substantial and that which is less than substantial. It is common ground that the provisions of Policy HE9.2 do not apply in this case, as the degree of harm is less than substantial². Policy HE9.4 is engaged and some form of justification is required by balancing the harm, albeit limited, against public benefits.
- 9.4.4 The benefits derived from the masterplan include optimal viable use of the two listed buildings, conservation of a Registered Historic Park and Garden, provision of housing and delivery of high quality mental healthcare facilities. The S106 obligation additionally contributes towards restoration of the Ice House in the grounds of Burntwood School. The benefits are only sufficient to offset harm to the heritage assets, if retaining them prevents delivery of the benefits.
- 9.4.5 As a matter of fact all of the buildings identified for removal are unsuited to modern mental healthcare requirements. Neither can they easily be converted for residential use. Where residential conversion is possible (White Lodge for instance), retention would compromise the quality of the masterplan and delivery of other benefits such as housing. This applies particularly at the rear of the main listed hospital building. This is the only area where a large amount of floorspace can be created for new healthcare facilities within the heritage constraints of the site.
- 9.4.6 Access to the site constrains options for locating new housing and health care blocks; demolition of the buildings allows for basement parking which would allow for a better landscape solution around the site. Detailed justification for removal of each of the curtilage listed buildings and parts of listed buildings are set out in section 12.128 of the main SoCG. Essentially, the Council and appellant agree that the approach adopted is justified.

Impact on the Settings of Listed Buildings

- 9.4.7 Over the course of more than two years, in discussion with consultees, the design team has taken steps to eliminate any harmful effect on setting by the siting and height of blocks, in line with PPS5 HE10.1.
- 9.4.8 Removal of many of the ancillary buildings that currently obscure and compromise the main hospital building's setting would be removed. Built form to the south west of the main building would not exceed its height and would be subservient in scale³. The development would cause the setting

¹ CD S1A: Main SoCG, paragraphs 12.72-12.105

² CD D2-04: Letter on behalf of the Trust to LBW, dated 11 November 2010, providing justification for demolition on the basis of PPS5. This formed the basis agreement in the main SoCG (section 12).

³ CD D1-25: EIA Volume 2, Heritage, townscape and visual assessment, wireline views.

to change, but is justified on the basis of proper place-making and has been carefully thought through to respect the rhythm of the listed building. The setting and views of the building would be opened up, restoring the connection between its forecourt and the open landscape¹. To the rear, the height of the new health blocks would be restricted (see parameter plans PL07 Rev A and PL08 Rev A) to avoid intruding on the building's immediate setting.

- 9.4.9 The Elizabeth Newton Wing does not enjoy a similarly generous landscaped setting as the main building. Development to its front would be restricted to three storeys, and there would be sufficient distance to view this heritage asset. It would remain as the dominant feature in this part of the site.
- 9.4.10 The proposal would incorporate the chapel into the main square². Unsympathetic additions to and around the mortuary building and the ballroom have adversely affected their settings; the proposal would restore the buildings to form part of the main community focus of the masterplan. Removal of the corridor link and the parking area in front of High Trees would enhance its surroundings. Equally, the area around Glenburnie Lodge would be improved³.
- 9.4.11 The Council agrees with the assessments made with regard to impact on the settings of the designated heritage assets on the site.

Effect on Registered Historic Park and Garden

- 9.4.12 The condition of this heritage asset, registered in 2002, is deteriorating. The golf course (which pre-dated registration) has resulted in unsympathetic contouring, re-landscaping and a car park to the front of the main listed building. The setting of the Historic Park and Garden is compromised as a result and the relationship between the building and landscape disrupted.
- 9.4.13 The appeal scheme offers an opportunity to restore or reinterpret parts of the Historic Park and Garden, including restoring the airing courts and forecourt of the main building. The proposal for landscaping in the masterplan is informed by an understanding of the historic spatial hierarchy of heritage landscapes. The Council's Design and Conservation Officer noted "... the strategy does give recognition of the historic landscape significance of the site through its different treatment of spaces⁴." English Heritage also welcomed the landscape proposals⁵.
- 9.4.14 Replacement of the golf course with less formal landscaping would introduce a setting more appropriate to the former rural character of the land. Removal of car parking along roads adjacent to the open space would also improve relationship between the land and the main building. The landscape proposals intend to strengthen historic routes across the Historic Park and Garden and restore airing courts.

¹ APP/AT/2.2: Prof Taylor's Appendix AT8, viewpoints 4 and 5

² APP/AT/2.2: Prof Taylor's Appendix AT8, viewpoint 3

³ APP/AT/2.2: Prof Taylor's Appendix AT8, viewpoint 1

⁴ CD E2-11: Memo dated 5 November 2010 from LBW Conservation and Design Officer

⁵ CD E1-09: Letter from English Heritage to LBW, dated 27 October 2010

9.5 Service Users¹

Decision to concentrate services at Springfield

9.5.1 Sutton service users would understandably find it more convenient if Trust facilities were located in Sutton. The decision to pursue the applications at Springfield was taken after careful appraisal of the other options². The vast majority of patients who use Springfield come from Wandsworth and Merton³, and it makes sense to locate the new facilities nearest to the bulk of the population which they serve. The future location of mental health inpatient services for Sutton is currently the subject of a consultation exercise, in which Sutton 1 in 4 is involved. If it is decided to locate these services at Sutton, this will not affect the strategic requirement for facilities at Springfield⁴.

Design and Access to Open Space

- 9.5.2 Detailed design of the new mental health facilities is part of the reserved matters. Nevertheless, the Trust is keen to assure service users concerned about size and usability of gardens or courtyards and that buildings would be designed in consultation with users. Lessons learnt from the completed Wandsworth Recovery Centre would be taken on board. In terms of light and sunlight, there is no reason why conditions in the new buildings would not be at least as good as those in the modern, award-winning Wandsworth Recovery Centre⁵.
- 9.5.3 Patients would have access to the new open space in the same way that access is currently available to hospital grounds. Removal of the golf course would increase areas available to them.
- 9.5.4 The question of views of open space is more difficult. Most of the new hospital buildings would not have views of the MOL. However, this has to be seen in context. It has been many years since patients have had views over the parkland; the redevelopment would not make the situation any worse.
- 9.5.5 Furthermore, the site's layout has been partly influenced by the existing Wandsworth Recovery Centre and there are operational advantages to keeping the hospital buildings together within the centre of the site. Because of their scale, it would not be easy to locate them adjoining the MOL or close to smaller residential properties. There would be gardens and courtyards within the new buildings; staff and service users greatly value the new Wandsworth Recovery Centre (including its courtyard gardens) over the old facilities. The views should not be judged in relation to how the site appears today, but in terms of attractive new townscape and landscape.

¹ In response to key points raised by SURG and Sutton 1-in-4

² APP/KG/1.4: Ms Goddard's rebuttal paragraph 2.2.2, CA1-2, Springfield Village vision and masterplan, Section 8 and APP/KG/1.2: Ms Goddard's Appendix KG5, Springfield regeneration strategic outline case summary and recommendations

³ CD S1A: Main SoCG pages 95-96, Tables 8.1 and 8.2

⁴ APP/KG/1.4: Ms Goddard's rebuttal paragraph 2.2.3

⁵ CD J06: Care quality commission report, April 2010

9.5.6 Overall, this is a question of balance, the scheme would deliver significantly better accommodation, and an appropriate therapeutic environment for service users.

9.6 **Site's Biodiversity**

9.6.1 Removing the Shaftesbury Clinic and Diamond Estate would open up a green wedge at the southern end of the site. This would create a more tangible visual, with the potential for a physical, link with the cemetery. At the northern end, changes to landscaping along the Burntwood Lane frontage would improve permeability and reinforce the green link with congruous areas of the MOL. Measures would be included to improve the site's biodiversity¹.

9.7 **Golf Course**

9.7.1 The golf course is to be removed for a number of reasons. As it stands it is harmful to the visual amenity and purposes of MOL. The golf course use would not be compatible with residential uses for safety reasons. Reinstating it to parkland would improve accessibility across the site for pedestrians and cyclists. However much the golf course is valued by those who use it, the fairways, bunkers, mounding and driving range have significantly damaged the character of the Historic Park and Garden.

9.7.2 Contrary to the impression given by some objectors, it is no part of the appeal proposals to build on the golf course. The golf course itself would disappear, but it would be replaced by a 13 hectare public park and alternative sports provision. The Council and appellant agree that such a proposal would be of much greater benefit to a far wider section of the community.

9.7.3 Given this position, the appeal scheme would not be contrary to paragraph 15 of PPG17 (development on playing fields), Policy 3.19 of the London Plan or Policy PL4 of Wandsworth's Core Strategy. These policies are all directed at protecting the open spaces and playing fields on which sport and recreation take place, not the particular sports for which they are used.

9.7.4 The question is should golf be favoured over other forms of recreation? On that issue, there are other pay and play golf courses in the wider area.² Although the Central London Golf Club is no doubt valued by those who play there, the golf course monopolises the site. The fairways, bunkers and mounding preclude almost any other form of recreation³; and with fences, netting and large "Private" signs warning of the dangers of being hit by flying golf balls, even casual walkers are discouraged from using it⁴.

9.7.5 The vision for Springfield by contrast is of a community-based organisation promoting a far wider range of sports on the site. Evidence from third parties clearly demonstrates that there is a considerable need for additional

¹ CD D1-24: EIA Volume 1, Chapter 9 (Ecology) and CD D1-19: Landscape Strategy, page 35

² CD K04: Golf courses in SW London

³ CD A13: Photos 23, 2.7-2.17

⁴ CD A13: Photos 2.21 and 2.22

sports pitches in the area¹. Existing deficiencies across the full range of open space provision have been identified in the Council's Open Space Study (CD F01).

- 9.7.6 Full details of the proposed park have not been prepared. Nevertheless, the aims are to maximise the potential for access to sports and open space and to increase participation in sports and activities. The process for achieving these aims were conveyed to LBW's Department of Leisure and Amenity Services (DOLAS)², who noted that the measures would have a considerable impact on increasing access to public open space. A condition would secure a park and play strategy for the area.
- 9.7.7 The Council agrees that the appeal scheme would make a significant contribution to the quality of life of existing and new local residents, particularly given that parts of the local area are deficient in open space³. Any harm that arises from loss of the golf course would be significantly outweighed by the opportunity to create a new public park which is suitable for a wider range of sports and recreation, by the benefits to the openness, visual amenity and usability of the MOL and by restoration of the Historic Park and Garden.

9.8 Residential Amenity

College Gardens, Chancery Mews and Hebdon Road

- 9.8.1 The effects on sunlight and daylight were specifically examined in the ES⁴, and the Council's satisfaction with that assessment is recorded in chapter 14 of the main SoCG⁵.
- 9.8.2 The location and parameters for all the residential units on the boundaries of the site have been carefully considered to avoid adverse effects⁶. On all of the boundaries with adjoining residential properties, the heights of the proposed dwellings have been kept to a level where they would respect, and in many cases be lower than, the existing adjoining houses. The Common Appendix (CA3) illustrates the likely practical effects by detailed consideration of the new layout adjacent to existing residential properties.
- 9.8.3 Wherever possible, the rows of proposed new dwellings have been located so as to continue the line of existing properties, resulting at the boundary of the site in a flank wall-to flank wall relationship which is entirely typical of local residential streets⁷. Where the continuation of rows has not been possible, buildings have been set back to meet or exceed the minimum distances specified in the Council's Guidelines for Housing SPG (CD F3-02). Increase in vehicular and pedestrian movements on Hebdon Road would be

¹ TPs 16A, 16B and 21: Written statements by Messrs Newby, Gardiner-Hill and Morris

² CD K07: Letter on behalf of the Trust to DOLAS, dated 10 August 2011

³ CD S1A: Main SoCG, paragraph 11.22

⁴ CD D1-24: EIA, Vol 1, section 15 and CD D1-28: Vol 3 Appendix 15

⁵ CD S1A: SoCG paragraphs 14.90-14.98

⁶ APP/PB/1.2: Mr Burley's proof paragraphs 11.42 to 11.71

⁷ Common Appendix 3: Drawing 1 and figure 2 - relationship with properties on Chancery Mews, Drawings 2 and 3 - relationship with properties on College Gardens and Drawing 4 - relationship with properties on Hebdon Road and Lingwell Road

related to use of new residential properties and would not be out of keeping with the general levels or characteristics of noise in a residential area.

- 9.8.4 Although this is only an outline application, the parameter plans ensure that the appeal scheme would not give rise to issues such as overlooking, overbearing or material loss of sunlight or daylight. If there are any remaining possible conflicts with individual properties, these can be resolved at the reserved matters stage¹.

St George's Grove

- 9.8.5 Objections raised by residents of the St George's Grove development relate mainly to the proposed rerouting of the G1 bus through the appeal site. The concerns are without foundation for the following reasons:
- It is not proposed to route any bus other than the G1 along St George's Grove.
 - Although the frequency of the G1 service would increase, this would only increase the number of movements through St George's Grove by two buses an hour.
 - The new bus route would be some 17.5m away from the properties on St George's Grove. The current bus route is far closer², and there is no evidence that this has caused any problems.
 - Some properties along the route would benefit from the re-routing, in as much as buses which currently go past those properties twice (into and then out of the cul-de-sac) would in future only need to go past once. Some properties on the St George's Grove loop will no longer have buses passing directly in front of them at all.
 - A better, more frequent and more efficient G1 service would benefit residents of St George's Grove, in terms of accessibility and sustainable travel.

9.9 Consultation

- 9.9.1 As observed at the inquiry and expressed in written representations, local people do not think that the Trust has consulted enough on their proposals. The consultation exercises that have taken place are recorded in a number of locations – the statement of community involvement, chapter 6 of the main SoCG, Common Appendix CA1, Ms Goddard's and Mr Burley's proofs. These documents plainly confirm the extent to which the proposals have been consulted on.
- 9.9.2 When tested in cross-examination, it became clear that some of the complaints about lack of consultation were really complaints that the appellant had not acceded to local requests. While it is clear that the changes to the scheme have not gone as far as many local residents would

¹ Inspector's note: At the inquiry the appellant confirmed that there was no objection to a condition requiring the daylight and sunlight exercise to be undertaken at detailed application stages.

² Mr Rooney in evidence indicated that the distances currently are 3-5m

like, a simple comparison of the 2008/9 proposals with the appeal scheme reveals that a number of very significant concessions have been made¹.

9.10 **Other Material Considerations and Overall Balance**

Medical Needs

- 9.10.1 The provision of mental health services remains central to what Springfield does. At the heart of this appeal is the Trust's overwhelming need to improve medical facilities at Springfield. Springfield is the last undeveloped Victorian asylum in London. The hospital provides some of Britain's best and most innovative mental health services in some of the country's worst accommodation².
- 9.10.2 The Trust is under a statutory duty in relation to the quality of the services it provides. Unsuitability of the existing buildings for modern health care has already forced the Trust to cease using significant parts of the estate³. Money that should be spent on patient care is instead going on upkeep and maintenance of the existing building stock⁴. Without change, Springfield will cease to continue in its current role.
- 9.10.3 This is significant because, in addition to specialist services which are provided to the whole country⁵, the hospital serves an overall population of approximately 1 million people, providing essential services to around 8,700 outpatients per year, drawn from over 5 boroughs. The vast majority of those patients come from Wandsworth and the adjoining London Borough of Merton. Rebuilding of the mental health facilities at Springfield is a key infrastructure requirement in the Council's Core Strategy⁶. Improving the health facilities at Springfield is a matter of national, regional and local importance, to which the very greatest weight should be given.

Preserving and Enhancing the Heritage Assets

- 9.10.4 Around 30% of the Trust-owned buildings, amounting to 17,000 sqm. of floorspace, now stand vacant because they are unsuitable for hospital use. A large amount of that space is in the Grade II listed main building, 75% of which is now empty⁷. The main building has been on English Heritage's 'Buildings at Risk' register since 1985, where its classification has very recently been raised from Category D to Category C.⁸
- 9.10.5 The objective of providing the high quality and innovative care into the 21st century would be met in a way that would positively enhance the main heritage assets by stripping away the clutter of inappropriate additions that

¹ APP/PB/4.1: Mr Burley's proof, section 3 - changes which have been made to the scheme in the light of public and local authority comments.

² APP/KG/1.1: Ms Goddard's proof section 3.3 describes how individual buildings fail to meet requirements for patient care, and cites experiences described by staff and users

³ APP/KG/1.2: Ms Goddard's Appendix KG4 – summary of building closures on the site

⁴ APP/KG/1.2: Ms Goddard's Appendix KG3

⁵ Such as the inpatient unit for deaf children

⁶ CD F1-02: Core Strategy, page 150

⁷ CD A13 – Photos 1.8 to 1.10

⁸ CD A16: Buildings at Risk Register

have grown up around them, providing them with a new and appropriate use to secure their future.

- 9.10.6 Whatever the merits of the golf course as a recreational facility, the associated club house, driving range, bunkers, fairways and mounding have damaged the historic character of the Park, changing contours and disrupting routes and views associated with the hospital grounds. The collective benefits of reconnecting the Park to the listed buildings so as to enhance their character and setting, of recreating and redefining original vistas and paths that have been lost or eroded and of securing the future of all three heritage assets are enormously significant features of these proposals.

Meeting Housing Need

- 9.10.7 The appeal scheme would deliver a significant number of new homes, including affordable homes on previously developed land. It would make a very important contribution to meeting housing need in the Borough. Springfield is one of the key sites identified by the Council for meeting the longer term needs. At more than 10% of the current Core Strategy figure, and 7% of the London Plan minimum target, the 839 dwellings proposed in the appeal scheme would make a significant contribution to the Council's housing requirements.
- 9.10.8 The Core Strategy identifies a need to produce at least 7,500 new dwellings in the ten year period up to 2017¹. This has already been overtaken by the July 2011 Alterations to the London Plan, under which the target for Wandsworth rises to 1,145 dwellings per annum to 2021². Table 1.5 of the Council's Annual Monitoring Report³ indicates that, even on the new London Plan figures, the Council still has a 5-year supply of housing. Nevertheless, at 101% of the requirement, there is not a great deal of room for manoeuvre. The London Plan targets are a minimum and if the NPPF expects an additional 20%, LBW would plainly have a shortfall.
- 9.10.9 Of the dwellings proposed at Springfield, 168 would be affordable, including a significant proportion of much needed family homes⁴ with gardens. The Council's latest figures⁵ indicate that there are more than 6,000 households on the waiting list for affordable housing.
- 9.10.10 Given the scale of the need for new homes and affordable housing in London, and the magnitude of the contribution the appeal scheme would make, this is a substantial benefit, not just for Wandsworth, but for London as a whole.

Benefits to the MOL

- 9.10.11 Benefits in terms of the MOL were identified earlier but it needs to be stated that MOL is clearly a matter of more than local importance. Whereas the

¹ CD F1-02: Core Strategy, paragraph 4.36 and Policy OL5

² CD F8-01: London Plan, Table 3.1 on page 83

³ ID11 Tab 9: Annual monitoring 2010/2011, page 251

⁴ CD F4-16: DPMD, paragraph 3.5

⁵ ID/11 Tab 7: Data regarding housing waiting list

alleged harm to MOL policy relates to a view which is not even identified as being of local importance, it is common ground that the appeal scheme would enhance the Green Chain¹ and protect and enhance the two local views which the Council has identified as being important. The development proposal would improve and enhance the MOL; that is an extremely important consideration, to which the highest weight should be attached.

Contribution to Public Open Space

- 9.10.12 Tooting is an identified area of deficiency for open space² and children's play space.³ Although some 55% of the appeal site is open, it is private land which is not generally accessible to the public, except for those playing golf. The present use is a positive disincentive to access and public recreation.
- 9.10.13 Removal of the golf course, and the creation of a 13 hectare public park give substantial scope for a mixture of formal sports provision (playing fields), play space, public amenity space, water meadow and nature conservation. Ironsides and Spencer Clubs with their breadth of membership and sporting interests⁴, have identified a significant need for additional sports pitches and open spaces in the area⁵. There is a once-in-a-lifetime opportunity here for a partnership in which the grounds of Springfield would become a true community asset: not simply available to the local community but actively managed and used by them.
- 9.10.14 In a city such as London, opportunities to create new public parks on the scale of Springfield are extremely rare. This is not a minor matter: it is a major public benefit.

Improvements to Public Transport

- 9.10.15 Improvements to public transport proposed are strongly supported by TfL. In particular, the frequency of the G1 bus service would be increased and its route made more efficient, an additional service would be introduced to the site, and the scheme provides for new lay-over facilities for drivers.

New School

- 9.10.16 The Core Strategy identifies a new primary school as an infrastructure requirement for the area⁶. However, the cost and availability of suitable land is a major hurdle in providing new schools in London. The ability of the appeal scheme to deliver a site for a new school is highly material.

¹ Policies in the London Plan on Green Chains indicate that they have a strategic significance for London as a whole

² CD F1-02: Core Strategy paragraph 4.33 and CD F5-01: Wandsworth Open Space Study 12-18 et seq

³ CD F4-17: SSAD page 156

⁴ TP16A and 16B: Written statements by Messrs Newby and Gardiner-Hill

⁵ Although he objected to the Appeal Scheme, Mr Morris' evidence (TP21) was to similar effect.

⁶ CD F1-02: Core Strategy, page 136

Integrating Springfield into the Community

9.10.17 Springfield has significant assets which are not easy for the wider public to appreciate and enjoy. The site is physically isolated from the wider area, and largely impermeable. By providing better access to better mental health facilities, opening up the park to the public, creating new footpaths and cycle routes, and providing a high quality townscape with public squares and gardens, the appeal scheme would stitch Springfield into the community, help to de-stigmatise mental illness and allow the public to see and enjoy the site.

Implications of Refusal

- 9.10.18 There is no absolute certainty about the future if permission is refused. But, if the appeals are dismissed there is a very real risk that the Trust would be forced to relocate a significant part of its services elsewhere. The reasons are explained below.
- 9.10.19 First, the appeal scheme is already not entirely self-funding and the Trust cannot afford any significant reduction in those elements of the scheme which would generate the essential finance. If there is any force in the Council's concerns about transport, it is clear that they cannot be addressed by minor changes to the density of the scheme. Any material change in the quantum of residential development would inevitably have an effect on the viability of the scheme overall. The viability assessment¹, produced for the purposes of the affordable housing contribution, is a clear indicator that there is not a lot of money to spare.
- 9.10.20 Second, any continued lack of certainty will result in NHS Commissioners decommissioning services at Springfield, as they have already done with the Ellis Ward, which will put the provision of all services at Springfield at risk.
- 9.10.21 Then there is the issue of planning risk. The Trust needs to provide new facilities urgently. It has already spent over four years in discussion with the Council over its proposals for Springfield. The second application was made after long and detailed discussion with LBW, the GLA, TfL and English Heritage. Although supported by officers, it was rejected unanimously by the Planning Committee. Redevelopment of Springfield is highly contentious with local residents. There is absolutely no guarantee that a revised scheme, even if developed in consultation with Council officers and reported with a second recommendation for approval, would be any more likely to succeed.
- 9.10.22 Springfield is and remains the Trust's preferred site for a number of reasons², but importantly for the number of the staff and patients living within reasonable distance of the site as an established local employer and service provider. If the Trust does need to relocate, there is no suitable alternative site within Wandsworth³. One alternative would be to locate

¹ CD D2-03: Assessment of economic viability and affordable housing provision prepared by BNP Paribas Real Estate

² APP/KG/1.1: Ms Goddard's proof, paragraph 5.1 lists the reasons

³ CD S1A: Main SoCG paragraph 8.19

facilities to other Trust sites in south west London through a combination of refurbishment and new-build. Disruption to the residents of Wandsworth and Merton who use the hospital would be significant, with the added risk of loss of expertise if employees are unwilling or unable to follow suit. Furthermore, important links with St George's Hospital and St George's University of London Medical School would be lost.

- 9.10.23 The risks may not be certain, but they are real - and the consequences if the risks are realised are serious. They should not be dismissed lightly.
- 9.10.24 For the reasons described above, the development would contribute to achieving a range of development plan and national planning policy objectives, significant weight should be attached to each matter individually and greater weight when considered together. The benefits of the scheme and the implications of it not proceeding outweigh the harm caused by inappropriate development in MOL or any other harm.

9.11 **Appeal B**

- 9.11.1 Listed Building Consent was not refused by the Council because of any in-principle objection to demolition or alterations proposed, but simply because – having refused the application for planning permission – the Council was not satisfied that there was a suitable proposal for redevelopment of the site. If the Secretary of State allows the planning appeal, it is common ground between the appellant and the Council that this would overcome the separate reason for refusal of the listed building application.
- 9.11.2 The buildings proposed for demolition are not listed in their own right: they are listed either by virtue of their physical connection with the two principal listed buildings, or their location within the curtilage of the main building or the Elizabeth Newton Wing. While this does not mean that they have no heritage value, it means that their value is of a lower order, such that demolition is consistent with the advice in PPS5¹. At this stage, it is worth emphasising that English Heritage has been consulted closely throughout the evolution of the appeal scheme, and does not object².

9.12 **Overall Conclusions**

- 9.12.1 Throughout the inquiry, objectors have repeatedly emphasised the extent of local opposition to the appeal scheme. There will be those in the community who support the Trust's plans, but do not feel able to say so in public. As Sadiq Khan MP indicated, one in three of his constituents will, at some time in their life, either need the services of, or work for Springfield. The unfortunate, but very real, stigma of mental illness will prevent many of those people from speaking out. Others are not capable of doing so, because they are unwell. As Mr Dahl's experience shows (TPs 10A and 10B), this place has the ability to change people's lives. It is vital work.
- 9.12.2 The development proposal is a carefully considered scheme which is desperately needed if the appellant is to fulfil its statutory duties and provide innovative and state-of-the-art mental health care well into the 21st

¹ APP/PB/4.2: Mr Burley's Appendix 3 – Dr Miele's statement on heritage matters

² CD E3-03: Committee Report, page 35

century. They would also bring forward widespread benefits of national, regional and local significance. They are firmly in the public interest, and deserve the strongest possible support. These appeals should be allowed, and, subject to appropriate conditions and the proposed S106 obligation, planning permission and listed building consent should be granted.

10. THE CASE FOR THIRD PARTIES APPEARING AT THE INQUIRY

10.1 Of the third parties making representations at the inquiry most declared themselves supporters of the Hospital, fully recognising that future levels of service and care can only be achieved by replacing outdated accommodation through redevelopment of the site¹. There were some strong supporters of the proposal at inquiry but for the most part those heard were raising objections. I report separately on support for the schemes. The reasons for objecting to them are summarised below in the order of topics raised².

10.2 Character and Appearance of the Area

- Scheme is too large.
- This would amount to overdevelopment, at odds with the pattern and grain of the area.
- The heights of new buildings on the site's boundaries are out of keeping with existing two storey properties.
- Buildings should be located closer to the centre of the site to avoid removal of trees on its boundaries.
- Dense tree screening should be provided to separate the MOL from the Aboyne and St George's Grove estates³.

10.3 MOL

- The housing on areas of MOL detracts from its visual amenity and is inappropriate development.
- Comparative calculations used to establish difference between existing development on the MOL and that proposed does not comply with guidance in PRG2. Housing footprint should not use private yard space unavailable for public use, for instance.
- The proposal builds on some of the best quality MOL on the site with compensatory replacement on visually less important land.
- Housing projecting into the MOL would be intrusive and damaging to the open settings of the listed buildings.
- The bus route through to St George's Grove would interrupt the green corridor, fragment the MOL and affect its visual amenity. The tranquillity of the MOL would be disrupted by light, noise and bus traffic.
- The environmental implications of the G1 bus services running through the MOL have not been considered. The statutory and non-statutory bodies have not had an opportunity to consider its consequences.

¹ Third party submissions were based on written statements (TP1-TP22) which included a statement from the Rt Hon Sadiq Khan MP (TP 15)

² Some written submissions are extensive. This Report summarises the points relevant to the planning merits of the schemes.

³ TP14A: Wandsworth Society sketch attached to letter to LBW, dated 27 October 2010

10.4 **Biodiversity**

- The site supports one UK Priority Habitat through the two ponds on the golf course. There are 32 bird species including five Biodiversity Action Plan Priority Species that breed there; 8 species breed elsewhere.
- According to the ES, removal of 66 trees would be likely to have a “permanent negative impact” for breeding birds¹.
- The present ponds would be replaced by new balancing ponds located either side of the bus route through the MOL, with the potential for increased disturbance to wildlife from the noise and lights of buses.
- A key continuous biodiversity corridor from Wandsworth Common to Streatham Cemetery would be fragmented.

10.5 **Residential Amenities**

- Residents of houses on Hebdon Road and Lingwell Road would lose their views and privacy².
- Access for 92 new homes from Hebdon Road would introduce more vehicular movements on this quiet road than predicted in the appellant’s evidence. It would significantly change the character of the street.
- Attempt to restrict parking on site would increase pressure on local roads, to the detriment of the living conditions of neighbouring residents.
- The proposal would affect residents of College Gardens who would be faced with four storey dwellings some 20m from existing two storey properties. The new development would unacceptably affect wide sweeping views, reduce what is already limited light and sunlight enjoyed by residents. There are also overlooking issues and concerns about disturbance from car parks³.
- Land occupied by houses at Chancery Mews is lower than the appeal site. No account has been taken of this difference in levels. Three storey houses within 4m of the existing dwellings would contravene LBW’s development brief of 2000.
- Reducing level of parking on site would affect service users. Incidents of wheel-clamping now cause distress to users and their families. This would worsen with the proposal.
- There will be over 1000 units once development of St George’s Grove has been completed. With the appeal proposal there would be a combined impact of nearly 2000 residential units on the surrounding community.
- The plan for bus facilities and to run buses through the MOL would be contrary to the Mayor’s call for a transport system to enhance residents’ quality of life, improve safety and security.
- Buses will pass close to homes on St George’s Grove some 17.5m from habitable rooms of single aspect units. The service will run 18 hours a day and close to 100 times a day. The noise of buses accelerating, decelerating, entering the development and approaching noise-sensor

¹ CD D1-24: ES Volume 1, main chapters, Chapter 9

² TP7: Mr Hulett’s images of relationship of new residential blocks and existing Hebdon Road properties

³ TP22: photograph showing proximity of 57 College Gardens to area intended for car parking for new dwellings

barriers would have a disproportionate effect on residents' sleep and quality of life. Residents would lose their privacy, and feel insecure, as the area becomes more known as a result of the bus routes and new pedestrian/cycle routes.

10.6 **Golf Course**

- The golf course is a highly valued local facility, well used by a wide cross-section of the community¹. The clubhouse is open 365 days a year and offers a venue for a wide variety of activities and social occasions².
- The facilities are used by 18 local schools and lessons given to over 4,500 people annually.
- Some 30,000 rounds are played each year.
- It provides choice and opportunities for healthy lifestyles for local children and fits well with government policy to fight obesity, promote sport and build up a legacy pre- and post the Olympics.
- Major international figures recognise the value of such local pay and play courses to the future of golf³.
- If the course was closed there would be no credible alternative; this being the only pay and play course within miles. No other course would accommodate the golfers displaced by the proposed development.
- There is potential to accommodate a driving range and 9-hole golf course within the development.

10.7 **Highways and Transport issues**

- The Transport Assessment is inadequate and does not fully take into account the impact of the extra car journeys on the local road network at peak times.
- The appellant has failed to consider the quantum of development in St George's Grove when assessing the impact on local transport and highway network.
- On 21 October 2010 the Evening Standard published the result of a TomTom survey which identified South West London as one of the most congested places in Europe and that the Trinity Road/Burntwood Lane junction was rated as the 2nd most congested junction in the UK.
- Queues at this junction often stretch back as far as Burntwood School. It cannot take additional loads. Proposals to increase its capacity would involve common land.
- Local neighbourhoods are already affected by congested roads and rat running to avoid the congestion along major routes.
- Glenburnie Road is too narrow to act as a major access route to Springfield.
- The site is poorly served by public transport; majority of residents are likely to choose their own vehicles over alternatives.

¹ TP11: See comments on e-petition attached to Mr Nicholas' written statement

² TP17: Attached letter from GVA Grimley listing the range of activities in the clubhouse

³ TP11: Letter of support from a number of professional golfers, attached to Mr Nicholas' written statement

- The increase in numbers of people using an already over-stretched public transport system would lead to further delays and safety concerns.
- Local underground stations and the Northern Line are already severely overcrowded during the peak morning and afternoon periods. Upgrades to the Northern Line are underway after many years of hard campaigning. Earliest completion will be 2014 and is unlikely to greatly increase capacity.
- The proposed development would add further crowding, leading to increased inconvenience and discomfort for passengers with the potential for dangerous overcrowding during the morning peak period.
- Re-routing the G1 bus as proposed would inconvenience residents on Burntwood Lane, as the two bus stops on that street would be lost.
- The proposal includes bus layovers and Springfield could become a hub for bus layovers. TfL's interests clearly lie beyond the G1 route.
- There is little reason to be confident that mitigation measures to off-set problems inflicted by the quantum of development proposed would be effective.
- Proposals to increase capacity at the Burntwood Lane/Trinity Road junction would involve take up of Common Land. This would be a highly controversial development but necessary to address the impact of the development. A condition should be imposed to prevent development proceeding in the absence of changes to the junction.
- Equally, local residents would resist changes to the current on-street parking arrangements simply to accommodate the new development.

10.8 **Quality of Care and Accommodation for Service Users**

10.8.1 Representations relating to quality of patient care come mainly from the Service User Reference Group¹ (SURG) for the South West London and St George's Mental Health NHS Trust and from Sutton 1 in 4 Network. The points raised are these:

- Reservations relate generally to the intensity and nature of development, and in particular to the lack of outdoor space for both detained and voluntary patients.
- The hospital is a place of sanctuary and refuge; it is not sensible for acute wards to be sited right in the centre of the development.
- Concerns about the scale of development and the number of existing buildings to be demolished. The Panel's preference is for a more organic form of layout and architecture. The designs are institutional and unimaginative. The design of the mental health facilities has not been accorded the same level of care and attention given to designing the other elements of the development.
- The scheme would be socially divisive in as much as it seeks to combine £2-3m houses (with best views over the park) with accommodation for the most vulnerable people in society.

¹ The Panel, set up in 2008, comprises 12 or so service users and carers with links into other representative bodies. It operates like a Senate Committee or Citizens' Jury hearing evidence from the Trust development team. SURG's written statement comprises TP2A-2F

- The proposal is based on a backward looking historical medical model. The Trust should be looking at more of a hotel/health spa model¹ and strive for something along those lines in the public sector.
- Service users, particularly forensic patients and those compulsorily detained, could actually be worse off than now in terms of the amount of open space they would have access to. Many wards currently benefit from open vistas and views over the MOL. Internal courtyards are no substitute for the therapeutic benefits of wild untrammelled nature with trees, grass and natural forms. Courtyards militate against healing and recovery. Patients need at least the comfort of airing courts. Private residents would enjoy the best of the gardens and fine views.
- There is very little information on what actual facilities would be provided in the new modern hospital.
- Rational alternatives to the Springfield site have not been explored. There could be other options across the 5 boroughs.
- Best use of land and resources should be directed at patient care and for the benefit of the local community; not developer's profit.

10.9 Consultation

- Consultation with the local community was inadequate.
- Few people were aware of the exhibition at Springfield.
- Information about meetings or the applications were not fully communicated to local people.
- The failure to consult and engage with local people has eroded the good neighbourly relationship enjoyed over the years between the Trust and local population.
- There were 4,016 individual objections to the applications, plus 1,724 signatures to three petitions². Against this level of objection, people are alarmed at the Trust's decision to appeal. It is a blatant contradiction of the Government's plans to give local people more say over planning decisions affecting their area.
- St George's Grove barely features in the Trust's presentations. Plans and images are based on old drawings or aerial photographs. Residents of the development were not consulted.

10.10 Other Matters

- With current funding constraints the appellant should fully fund construction of the new school.
- There is no other comparable development of combining mental health facilities with new homes. The homes would not sell because of the proximity of the hospital.
- The new build would mean loss of integrity of the estate. It is a rare and unique survivor of our Victorian heritage with its fine listed buildings, specimen trees, gardens and open lawns.

¹ Places like the York Retreat or the Priory were cited as good models to aspire to. See also TP2E: Evidence given by Rachel Perkins on Recovery and Inpatient Care

² Mr Gidda and Ms Smith submitted hard copy of an on-going online petition. This comprises TP8D.

Support for the Proposals

10.11 Overall Aims of the Trust¹

- 10.11.1 The Wandsworth Society has had an interest in the Hospital site for over 40 years; championing the site and seeking to draw attention to the scale and character of the estate. In 2004 the Society was invited to join an interview panel to select a team for carrying out a feasibility study of the site. The subsequent report proposed means of integrating the Hospital with the local community and environment, to break down some 150 years of isolation and perceived public distrust of mental health care. The measures proposed included attractions such as a retail/café culture plus drawing the working public into the site by commercial and research generating employment. The proposal was intended to fund new hospital buildings and for the Trust to become financially self-sufficient.
- 10.11.2 Regrettably in the years that followed some of the aims have been marginalised, as the Trustees had to counter a swell of disapproval of its plans. The present proposal reduces the level of commercial interest on the site. The existing buildings lend themselves for conversion for small workshop and business premises which would provide welcome diversity into the site². The approach should be encouraged to help create a wider mix and heightened sense of a real village community within the developed estate.

10.12 Mental Health Facilities

- 10.12.1 Mental health is an unglamorous and misunderstood strand of the health service but vital to a huge number of people. The service is already relatively under-resourced and must have its own means to generate funds. The redevelopment proposal is the only viable way the hospital can deliver 21st century mental health provision that is vital to the local community.
- 10.12.2 The care given on the site has helped countless people recover from depths of despair³, despite the poor environment of out of date wards. After care is also to high standards with the hospital providing support and opportunities for employment.
- 10.12.3 There are still buildings from the Victorian era used to house clinical and administrative services. These present particular risks for patient safety, privacy and dignity. By contrast the newer bespoke mental health units (Phoenix Unit and Wandsworth Recovery Centre) provide for the needs of patients and staff in purpose built units. The proposed scheme would deliver better treatment for patients. It would break down the asylum's

¹ This section is a summary of the Wandsworth Society's submissions to the inquiry (TP14A and 14B)

² The Royal Victoria Patriotic Building was held up as a good example of what could be achieved. The ground floor floorspace of this listed building in the Scottish Baronial style supports commercial and cultural enterprises (some 39 businesses in total) with privately owned residential units on the upper floors.

³ TP10B: Mr Dahl records his experience of the high level of care and support he has received from the hospital

walls, integrate the hospital into the community and de-stigmatise mental health.

10.13 **Impact of the proposals**

- 10.13.1 Sustainable development such as that at Springfield would help the country to grow out of the current deficit.
- 10.13.2 Too much onus is placed on the transport impact of the proposal. One writer describes a different experience of commuting in the area to that expressed by objectors¹.
- 10.13.3 There is good public transport available locally. Although the site itself is rated at PTAL 1 to 2, within a few metres it rises to 4 to 5 with buses, trains and tubes giving a good service.
- 10.13.4 The planning application proposes a genuine open use for a great deal of land currently restricted to golfers. It would help deliver benefits such as affordable homes, community space and a school.
- 10.13.5 To take advantage of the choices available, it is crucial to increase permeability of the site in particular for ease of movement by foot and bicycles and to increase connection with the neighbourhood to the east for access to buses and trains from Wandsworth Common.
- 10.13.6 As this is an outline application impact of the development on MOL cannot be gauged, except by reference to the appellant's height criteria. There would be an increase in MOL as a consequence of the proposed scheme; this is a gain to offset what are as yet unproven adverse appearance and scale of the development.

10.14 **Recreational Facilities²**

- 10.14.1 The Ironsides and Spencer clubs are well established clubs that between them support a total of around 1000 senior members, 2000 junior members, more than 120 teams and a programme of school holiday junior sports activity. Between them the clubs provide opportunities for 7 main sports, including cricket, football and rugby.
- 10.14.2 There is a shortage of suitable playing space at or close to the clubs. To meet huge demand, extensive use is made of pitches elsewhere. The current facilities are overused and the clubs need more space to grow and flourish. The proposals at Springfield provide great opportunities to improve on the quality, quantity and inclusivity of provision. The golf course would be replaced by fields of equivalent or better quantity and quality of open space for formal recreational activities. Provision of the additional pitches/courts at Springfield is supported by a range of sports' governing bodies (TP16B).

¹ TP6: Mr Penny claims he has never found the journey untenable, regardless of the time of day

² This section is based on submissions on behalf of Battersea Ironsides Sports Club and the Spencer Club – TP16A and 16B

10.14.3 The clubs envisage a community sports partnership to manage the new space created. There is scope for formally laid out pitches as well as unencumbered open space that could function as parkland and as temporary pitches for coaching younger players. Sharing the facilities with schools and other sports clubs would maximise the benefit to the local community. A condition or legal agreement should be considered to secure quality provision.

11. WRITTEN REPRESENTATIONS

11.1 The appeals generated 223 responses in writing (WR1-WR223). The vast majority object to the schemes along the lines of the points expressed in the statements submitted and read out at the inquiry. For that reason, I do not repeat the arguments raised but would draw the Secretary of State's attention to the extent to which the local community has responded to the appeal schemes.

11.2 Below I draw out the material and new points raised in WR 221 by Ms Dale Ingram who opposes the schemes on heritage conservation grounds. The matters raised deserve recording, as they have not been mentioned elsewhere. For the same reason new points raised in Sport England's (WR166) written submissions are included below.

11.3 Heritage Conservation

Background

11.3.1 Many of the curtilage listed buildings proposed for demolition were erected to meet practical and operational rather than aesthetic considerations. That does not render them dispensable. While some lack architectural merit, they represent a significant phase of development in the site's evolution, redolent of their era and of the purposes for which they were constructed.

11.3.2 Springfield Hospital is the only one of the many Victorian asylums in London left within the health service's possession. The buildings are at risk from disuse.

Enabling Development

11.3.3 Although the proposed development does not represent enabling development in the strictest sense, it is submitted in terms of offering significant benefits to the heritage assets and must therefore be examined as enabling development.

11.3.4 For an application for enabling development to be successful, the quantum of development proposed should be no more than is necessary to secure the benefit. The problem in this case is that there is no detailed listed building consent application in respect of the 'at risk' Victorian hospital buildings. There is no costed and considered plan for the conversion works. There can be no surety that the proposals would in fact deliver the benefits claimed. Examples of projects included in the submissions¹ illustrate graphically what

¹ WR221: photos of listed buildings in state of damage and disrepair following disposal or permissions granted to enabling development

can and all too often does happen when development schemes are not subjected to sufficient rigour at the condition and/or S106 stage of a consent.

- 11.3.5 The appeals should not be approved until consent has been granted for conversion of the 'at risk' listed buildings and work completed to a saleable condition before the rest of the site can be developed.

Conclusions

- 11.3.6 Questions need to be asked why the Trust has delayed so long while the magnificent buildings have fallen into the 'at risk' register. And even now have not produced schemes which actually properly and conclusively address the issue of their endangered heritage assets.
- 11.3.7 By seeking to integrate the hospital site with its surroundings by melding mixed uses, the Trust is bravely attempting real inroads into removing the stigma of mental illness. But the price the historic environment is expected to pay is too high. The lack of conclusive care of the listed buildings, demolition of curtilage listed buildings, building on MOL and the negative effect on the setting of the listed buildings by the quantum of development has not been justified by any exceptional circumstances.
- 11.4 **Loss of the Golf Course**
- 11.4.1 Improvements to open space provision, scale and type are welcomed but there is no consideration of the rationale for closure of the golf centre. No assessment has been carried out to support the provision of outdoor sports and recreational facilities. A local needs and evidence base should be secured before decisions can be made about the need for other recreational facilities in place of the golf course.
- 11.4.2 As the appellant has not undertaken an independent assessment, including local consultations, to demonstrate that the golf course is surplus to requirements, the proposal does not comply with paragraph 10 of PPG17. It conflicts with the London Plan Policy 3.19, given the net loss of sports and recreational facilities and no assessment to demonstrate lack of need for the golfing facility or rationale for its closure.
- 11.4.3 The most important feature of the current golf course is its pay as you play facility. Sport England has established that there is only one other such golf course within the 0-5 km catchment of Springfield and five within a 5-10 km catchment area. Closure would result in loss of the only pay as you play facility in Wandsworth. The appellant's claim that golf clubs nearby are in plentiful supply is incorrect.
- 11.4.4 Sport England assisted GLA with a study which formed the evidence base for London Plan Policy 3.19. The study demonstrates that there is a need for one full sized synthetic grass pitch as part of the Springfield development. The football pitches proposed in the development are welcomed. Sport England supports development of a needs assessment for all outdoor sports and considers how they might be accommodated at the Springfield development.

12. CONDITIONS AND OBLIGATIONS

12.1 Acceptability of the appeals is dependent on appropriate standards of design and layout of the development proposal and mitigating or enhancing measures to counter the effects of development. These would be secured through conditions or planning obligations.

12.2 Conditions (ID9F)

12.2.1 Save for No. 37, the conditions were largely agreed between the parties. They were discussed at length at the inquiry. Should planning permission or listed building consent be granted, they should be subject to the conditions listed in Annex A to this Report. They are necessary for the reasons explained at the end of each condition. I have modified the wording of some conditions, in the interests of clarity, brevity, compliance with Circular 11/95 or updated policy advice. Reasons for changes in the wording of conditions, or for not modifying them, and for additional conditions are explained below.

Appeal A Condition 2 and Appeal B Condition 1

12.2.2 The commencement dates of 5 years instead of the standard 3 is necessary and more realistic, given the complexities of NHS procurement of developments and uncertainties about funding or the approach to appointing a development partner.

Appeal A Condition 37

12.2.3 Removal of permitted development rights on all dwelling houses is unreasonable, as the application is in outline and the design integrity of the scheme is not dependent on the level of detail sought to be controlled by the local planning authority. However, extending such control to dwelling houses within or adjacent to the MOL is necessary in the interest of safeguarding its openness and visual amenity. The condition is worded accordingly.

Appeal A Condition 48

12.2.4 Because of the proximity of new buildings to neighbouring properties, requiring assessment against updated good practice advice is justified. A further condition along those lines would help protect existing and future residents' levels of daylight and sunlight when applications for reserved matters are considered.

Appeal B, Condition 7

12.2.5 As Condition 5 would provide the means of notifying the local planning authority of the time of start of the works, a further condition requiring English Heritage to be notified is superfluous. Hence, the recommendation to delete Condition 7.

12.3 Planning Obligation (ID10E)

12.3.1 The application is accompanied by a completed agreement under S106 of the TCPA. Details of what is to be provided through the obligation are listed

in ID24. The latter additionally explains the policy basis for the items included in the planning obligation and justification for their provision.

12.3.2 The main elements of the obligation are as follows:

- i. 168 affordable housing units (20% of the total) comprising one or more of: rented affordable units, shared ownership units, extra care housing units and supported housing units.
- ii. Provision of a car club to operate at the development with a minimum of 4 car club spaces to be provided. Delivery of the spaces is linked to occupation of residential units, in accordance with the trigger mechanism set out in the obligation.
- iii. Financial contributions (in four instalments) towards one or more additional bus services into the site.
- iv. Provision of bus infrastructure, comprising 7 on-site bus stops and 4 on-site bus layovers/stands and driver facilities.
- v. Financial contribution¹ towards a Transport Infrastructure Plan, intended to improve local highways or transport infrastructure to enable safe and convenient access routes to and from the site for bus users, cyclists and pedestrians². The contributions would additionally fund the linking of 7 existing signal junctions nearby through the introduction of Urban Traffic Control (UTC), SCOOT and CCTV³ plus assist with a feasibility study into capacity improvements at the Burntwood Lane/Trinity Road junction.
- vi. Provision of a Site Wide Travel Plan, plus individual hospital, school and residential travel plans.
- vii. Contributions to the Council to fund a CPZ study.
- viii. Completion of the St George's Grove access link works and provision of the bus service (one additional service an hour each way) through the site. The works and services are to be completed before 50 residential units in parcels X, Y or Z and 450 residential units in total are occupied.
- ix. Off-site junction improvement works at the Burntwood Lane access into the site.
- x. Implementation of a Local Employment Agreement, to enable the development to promote local employment.
- xi. Provision of premises to provide alternative accommodation for the existing community facilities on the site – namely, the gymnastics club, a nursery and SHARE Community (a charity working with people with learning difficulties).

¹ See ID 10F drawing attention to inconsistency in the document. The figure agreed is £3,250,000.

² The sort of projects envisaged are improved pedestrian crossings and allowing cyclists to make movements not permitted to other traffic, installing or removing traffic calming measures, installing signage, off-site bus stops, improved signage and cycle parking.

³ CD D1-21: Transport Assessment, drawing 116284-00-23 showing location of junctions

- xii. Provision of open space (Springfield Park).
 - xiii. Submission of a Listed Buildings Strategy within 12 months after development commences. Application for listed building consent 12 months after the Strategy is approved. Triggers are included in the obligation to prevent occupation of new residential units until the listed building works are commenced and completed.
 - xiv. Financial contribution to repair the Ice House.
 - xv. Provision of a site for the new school.
 - xvi. Submission and implementation of an Estate Management Strategy to deliver environmental, design, transport and traffic management measures on site during construction, and following implementation.
- 12.3.3 Given the scale of the proposed development, demand for additional facilities and pressure on existing ones, there is clear justification for the affordable homes, community and education provision (items i, xi and xv). The transport measures and off-site highway works (items ii – ix) have been appropriately included to meet the demands of the development and to achieve the modal shift intended.
- 12.3.4 The obligation would also fulfil a key element of the proposal: delivery and maintenance of Springfield Park (item xii), which are vital to protection of the MOL and to make it accessible to the public for formal and informal recreation. The Listed Building Strategy, and in particular securing its implementation, is essential to the scheme. In the absence of a listed building consent for repair and refurbishment of the listed buildings, the trigger mechanism would ensure that works to the buildings are delivered in tandem with the new build components of the scheme. The Listed Building Strategy along with the Estate Management Strategy could be secured by conditions. However, as they form part of the completed obligation, I see no reason to duplicate the requirements by conditions.
- 12.3.5 The Ice House is unconnected to the appeal site. Its repair is not related to or necessary for the development to proceed. There is sufficient information and policy support for all of the other items in the planning obligation (ID24B), plus clear evidence of how and where the monies would be spent. Furthermore, the parties agreed that the provisions of the S106 are related in scale and kind to the development. The planning obligation therefore meets the Community Infrastructure Levy (CIL) Regulation 122 tests and the provisions of Circular 05/05. Save for the Ice House repair, the planning obligation has been accorded significant weight in consideration of the parties' cases and in the conclusions that follow.

13. CONCLUSIONS ON THE PLANNING APPEAL

(Numbers in brackets refer to paragraphs or sections in this Report from which these conclusions are drawn)

13.1 Main Issues and General Matters

Main Issues

13.1.1 These conclusions are broadly structured to follow the main issues identified in the pre-inquiry note to the parties, with some variation to take account of the evidence presented at the inquiry. [1.2]

13.1.2 There is no dispute that part of the proposed development (namely parcels P, Q, X, Y and Z identified on application plan PL03 Rev A) lies within the MOL and amounts to inappropriate development in terms of PPG2 and UDP Policy ON4. With that in mind, and taking account of the proximity of MOL to the development, the main issues are:

- The effect the proposed scheme would have on the openness and purposes of the MOL.
- Its effect on the visual amenity of the MOL and on the character and appearance of the area.
- Whether the development would lead to unacceptable congestion, highway safety or parking concerns, and add undue pressure on local transport infrastructure.
- Whether it would preserve the special architectural or historic interest of the listed buildings and their settings.
- Its impact on the Registered Historic Park and Garden.
- Impact on residential amenity – in particular concerns about daylight, sunlight, privacy, noise and disturbance.
- Whether the development would provide adequate provision for service users.
- Consequences of loss of the golf course.
- Whether the harm by inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development.
- The 'other considerations' fall into the following broad categories:
 - Medical considerations
 - Housing and affordable housing delivery
 - Benefits to MOL
 - Contributions to public open space
 - Heritage assets benefits
 - Other matters

General Matters

- 13.1.3 The Environmental Statement (ES) was submitted in accordance with the EIA Regulations. As agreed by the main parties, the requirements of the Regulations have been met. The contents of the ES, and all environmental information, are taken into account in arriving at the recommendations in this Report. [2.1-2.3, 10.3]
- 13.1.4 The starting point for considering this appeal is S38 (6) of the Planning and Compulsory Purchase Act 2004. The development plan for the area comprises the London Plan, saved policies of the Wandsworth UDP and the 2010 Wandsworth Local Development Frameworks Core Strategy (CS). The Localism Act was referred to in terms of the strength of feeling the applications and appeals have generated in the local community. The draft NPPF is a material consideration. However, as this is a consultation document and subject to change, it should be afforded little weight. [4.1, 4.2, 8.9.1]
- 13.1.5 The applications elicited over 4,000 responses. The appeals have also generated a substantial number of written and verbal submissions, the gist of which is recorded in this Report. The complaint about lack of consultation on the appellant's part is not backed up by the evidence. The Statement of Community Involvement (CD D1-12), for instance, outlines the pre-application consultation processes followed prior to and after refusal of the previous application. These included distribution of some 8,000 newsletters to local households, updated web site information, street canvassing, workshops, exhibitions and meetings with resident groups. Further details of meetings and consultation, recorded in Common Appendix CA1, confirm that extensive consultation at all levels has taken place and that the complaints are unfounded. [9.9, 10.9]
- 13.2 **Effect on Openness and Purposes of MOL**
- 13.2.1 The area of land within the appeal site designated as MOL washes over the golf course and its associated building or structures. It also encompasses the District Store, unoccupied dwellings along the Burntwood Lane frontage, the Diamond Estate and Shaftesbury Clinic. [3.2.4, 8.2.4, 9.2.4]
- 13.2.2 The extent to which openness is perceived depends on one's position on the site. When walking along the south western boundary of the golf course and looking towards the main hospital building, for instance, there is a clear sense of expanse of open land largely unaffected by buildings or developments. The mounds may appear manmade but generally are low scaled. Trees disrupt views but form part of the site's openness. [8.2.4, 8.2.11, 9.2.4, 9.2.15]
- 13.2.3 At the site's south eastern corner, by contrast, the substantive buildings and hardstanding associated with the Diamond Estate and Shaftesbury Clinic are obvious and apparent incursions into the MOL. That they were erected under Crown Immunity does not overcome the fact of visual intrusion into openness. Equally, the golf clubhouse, netted driving range and District Store are sizeable buildings or structures clearly disrupting the MOL's open characteristics, regardless of whether the club house or driving range amount to appropriate development in PPG2 terms. The club house, driving

range and District Store are most apparent in views from Burntwood Lane, from the north west and along the historic carriageway. There is no doubt that removal of these buildings and structures would increase the MOL's openness, but this would be tempered by the incursion of parcels P and Q as well as sections of the housing development forming parcels X, Y and Z. [8.2.4, 8.2.11, 8.2.12, 9.2.9, 9.2.10]

- 13.2.4 Purely in built footprint terms, the proposal would result in an increase in MOL by some 371 sqm. The clubhouse cannot realistically be discounted from this comparative exercise, given its size and the range of functions it supports. The building is not small-scale, nor 'essential' to outdoor sport in the manner expected in PPG2, the London Plan or UDP Policy ON4. On the other hand, judging the net effect on openness involves more than a mathematical exercise of comparing footprints. Annex C of PPG2 is not applicable to this case, but the principle that "...footprint is not the definitive indicator of impact on openness..." is a valid and relevant proposition. [8.2.14, 9.2.7, 9.2.9, 9.2.10]
- 13.2.5 Regard must also be had to hardstanding, roads and private gardens. Such features are disruptive to openness and can add to the fragmentation of MOL to the point of causing it harm. However, in this case the new roads and private enclosed gardens of the new homes would be no more damaging than the range of roads, enclosed compounds, hardstanding or gardens associated with existing buildings or uses on the MOL and scattered across it. If anything, the proposal would have a beneficial effect on openness by consolidating and drawing development away from the expanse of open land towards the built-up part of the site – by some 80m in the case of parcels P and Q. The new road from St George's Grove would be an additional incursion, albeit limited in the context of the extent of the land to remain open. It is also a necessary part of the scheme's planning acceptability - improving the site's public transport accessibility, as required by TfL. The matter is considered further later in the Report. [8.2.13, 8.2.14, 8.2.16, 9.2.15]
- 13.2.6 As for volume, a comparative exercise has not been undertaken but by reducing the spread of buildings and hard features across open land, the sense of openness would be enhanced. [8.2.15]
- 13.2.7 Turning to MOL purposes, the London Plan describes MOL as important to the City's multifunctional green infrastructure and is keen to see improvements in its overall quality and accessibility. The UDP refers to the role of MOL in the contribution it makes to the structure or character of the Borough, and in providing breaks in the built-up area. [4.2.1]
- 13.2.8 Although resulting in loss of the golf course, the proposed scheme would greatly increase accessibility to the open land with scope for improved landscaping and additional recreational opportunities. At the south eastern corner of the site the layout allows for open space close to the site's boundary with potential for linkages to the cemetery beyond. The option of a physical link may be a long term prospect, but a visual connection would be achieved. The remainder of the MOL would remain open and would increase the contribution the land makes to the Borough's green infrastructure. Save for the new road (carrying the G1 service) traversing

the MOL, together with parcels P, Q, X, Y and Z, the land would be free of built development. In the context of what is already on site, the new buildings and road would not amount to sprawl, as feared by the Council. [8.2.20, 8.2.21, 8.2.22, 9.2.2, 9.2.14, 9.2.17]

13.2.9 On this issue I concur with the appellant's overall analysis insofar as the purposes and openness of the site's MOL would not be harmfully affected but would benefit from the changes proposed. The London Plan Policy 7.17 and UDP Policies ON4 and ON5 designed to protect such land and to improve its functions would be complied with.

13.3 **Effect on MOL Visual Amenity and on the Character and Appearance of the Area**

13.3.1 In considering this issue one must look not only at the components of the proposal that are within the MOL but also analyse impact on views from within and outside it. The Council's objections and reason for refusal are concerned largely with parcels P and Q. I agree that those aspects of the proposed scheme could potentially introduce the most damaging change. In all other respects, the development has been designed to make best use of previously developed land and to generally fit in with the surrounding residential areas. The three and four storey buildings would be situated away from the site's boundaries, while those closer to the site's edges would reflect the heights and pattern of development nearby. The application material submitted demonstrates the potential for high quality sustainable design and promises good architecture. [8.2.4, 9.2.3, 10.2]

13.3.2 Parcels X, Y and Z would replace the large intrusive buildings and structures associated with the Diamond Estate and Shaftesbury Clinic. The new dwellings would be up to three storeys high and no more than 11.5m in height. Built development would be drawn away from the site's boundary and the appearance of this part of the MOL would be improved. Views towards and outside of it would be no more disrupted than it is now. [8.2.4, 9.2.12]

13.3.3 In consolidating built development and drawing it closer to the built-up part of the site, a larger area of uninterrupted open land would be created with unimpeded public access across it. On the other hand, parcels P and Q would interrupt views of MOL from the historic carriageway and from Burntwood Lane. The new buildings, at heights of up to 11.5m, and blocks extending in depth by some four dwellings, would introduce a greater concentration of development than is currently the case, as the golf clubhouse, the District Store and the driving range are dispersed across the MOL. Parcels P and Q would additionally alter the relationship between the MOL boundary, as marked by the carriageway, and the open space lying beyond it. Equally, they would obscure wide panoramic views across open land towards Putney. [8.2.6, 8.2.10, 8.2.23]

13.3.4 The fact that the parts of the MOL boundary close to the hospital buildings do not follow defined features does not justify the changes proposed. Redefining the MOL boundary is not for this appeal. The possibility of adding an existing car park into a newly defined MOL does not therefore carry much weight in the argument for allowing development on MOL. [8.2.9, 9.2.11, 9.2.16]

- 13.3.5 In terms of views, the UDP explains that one of the objectives of Policy TBE8 is to protect important views and skylines. The view of importance in this case is View 11, identified in the SPG and largely unaffected by the development. The proposal in fact improves that view. Nevertheless, the value of alternative views of and from the perimeter of the MOL should not be underestimated, even in the absence of a specific mention in the SPG. In this case, loss of views from the carriageway leading to the main hospital building and from Burntwood Lane is clearly of local concern. [8.2.24, 8.2.25, 9.2.20, 9.2.21, 9.2.22]
- 13.3.6 That said, parcels P and Q would provide a strong definition to the MOL edge, similar to that seen with the Paragon development at Blackheath. The crescent shaped blocks would frame views of the main hospital building, and add to openness in the terms described earlier. The listed building would become the main visual focal point on the site, in place of the clubhouse and District Store that currently occupy key open spaces to its front. When considered against these advantages, loss of views across parts of the MOL, does not, on balance, justify finding against the proposed scheme. [8.2.6-8.2.9, 9.2.16, 9.2.18]
- 13.3.7 To conclude, the proposal would be a good response to the site's MOL assets and has the capacity to fit in well with its surroundings. The development would also have the potential to meet the high quality design outcomes expected, thus complying with London Plan Policies 7.4, 7.5 and 7.6, UDP Policies ON4 and ON5, TBE5, and emerging DMPD Policy DMS1. While there may be some discord with one section of UDP Policy TBE8, taken in the round the proposed scheme would accord with the principles of policies relating to MOL, the built environment and design. [4.2.1]
- 13.4 **Highways, Transport and Parking**
- 13.4.1 There can be no doubt about the strength of objections to the proposal on the basis of its impact on the local highway network, on the public transport system and the consequential effect on people's lives. The evidence and experience of those living, working and responsible for the area's highways and transport systems attest to a transport network under severe pressure and a highway system already experiencing high levels of congestion. [8.3.1, 8.3.2, 8.3.4, 10.7]
- 13.4.2 The development would undoubtedly add to existing pressures. The appellant agrees that increases in traffic would only be manageable if the proposed measures would secure the modal split anticipated. The Council and objectors question the scope for such measures to deliver what all agree are very challenging targets. The targets would see the hospital related trips by car fall by up to 16%, the total effect of the development on the highway network increase only marginally (as demonstrated on the VISSIM modelling exercise) and effects mitigated by traffic management measures. The mitigation measures and modal shift objectives lie at the heart of the appellant's case. [8.3.7, 8.3.8, 8.3.20, 9.3.11, 10.7]
- 13.4.3 The Council additionally takes issue with the trip rates on which the Transport Assessment is based. It has to be said that the Council's assumptions of trip rates were prepared and presented only in response to the appeal and for the purposes of the inquiry. That is unfortunate, given

that the inputs and modelling for the Transport Assessment have been under discussion with the Council and TfL for in excess of three years. Indeed, TfL has expressed satisfaction with the trip generation used in the Transport Assessment. The Transport Assessment was also declared robust after detailed consideration of the proposal, which included auditing and verification of the traffic modelling by independent consultants. [8.3.19, 9.3.2, 9.3.3]

- 13.4.4 Nevertheless, having raised the prospect of a possible under-estimation of trip rates, the matter merits detailed consideration. Broadly, these relate to car borne trips from each of the main elements of the appeal scheme.

Development Trip Generation

Hospital related trips

- 13.4.5 The level of car borne hospital-related trips anticipated in the Transport Assessment is predicated on a substantial shift to other modes of transport, and which it is said has already occurred to some extent. The likely reasons are the voluntary travel plan in operation since 2009, in combination with a stricter parking regime. The appellant relies on a range of surveys between 2006 and 2011 to substantiate the effectiveness of the measures already in place. The surveys have to be treated with some caution, given the criticisms levelled at them. Nevertheless, while the result of individual surveys may not be conclusive, generally they substantiate the same point - that car borne trips to and from the hospital are heading in the direction intended. [8.3.20-8.3.24, 8.3.26, 9.3.11, 9.3.13, 9.3.14, 9.3.15]
- 13.4.6 It may well be that the recently imposed parking management strategy has deterred non-hospital related drivers from parking on site, but the impact of such restrictions on hospital staff or users cannot be discounted altogether. Furthermore, while direct comparisons cannot be drawn, the effectiveness of travel plans used at other hospitals demonstrates that with measures and incentives in place, the scale of modal shift intended can be realised. As the travel plan is a living document, there is provision for introducing additional measures or restrictions and there is scope for doing so at future reviews, should the hospital car trip rates not decrease as anticipated in the Transport Assessment. That is how travel plans are intended to work in practice. And in this case would work in combination with other travel/transport initiatives or improvements to be delivered as part of the scheme. These are good reasons to be confident that the trip rates and reductions envisaged would materialise. [8.3.25, 8.3.26, 9.3.12, 9.3.16]

Residential

- 13.4.7 At no time during the course of discussions with either the Council or TfL has the appellant been asked to assess the residential trip rate other than on the basis of the census surveys from the three super output areas. These were agreed in advance of the Transport Assessment preparation. At this late stage of the process, it is unreasonable for the Council to posit the view that the car mode share for the residential element of the proposal has been underestimated, because it relies on an unrepresentative sample of local census data. The reason for adopting this position has not been explained. [8.3.27, 8.3.28, 9.3.17, 9.3.18]

13.4.8 In any case, the Council's estimated increase of 48 two-way trips at the morning peak hour over and above the 169 estimated in the Transport Assessment (or 29% car driver share), does not take account of the potential for the measures such as reduced parking standards, improved public transport provision, enhanced pedestrian and cycling facilities or car clubs to alter new residents' approach to car use. With a new community there is more scope to reduce car dependence than if it were imposed on an existing neighbourhood. For these reasons, there is every possibility that the modal split anticipated would occur, at least to the level demonstrated by existing properties in the area. The Council's assumptions are likely to be overly pessimistic. [8.3.29, 9.3.19]

Commercial

13.4.9 The commercial floorspace would total some 3,740 sqm. In the totality of accommodation to be provided on the site (147,310 sqm), this may not be a significant amount but includes a range of uses (Classes A1-A4, B1, D1 or D2) that are likely to attract more than the four two-way car trips in the morning peak hour estimated in the Transport Assessment. Even with the level of parking restraint envisaged, there would be a propensity for more people than forecast to travel to the site. The Council's total of 45 car borne trips is a more realistic assumption. [8.3.30, 9.3.20, 9.3.21]

School

13.4.10 The appellant's highways and transport witness conceded some ground on the mode split data for school use but was not prepared to accept the Council's higher figure of 123 car trips above that estimated in the Transport Assessment. On the other hand, the Transport Assessment did not make allowances for taking cars off the road that would otherwise travel to a more distant school, nor make provision for linked trips. In these circumstances, there is justification for adopting the Council's lower car mode share estimate of 92 additional vehicles than that assumed in the Transport Assessment. [8.3.31-8.3.36, 9.3.22]

Impact on Highway Network

13.4.11 Despite some intensive negotiations during the inquiry, common ground on the matter of trip rates could not be established between the two witnesses. Nevertheless, the VISSIM model was re-run to establish the effect of the development on the highway network using the Council's trip generation figure (based on the lower car mode share for the school). The results suggest that these would add to delays in journey time by up to 47 seconds, and 45 seconds during the morning peak hour at the links to the Burntwood Lane/Trinity Road junction¹. This is before any likely benefits of SCOOT are added in. [8.3.40, 8.3.41, 8.3.42, 8.3.43, 9.3.24]

13.4.12 The re-calculated VISSIM results, and those presented in the Transport Assessment, are dependent on certain modal assumptions. There can be no cast iron guarantee that the measures proposed would achieve the levels of

¹ Note: the figures take account of committed developments, including that at St George's Grove [9.3.23]

modal split aspired to. And no measure on its own would make the difference. However, the combination of public transport provision, off- and on-site mitigating measures, plus new strategies and initiatives providing opportunities for altering people's travel habits would in all probability deliver something close to the targets aimed for. The reason for this confidence is based on the likely effectiveness of a wide range of measures and provisions that would be forthcoming; the details of which are considered below. [8.3.6, 9.3.9]

Improvements and Additional Measures

Public Transport

- 13.4.13 That the site lies mostly within a PTAL rating of 1-2 is a measure of the difficulties faced in achieving the scale of modal transfer necessary. However, there is a good choice of train and underground services (Earlsfield, Wandsworth, Tooting Bec and Tooting Broadway) within 13-20 minutes walking distance of the site. While this may be outside the PTAL recommended maximum walking distance, PTAL also recognises that people may walk further to access high frequency services. That is indeed the case with the train/underground stations within walking reach of the site. Equally, bus services are further than the recognised preferred walking distances but the frequency and number of services from nearby streets are plentiful. While not favoured by existing residents, there is also scope for improving the site's permeability and accessibility to nearby bus routes. [8.3.5, 8.3.14, 8.3.15, 9.3.7, 9.3.8]
- 13.4.14 The proposal makes provision for increasing the frequency of the existing G1 bus service. This may not be regarded as a high performing service overall, but its efficiency would be improved by eliminating the present looped route through St. George's Grove. Equally, another as yet undecided service would add to transport choices on the site. That delivery of these services is outside the appellant's control should not be held against the scheme. It is a major plank in TfL's acceptance of the development and there is a strong likelihood that the services would materialise to meet the demands of the scheme, despite objections voiced by a number of third parties to the changes proposed to the G1 service. The extent to which the two services would add to the site's accessibility cannot be dismissed lightly. The incursion into MOL by the new road from St George's Grove is justified by the necessity of improving the G1 service route to and from the site. [8.3.11, 8.3.12, 8.3.13, 9.3.25, 10.7]
- 13.4.15 The new bus layovers within the site would additionally help ease the pressure on local bus infrastructure. The extent of the new bus infrastructure to be provided on the site would be the subject of detailed planning, and its impact assessed at that time. [9.10.15, 10.7]

On-Site Provision

- 13.4.16 Restricting parking provision on site and providing good facilities for pedestrians and cyclists would assist with reducing car dependency. The parameter plans illustrate the extensive network of cycle routes and footpaths that would serve the development; the scheme would provide new access points and re-open those closed off. The car club to be

delivered through the S106 could have the effect of removing some 80 cars off the road. The travel plan, also secured through the S106, has the potential to encourage use of sustainable options. The travel plan is regarded as a critical element of the car share mode reduction process. [8.3.26, 8.3.38, 9.3.25, 9.3.16, 9.3.19]

- 13.4.17 These are laudable, workable proposals which, combined with improved access to public transport, should fulfil expectations of lower private car use and ownership.

Off Site Provision

- 13.4.18 The Transport Infrastructure Plan contributions would help fund improvements to surrounding streets and access to the site. The works envisaged would improve connections beyond the site for bus/train users, pedestrians and cyclists. [9.3.8]
- 13.4.19 Substantial increases in use of existing public transport systems (rail and buses) are anticipated as a result of the development. Local people speak about frequent problems of congestion, delays and safety concerns on local train services. TfL does not object to the development on the basis of public transport capacity. Furthermore, an upgrade of the Northern Line currently underway (to be completed by 2014) is expected to increase its capacity, while enhancements at Earlsfield Station would improve passenger facilities. Such measures should help ease current and future concerns about impact on local rail infrastructure. [9.3.8, 10.7]
- 13.4.20 The S106 also commits the appellant to fund improvements to traffic signalling controls in the site's vicinity (UTC, SCOOT and CCTV), designed to assist with traffic flows. The level of improvement may not reach the heights of 12% experienced at other London locations but would make some inroads into easing traffic flows. Additionally, funding would be provided for a feasibility study (already commenced by TfL) into improving capacity at the Burntwood Lane/Trinity Road junction. [8.3.42, 9.3.25]
- 13.4.21 It was suggested that a Grampian condition be imposed to prevent the appeal development proceeding in the absence of improved capacity at that junction. Given the controversy generated by changes to the junction, as well as the long standing problems associated with it, there can be no assurance that the works would proceed. To impose such a condition under such circumstances would be unreasonable and would delay implementation of the appeal scheme for an indefinite period. The level of uncertainty that such a condition would introduce would run counter to the surety the Trust needs, to press on with improving its mental health and facilities, as well as the certainty the Borough requires to meet its housing needs. I return to this later in the Report. [8.3.44, 10.7]

Parking

- 13.4.22 On-site parking provision is agreed with the Council and is at a level intended to discourage car ownership and usage. The hospital related car parking, for instance, would be reduced from the current maximum parking accumulation on site of 571 to 420. A car parking management plan, to be secured through a condition, would establish the quantum and siting of on-

site parking for each of the components of the development, and controlled through the use of site parking permits and enforcement. [8.3.25, 9.3.12]

- 13.4.23 Local residents are concerned about pressures on nearby streets as a result of the restrictive parking regime on the site. There are already restrictions in place on surroundings streets and the appellant would help fund CPZ studies. The studies would allow the Council to monitor and act to prevent spillage from the site onto nearby streets. The measure may not alleviate local apprehensions, but is part of a package of means for reducing car dependency. [8.3.47, 8.3.50]

Conclusions on Highway and Transport

- 13.4.24 A development of the scale proposed would inevitably impact on the area's transport network. But there is much in the scheme to be confident that its travel demands could be managed and that the levels of traffic generated would not cause significantly higher congestion or delays than already experienced, as shown by the VISSIM results. The mix of public transport enhancements, measures to reduce car dependency and mitigating proposals to off-set the development's impact would provide the necessary safeguards, as required by UDP Policy T1 and London Plan Policy 6.1. [4.2.1]
- 13.4.25 Notwithstanding this conclusion, the highways, transport and parking implications of developing the site in the manner proposed must also be judged against wider policy expectations. Firstly, at a density of 51.5 dph, the residential element of the development falls well within the London Plan SRQ Density Matrix of PTAL ratings 0-1 and 1-2. Anything less than the density proposed would run counter to the imperative in the London Plan (Policy 3.4) to optimise housing output. [8.3.51, 9.3.5]
- 13.4.26 The Matrix is a broad indicator of density ranges and applying it mechanistically is discouraged. But even at local level the evidence base for the CS and the emerging SSAD point to residential density ranges at the Springfield site in the order of what is proposed in the scheme. In fact, Housing Land Reports since 2007 have estimated higher densities. [8.3.52, 9.3.6]
- 13.4.27 SHLAAs and Housing Reports are not development control tools, but they must be based on an understanding of a site's constraints, on a level of knowledge of the wider implications of developing to its intended capacity and, in this case, with some awareness of public anxiety. They are also intended to provide a level of certainty; not in the interest of guiding development, but to ensure that the Borough has the capacity to meet its housing and other needs. [8.3.53, 9.3.6, 10.7]
- 13.4.28 Springfield is an allocated site and its future development is a key element of the Council's housing and infrastructure delivery programme. Development on the site at the scale intended will inevitably produce additional traffic. A balance needs to be struck. In this case, there is sufficient evidence to be confident that the policy expectations for this site are deliverable without overly burdening the local transport network. [8.3.53, 9.3.4, 9.3.6]

13.5 Listed Buildings and their Settings

- 13.5.1 As demolition of curtilage listed buildings is a consequence of the planning application for redevelopment of the Springfield site, its implications are considered in this section of the Report.
- 13.5.2 The main hospital building is described in the listing record as “.....*the Surrey Lunatic Asylum.....it is a grand symmetrical Tudor-style composition enclosing a large courtyard....*”. Its historic interest and architectural grandness are undisputed. The Elizabeth Newton Wing (originally constructed as the Annexe for Idiot Children) is also a distinguished presence on the site, though not in the same grand scale as the main building. Both are listed in their own right. [3.3.2]
- 13.5.3 The plethora of buildings and structures on site, dating from the mid-19th century, were erected in response to growing and changing mental health needs. Save for those to be retained, many of the curtilage buildings are neither attractive nor of any meritorious architectural value. Their interest lies largely in what they represent – part of the evolution of the hospital. Most are unsuited to contemporary healthcare requirements; they add to the clutter and confusion of the site and do little to enhance the main buildings’ settings. My site inspection confirmed that even the main buildings are unsuited for contemporary mental health needs. [3.3.3, 8.4.4, 9.4.1, 9.4.5, 11.3.1]
- 13.5.4 There are some doubts about whether Policy HE9.2 of PPS5 would engage in this case, given the lesser significance of the curtilage listed buildings. The appellant considers that Policy HE9.4 is applicable instead. Either way, demolition of the buildings concerned is necessary to achieve the layout proposed and to make best use of the site, while protecting heritage assets of genuine value and/or interest. Furthermore, removal of the buildings would create more space around those worthy of retention, providing opportunities for enhancing their settings. These beneficial outcomes justify demolition of the curtilage listed buildings identified, thus meeting the tests of both HE9.2 and HE9.4. Detailed justification for demolition and alterations set out in the main SoCG demonstrates the thoroughness with which the appellant has approached the matter. I see no reason to depart from the findings. [8.4.5, 9.4.2, 9.4.3, 9.4.5]
- 13.5.5 Replacement of ancillary buildings to the east of the main hospital building would bring more order and legibility to that part of the site; the new mental health buildings would be subservient in scale, as indeed would the new housing beyond. The new parcels of buildings adjacent to and within the MOL would frame the main hospital building, emphasising its dominance while also re-connecting its principal elevation to the open landscape. Views of and from the Elizabeth Newton Wing would be no worse than they are now. The building would have adequate space around it, to emphasise its importance within the site. The chapel, mortuary, ballroom and Glenburnie Lodge would be incorporated into the layout, while removal of unsympathetic additions to High Trees would improve its surroundings. In coming to these conclusions it follows that the proposal would meet the requirements of London Plan Policy 7.8, UDP Policy TBE13 and emerging Policy DMS2. [8.4.5, 9.4.8-9.4.11, 11.3.7]

- 13.5.6 Ms Ingram rightly raises the issue of risk of continuing neglect to the main listed buildings, particularly in the absence of listed building applications for their conversion and refurbishment. On the other hand, the Conservation Strategy Report is a good indicator of how residential conversion could be implemented without compromising the buildings' key assets, their layout, structure or form. It also demonstrates that both buildings are suited to the residential conversion and uses envisaged. Furthermore, Schedule 6 of the S106 secures a Listed Building Strategy, with sufficient triggers to prevent residential occupation of the new-build units on site without commencement and completion of the listed building works. [11.3.3, 11.3.4, 11.3.5, 12.3.2]
- 13.5.7 The planning obligation, combined with the design codes and the Conservation Strategy already submitted, provides sufficient assurance that the new elements of the proposed scheme would not proceed at the expense of the main listed buildings or the ancillary curtilage buildings to be retained. The high level of care and thoroughness accorded to the heritage aspects of the applications and appeals thus far are good indicators of the appellant's commitment to restoration and use of the heritage assets in its possession. In fact, the older buildings are the focus of the scheme's layout and have been successfully incorporated into the design. For these reasons, absence of a listed building application does not render the appeal proposal unacceptable. [6.1.2, 8.4.2]
- 13.6 **Registered Historic Park and Garden**
- 13.6.1 The estate has changed considerably since the hospital was constructed. The majority of the open part of the park is used as a golf course. The airing courts and forecourt to the main hospital building remain, but the kitchen gardens have been built on. [3.2.4]
- 13.6.2 Much of the new development would be outside the boundary of the Historic Park and Garden. The airing courts would be retained, most likely to be used by the occupiers of the converted listed building. The swathe of open land that is now the golf course would become open parkland for public use, with contours restored to somewhere near the original. The car park to the south west of the forecourt would be removed. While parcels P and Q would extend into the recognised historic part of the land, for the most part its interest would be retained or restored. The layout additionally seeks to emphasise the link with the part of the garden that is now marked as a sliver of land extending into College Gardens. The proposal also aims to retain historic routes through the site, including a link to the Ice House. [9.4.12, 9.4.14]
- 13.6.3 The development provides opportunities for restoring the interest and value of the Historic Park and Garden. A landscape strategy together with the play strategy delivered through conditions and the S106 would secure the ambitious plans intended. The proposal would comply with policies designed to protect such heritage assets – London Plan Policy 7.8, UDP Policy ON6 and emerging Policy DMS2. [4.2.1]

13.7 **Loss of the Golf Course**

- 13.7.1 The existing golf course is a hugely popular facility. Its potential loss raises significant objections, expressed in writing and in the e-petition. Golfing dignitaries have also written in recognising the value of pay and play golf courses. Children benefit from lessons at the club, there are links with local schools, it provides a venue for a wide variety of activities and is well used by all sections of the community. Pay and play facilities are hard to come by; there is no other in Wandsworth, only one within the 0-5km catchment range and five within 5-10 km. [8.2.20, 8.7.1, 9.7.4, 10.6, 11.4.3]
- 13.7.2 The Council's expectation is that the Springfield site is to be developed for residential purposes, among other uses, as identified in the emerging SSAD. In its present form the golf course would be unsafe to retain with the residential element of the proposed development. Furthermore, the golf course precludes other forms of recreation on the MOL and is positively discouraging in terms of wider access for non-playing members of the public. By contrast, the proposed scheme would bring forward some 13 hectares of public open space, with scope for providing a range of informal and formal recreational and leisure facilities. [8.7.1, 9.7.1, 9.7.2]
- 13.7.3 The proposal would assist with meeting the shortage of open space in parts of the local area, as identified in the Wandsworth Open Space Study of 2007. The Study may be out of date, but there is no evidence to suggest that the situation has changed materially. Sport England's complaint about the absence of an assessment of outdoor sports and recreational facilities has some merit, but it does not alter the fact that the new park would provide greater sporting opportunities and wider access by the community to publicly accessible open space. Indeed, their own studies suggest that there is a need for more sporting pitches, which confirms the evidence from other sources. [8.7.1, 9.7.7, 9.7.4, 10.14, 11.4.1, 11.4.2, 11.4.4]
- 13.7.4 On balance, the prospect of wider community access to this valuable area of open land and the potential to provide a range of formal and informal recreational opportunities outweighs loss of the golf course. The precise sporting and other recreational needs can be established, in consultation with the community, local providers and relevant bodies or authorities, and would feed into the park strategy, to be secured by condition. [9.7.5, 9.7.7, 10.14]
- 13.7.5 The proposal seeks to replace one sporting facility with a publicly accessible area of open space, and potentially greater opportunities for sporting activities or informal recreation. The relevance of paragraph 10 of PPG17 in these circumstances is questionable. Paragraph 15 of PPG17, the London Plan Policy 3.19, UDP Policy LR2 and CS Policy PL4, all seek to protect open space and enhance sporting provision. The development would meet these requirements. [4.2.1]

13.8 **Residential Amenity**

Chancery Mews and College Gardens

- 13.8.1 There is little doubt that the proposed scheme would alter the outlook from dwellings sited closest to the north western boundary of the site – namely those on Chancery Mews and College Gardens. Existing views over

undeveloped parts of the hospital site would be replaced by new houses. Given that the site is allocated for future redevelopment, and that the developable potential of the land lies to the rear of the main hospital building, some loss of views is inevitable. That said, the layout design seeks to provide as many views between new buildings as possible. [9.8.2, 10.5]

- 13.8.2 Close examination of the layout and parameters also reveals that fundamental aspects of neighbourliness (daylight, sunlight, privacy, noise and disturbance) would not be threatened by the new development. Common Appendix 3, for instance, demonstrates that with the distances, alignment and heights of properties shown on the parameter plans, the new dwellings are capable of meeting good practice requirements, in particular distances for privacy between habitable rooms and relationship between properties assuring adequate levels of daylight or sunlight. Proximity of existing homes to new parking areas would cause no more noise and disturbance than normally expected from residential neighbourhoods. [9.8.2, 9.8.3, 10.5]
- 13.8.3 Issues of height differentials would have to be resolved at detailed matters stage; in any case, the two storey properties proposed to be sited closest to the north western boundary are unlikely to impact harmfully on existing residents. Future applications for reserved matters could be tested against up to date daylight and sunlight guidelines, which would provide additional comfort to the residents of College Gardens and Chancery Mews. A condition along those lines is recommended. On balance, the material submitted points to an acceptable and neighbourly development that would integrate well with its surroundings. [8.6.1, 9.8.4, 12.2.4]

Hebdon Road

- 13.8.4 Concerns about the overbearing impact of new houses are unfounded. Proposals for development of the land closest to Hebdon Road and Lingwell Road would follow the existing pattern of terraced housing extending into the site. The houses would be of two to three storey construction – not dissimilar to what exists on Hebdon Road now. Once again, details such as window location and precise distance between existing and new properties would be considered at the detailed design stage, but there is nothing in what is presented in the outline application to suggest that the living conditions of occupiers of existing properties would be unacceptably compromised. [8.6.1, 9.8.3, 10.5]
- 13.8.5 The scheme proposes access for 92 dwellings from Hebdon Road. Residents are apprehensive about additional traffic on a road that is often reduced to single lane, due to cars parked on both sides of the street. Firstly, the Council and highway authority accept that the projected volume of additional traffic is not considered to represent a threat to highway safety or its users. Second, while recognising residents' concerns, in the context of current level of usage of Hebdon Road, vehicular movements generated by the additional houses would not be so significant as to affect residents' amenity. With Hebdon Road as an additional entrance to the site, the development would spread the balance of movements in the supporting highway network. [8.6.2, 9.8.3, 10.5]

St George's Grove

- 13.8.6 The main issue facing residents of St George's Grove is the impact of the increased frequency of the G1 bus service and its likely re-routing through the newly built estate. The buses would pass at a distance of over 17m from the windows of residential units in the blocks positioned either side of the road. My site visits confirmed that buses currently pass at a distance of some 3-5m from existing properties, so the new route would be an improvement over the present position. [9.8.5, 10.5]
- 13.8.7 With the distances involved, two additional bus movements an hour through St George's Grove would not represent any more of a risk to residents' amenities than would be the case with many urban residential neighbourhoods close to bus routes. In fact, the service would enhance public transport choices for existing residents as well. [9.8.5, 10.5]
- 13.8.8 Taken overall, there is no undue cause for concern in relation to the neighbourliness of the proposed development. With the condition described earlier, the proposal has the potential to meet good practice guidelines and respect existing residents' living conditions.

13.9 Provision for Service Users

- 13.9.1 Two very different views were expressed by service users and those representing such users. On the one hand, what the Trust is seeking to provide is strongly supported by service users and carers alike, who confirm the urgent need to upgrade outdated mental health facilities. On the other, while recognising the need for purpose built new health facilities, the format and quality of what is proposed is questioned. [10.8.1, 10.12.1, 10.12.2]
- 13.9.2 Choice of model for mental health care is not a planning matter or resolvable within the remit of this appeal. Complaints about the form and architecture of the new mental health facilities are premature, given the outline nature of the application. Detailed plans will be the subject of further discussion and consultation. Indeed, the Trust is committed to consulting with service users, as demonstrated by the Panel set up in 2008, and is looking to learn from the experience of users and carers at the Wandsworth Recovery Centre. [9.5.2, 10.8.1]
- 13.9.3 As for access to open space. SURG makes some very valid points about the therapeutic effects of accessible and good quality open spaces. It is unfortunate that the airing courts would be retained for the private benefit of the new residents occupying the converted listed building. The loss of such areas would be partly compensated by the new park, which would be a larger public facility than is available now to those service users able to enjoy such facilities. Access to secure open space would be more limited but likely to be along the lines of the courtyard featured in the Wandsworth Recovery Centre. That may not satisfy the call for the wide open spaces considered conducive to healing, but would be an improvement on what can be currently provided in existing accommodation. [9.5.3, 9.5.5, 10.8.1]
- 13.9.4 The potential for long views and vistas would also be limited, given the positioning of the new facilities to the north east of the main hospital building. There is a sense that expensive houses would be positioned to

take advantage of views over the MOL, while service users would be faced with the less attractive sections of the site. On the other hand, there are operational advantages to locating medical facilities close together, and the constraints of the site leave little option beyond the positioning shown in the layout. Furthermore, views from the new mental health accommodation would be of landscaped areas and squares, rather than the haphazard collection of buildings and structures currently dominating views out of a number of the existing wards and buildings. [9.5.4, 9.5.5, 10.8.1]

13.9.5 On balance, the advantages of a vastly improved level of accommodation, combined with the benefits of integrating the mental health community with a mixed residential development, would compensate for the shortfall of dedicated open space and long range views over the MOL. Nevertheless, the Trust needs to consult closely with SURG and other bodies to ensure that the best possible outcome is achieved at reserved matters stage. [9.5.6, 10.8.1]

13.10 **Other Matters**

13.10.1 The site's biodiversity and the effect of the development on protected trees would be subject to scrutiny once a detailed ecological strategy is submitted. This would be secured through a condition and could present opportunities for enhancing the site's ecological interest. Loss of some trees is an inevitable consequence of development; a landscaping scheme would provide the basis for replanting along the lines of that shown in the landscape strategy. [8.5.1, 8.5.2, 9.6.1, 10.4]

13.10.2 Mr White and Mr Dawson from the Wandsworth Society make very worthy suggestions for creating a self-sufficient community, providing small scale employment and other uses on the site. The converted Royal Victoria Patriotic Building is a good example of the concept promoted. It accommodates cultural, employment and commercial units on the ground floorspace with residential on the upper floors. [1.4, 10.11.1, 10.11.2]

13.10.3 Increasing business, retail or A3-A5 floorspace on the Springfield site, however, raises genuine concerns about detrimental impact on nearby town and local centres, as evidenced by refusal of the 2008 application. In the case of the appeal scheme, it appears that an appropriate level of non-residential floorspace has been agreed with the Council and which would not threaten the vitality or success of neighbouring centres.

13.11 **Other Material Considerations**

13.11.1 Although finding largely in favour of the appeal scheme on all of the topics addressed above, there still remains the definitional harm resulting from inappropriate development (parcels P, Q, X, Y and Z) on MOL. In these circumstances, and should the Secretary of State disagree with my conclusions on one or more of the topics listed, acceptability of the proposal is dependent on the extent to which the harm by inappropriateness, and any other harm, would be clearly outweighed by other considerations, such as the benefits alleged. [8.2.2]

Medical Considerations

- 13.11.2 Rebuilding the medical facilities is not only a CS infrastructure requirement but is needed urgently. The general view is that the only realistic option to delivering high quality care in modern mental health facilities on the site is through redevelopment of part of the hospital for non-hospital uses. That the appeal scheme would deliver much needed mental health care buildings is a significant material consideration. Added to which, integrating the facilities with a new residential community would help de-stigmatise mental illness. [8.8.1, 8.8.2, 9.10.1-9.10.3, 9.10.17, 10.12.1]
- 13.11.3 Whether alternative funding vehicles could deliver similarly high quality medical facilities, but without the quantum of development envisaged with the appeal scheme, has not been explored. On the other hand, reducing the level of new homes on the site would impact on the ability of the scheme to maximise the site's capacity and also on its potential to meet the Borough's housing targets. The absence of funding options should not detract from the worthy and valuable medical facilities forthcoming as a result of the appeal scheme. [8.8.3-8.8.6]

Delivery of Housing and Affordable Housing

- 13.11.4 The 839 new homes proposed would go a long way to meeting the Council's housing target of at least 7,500 net additional homes over a period of 10 years up to 2017, as expressed in the CS. It would also assist with meeting London's pressing need for more housing. Equally, the 168 affordable homes would add to the Borough's needs for such housing, including much needed family homes. The 168 figure (or 20%) has been accepted as the maximum reasonable amount that the scheme can deliver. [8.8.7, 9.10.7-9.10.9]
- 13.11.5 Although the Council is able to demonstrate a 5 year supply of housing, it does not have a significant margin of comfort. The Springfield site would bring forward a development site allocated for mixed use development, maximising use of previously developed land within the density expectations of the London Plan. Delivery of this quantity of new homes on an allocated site is a significant benefit and a weighty consideration. [8.8.8, 9.10.8, 9.10.10]

Benefits to MOL and Open Space Provision

- 13.11.6 The scheme would increase the MOL's overall openness by removal of buildings, roads and hardstanding dispersed across the site and by drawing the new buildings closer to its present built-up edge. The 13 hectares of public park would greatly add to the MOL's accessibility and increase opportunities for community-led recreational use of the park. The Springfield site would be better integrated into the fabric of the local area with scope for increased access to its assets. These benefits would be tempered by the loss of views, due to the presence of parcels P and Q, and by loss of the golf course, but nevertheless should be accorded significant weight. [8.8.9, 9.10.11-9.10.14, 10.13, 10.14]

Heritage Benefits

- 13.11.7 The proposed scheme would undoubtedly breathe new life into listed buildings that are no longer fit for the purpose for which they were originally constructed. Equally, the scheme would restore what remains of the Historic Park and Garden on the site. Repair of the Ice House is an added bonus but not related to the development. [8.8.9, 9.10.4, 9.10.6, 12.3.2, 12.3.5]
- 13.11.8 Enhancing/repairing the heritage assets on site is an expected outcome of any redevelopment scheme for this site. Nevertheless, the appeal scheme shows a good understanding of the value of the site's assets, while enhancing their settings. The care and attention to detail plus the likely outcome in heritage terms must be credited with substantial weight in the overall balance. [4.3.2]

Transport and Other Benefits

- 13.11.9 Improved public transport provision is necessary to meet the demands of the development. While the existing community would benefit from the improvements to a certain extent, at best the matter carries neutral weight. [9.10.15]
- 13.11.10 The ability of the development to deliver a site for a school is highly material, given the need for a new primary school for the area and the difficulties of cost and availability of land in London. That the development provides the opportunity to help meet one of the infrastructure requirements of the Borough is a matter of significant weight. The likely future child population of the development does not justify delivery of a fully constructed school of the size intended on the site, as requested by one objector. [9.10.16, 10.10]

13.12 Overall Conclusions

- 13.12.1 The development causes harm by reason of inappropriateness of the buildings and structures that intrude into the MOL. In all other respects, the proposed scheme would largely comply with the development plan. It would additionally resonate with the Government's call for growth and increase housing supply in accordance with an up to date local plan. [4.1.2, 9.1.1-9.1.3, 10.13]
- 13.12.2 Any adverse effects have to be judged against the merits of this proposal and the weight of benefits that would be forthcoming from its implementation. Of these, improved mental health facilities lie at the heart of the scheme. They are essential and of more than local significance. The level of new and affordable homes that would be delivered, combined with the provision of land for a new school, the MOL and open space advantages all add up to the sort of considerations that clearly outweigh the level of harm identified.
- 13.12.3 A further matter should be weighed into the balance. The Trust cannot afford to delay redevelopment of this site for much longer; mental health needs are urgent and it is becoming increasingly difficult to provide an appropriate level of care in outdated and unsuitable buildings. After the 2008 application was refused, the appellant worked closely with LBW, TfL

and consulted widely in redesigning a development scheme to overcome the reasons for refusal and gain officer support. The Council refused the appeal scheme on narrow MOL grounds, and on its transport implications. [5.5, 9.10.19, 9.10.21]

- 13.12.4 Even if the appellant is willing to spend further time and public resources on overcoming the reasons for refusal, there is no certainty of an approval. The strength of objections by the local community on a wide range of issues should not be underestimated. Furthermore, the magnitude of opposition to the scheme on the basis of its highways/transport implications is unlikely to be allayed by minor tweaking of housing numbers. [9.10.19, 9.10.21, 10.1-10.10, 11.1-11.4.4]
- 13.12.5 In these circumstances, dismissing the appeal raises the prospect of the Trust looking at alternative arrangements, such as relocating a significant part of its service elsewhere. No suitable alternative sites within Wandsworth exist, but there are possibilities elsewhere in south west London. Should those be pursued, disruption to the residents of Wandsworth and Merton would be considerable, with added concern about losing skilled staff currently living within reasonable distance of the Springfield site. Furthermore, valuable links with St George's Hospital and St George's University of London Medical School would be lost. [9.10.18, 9.10.22]
- 13.12.6 The local community has every right to voice its objections. However, the significant benefits of the proposed scheme and the potential risk of losing valuable mental health care in Wandsworth clearly tip the planning balance in its favour, even in the face of the harm described earlier and those feared by local people. Given this conclusion it follows that special circumstances to justify the development exist. [8.1.2, 8.9.1, 10.9]

14. CONCLUSION ON LISTED BUILDING APPEAL

- 14.1 It is common ground that there is no planning or listed building impediment to the Listed Building Consent in the event that the planning appeal is allowed. I see no reason to disagree. Section 13.5 of this Report addresses the heritage aspects of the development and the same conclusions apply to this appeal. [8.9.3, 9.11]

15. RECOMMENDATION ON APPEALS A AND B

- 15.1 I recommend that both appeals be allowed, subject to the conditions listed in Annex A.

Ava Wood

Inspector

ANNEX A

CONDITIONS

Appeal A

OUTLINE PLANNING APPLICATION

(Note: highlighted text indicates changes to the wording of conditions listed in ID9F)

Implementation and Procedural Conditions

- 01 Details of the appearance, landscaping and scale of the site (hereinafter referred to as the "reserved matters") shall be submitted to the local planning authority. No development of any phase shall commence until details of the reserved matters for that phase have been approved in writing by the local planning authority. The development shall be carried out as approved.

Reason – to comply with Section 92 of the Town & Country Planning Act 1990.

- 02 The development hereby approved shall begin no later than 5 years from the date of this permission or within 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason – to comply with Section 92 of the Town and Country Planning Act 1990

- 03 The first application for approval of the reserved matters referred to in condition 02, and in accordance with the phasing programme referred to in condition 04, shall be made to the local planning authority within three years of the date of this planning permission.

Reason – to comply with Section 92 of the Town and Country Planning Act 1990.

- 04 No part of the development hereby permitted shall be implemented until a phasing programme for the approval of reserved matters has been submitted to and approved in writing by the local planning authority. Reserved matters shall be submitted to the local planning authority and approved in accordance with the approved phasing programme, no part of any phase shall commence until all reserved matters relating to that phase have been approved, and each phase shall be carried out in accordance with the approved reserved matters.

Reason – in order that the local planning authority may be satisfied as to the details of the development and to comply with Section 92 of the Town & Country Planning Act 1990. Planning policy will evolve throughout the development and the reserved matters applications should take account of this.

- 05 The development hereby permitted shall be carried out in accordance with the following approved plans:

PL- 02 rev A
PL- 03 rev A
PL- 04 rev A
PL- 05 rev A
PL- 06 rev A
PL- 06A rev A
PL- 06B rev A
PL- 07 rev A
PL- 08 rev B
PL- 10 rev B
PL- 11 rev A
PL- 12 rev B
PL- 13 rev A
PL- 14 rev B.

Reason – in the interest of proper planning and for the avoidance of doubt

Design Codes

- 06 Prior to or concurrently with submission of the first of the reserved matters application(s), a Design Code shall be submitted to the local planning authority for approval. The Design Code shall be prepared in accordance with the principles and parameters established in the outline application and shall include both strategic and more detailed elements. The Design Code shall include details of building layout, design evolution, conservation, building uses, scale and massing, topography, character areas, design standards, sustainability and safety and security. No development shall commence until such time as the Design Code for the entire site has been approved in writing by the local planning authority.

Reason – to ensure a satisfactory standard of development and to comply with the Design and Access Statement, in accordance with UDP Policy TBE5 and DMPD Policy DMS1.

- 07 Any application for approval of reserved matters shall be in accordance with the Design Code approved by the local planning authority under condition 06 and as part of the application for reserved matters approval shall incorporate a statement demonstrating compliance with the approved Design Code. The development hereby permitted shall be carried out in accordance with the approved Design Code.

Reason – to ensure a satisfactory standard of development and to comply with the Design and Access Statement, and in accordance with UDP Policy TBE5 and DMPD policy DMS1.

Design and Landscaping Conditions

- 08 A Park Strategy shall be submitted to and approved in writing by the local planning authority prior to commencement of the development. The strategy shall include details of active and passive sports and leisure on

the park and children's play space, locations for different play typologies, details of the design, layout and species of planting to be laid out in the public park, phasing of implementation of the strategy and timing for completion and long term management. The development shall be carried out in accordance with the approved Park Strategy.

Reason – to ensure a satisfactory standard of development, and to achieve the benefits of public access and recreation, in accordance with UDP Policy TBE5 and DMPD Policy DMS1.

- 09 Full details of existing and proposed site levels shall be submitted to and approved in writing by the local planning authority before the development hereby approved is commenced. The development phases shall be constructed in accordance with the approved details.

Reason – to ensure the development relates satisfactorily to its surroundings, and in accordance with UDP Policy TBE5 and DMPD policy DMS1.

- 10 Within any reserved matters application pursuant to this approval the landscape details required by condition 01 shall include detailed hard and soft landscape designs and specifications for the associated reserved matters site. The details shall be accompanied by a Design Statement that demonstrates how the landscaping scheme accords with any emerging or approved details sought as part of the Design Code for the site.

Reason – to ensure a satisfactory standard of development, in accordance with UDP Policy TBE5 and DMPD Policy DMS1.

- 11 Prior to or concurrently with the submission of the first of the reserved matters application(s) a site wide Landscape Strategy shall be submitted to the local planning authority for approval which shall include a landscape management plan including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens. The development shall be carried out in accordance with the approved Landscape Strategy and the landscape management plan shall be carried out as approved.

Reason – to ensure a satisfactory standard of development, in accordance with UDP Policy TBE5 and DMPD Policy DMS1.

- 12 Prior to the commencement of any phase of the development details of the means of protecting the trees (which are to be retained as shown in the approved tree strategy pursuant to condition 13) from damage during demolition and or building works shall be submitted to and approved by the local planning authority in writing prior to any demolition, building or any other works. The details as approved shall be installed prior to demolition, building or any other works and retained throughout the period of the works in respect of each phase of the development.

Reason – to safeguard the trees in the interest of the amenity of the area,

in accordance with UDP Policy TBE5 and DMPD Policy DMO5(b).

- 13 Prior to the commencement of any phase of the development, a tree strategy shall be submitted to and approved in writing by the local planning authority. The tree strategy shall specify trees to be planted, trees to be removed, trees to be retained, and measures for the management of trees to be retained. No development shall take place on each respective phase except in accordance with the approved tree strategy.

Reason – in the interests of the amenity of the area in accordance with UDP Policy TBE5 and DMPD Policy DMO5.

- 14 All planting, seeding and or turfing comprised in the approved tree strategy and details of landscaping and planting in the public park under conditions 8 and 13 shall be carried out in the first planting and seeding seasons following occupation of the buildings in that phase or the completion of that phase of the development, whichever is the sooner; and any tree or plant planted as part of this scheme which within a period of five years from the date of planting that tree or plant, is found dead, removed, uprooted, dies, is destroyed or becomes seriously damaged or diseased, shall be replaced in the next planting season with trees or plants of a similar size and species, unless otherwise agreed in writing by the local planning authority

Reason – to ensure a satisfactory appearance in accordance with UDP Policy TBE5 and DMPD policy DMS1.

- 15 Prior to the commencement of any phase of the development, details of proposed site boundary treatment and other means of enclosure within and around the edge of that phase shall be submitted to and approved in writing by the local planning authority. The boundary treatment and means of enclosure shall be implemented in accordance with the approved details.

Reason – to ensure a satisfactory appearance and to accord with UDP Policy TBE5 and DMPD Policy DMS1.

- 16 Notwithstanding condition 5, details and samples of materials proposed to be used on all external surfaces of the development shall be submitted to and approved in writing by the local planning authority before the commencement of each phase. Each phase of the development shall be carried out in accordance with the approved materials.

Reason – in order to assess the suitability of the proposed materials, in the interests of the appearance of the locality, in accordance with Council DMPD policy DMS1.

- 17 Prior to the commencement of any phase of the development, details of street furniture (including seating, bollards, bins and other minor artefacts) and of lighting (which is to be installed alongside the access and internal circulation roads and footpaths and in open public / private areas,

including the positions and heights of any lighting columns or luminaires, and the means of preventing light spillage and pollution) shall be submitted to and approved in writing by the local planning authority. The approved street furniture and lighting shall be implemented in accordance with the approved details prior to the occupation of any building within each phase, and the approved lighting scheme for each phase shall be retained thereafter.

Reason – in the interest of the appearance of the locality, in accordance with UDP Policy TBE5 and DMPD Policy DMS1, to ensure a satisfactory appearance and to protect the amenities of neighbouring properties in accordance with Policy DMS1.

- 18 The new-build Residential Development hereby approved (meaning any residential units to be built on the site but excluding those created as a result of the conversion of existing buildings comprising the Main Building, the Elizabeth Newton Wing, High Trees and Glenburnie Lodge) shall be built to Lifetime Homes Standards published by the Joseph Rowntree Foundation 1999 with a minimum of 10% wheelchair-accessible units across the whole of the site.

Reason – to ensure compliance with the Wandsworth Core Strategy Policy IS5.

Residential Amenity and General Amenity Conditions

- 19 Details of arrangements for the on-site storage of waste, including recycling and disposal facilities, shall be submitted to and approved in writing by the local planning authority prior to commencement of each phase of the development. The approved details shall be implemented prior to occupation of the buildings in each respective phase **and retained thereafter.**

Reason – in the interests of amenity and hygiene, in accordance with UDP Policy TBE5 and DMPD Policy DMS1.

- 20 Details of roofs to be used as terraces / roof gardens or amenity space and details of measures to protect the privacy of nearby residential units (where not already covered by the detailed planning consent for that phase) shall be submitted to and approved in writing by the local planning authority prior to commencement of each phase of the development. The approved details shall be implemented prior to occupation of the buildings in each respective phase.

Reason – to ensure adequate amenity space is provided, to protect residential amenity and to accord with UDP Policy H11 and DMPD Policy DMH7.

- 21 Details of any outdoor tables and/or seating in connection with the permitted A3 and A4 uses, including delineation of the area or areas in which such outdoor furniture will be set out, shall be submitted to and approved in writing by the local planning authority prior to occupation of

those uses within each respective phase of the development. Thereafter, the outdoor tables and seating shall only be retained in accordance with the approved details.

Reason – in the interests of amenity of nearby residential occupiers and to ensure satisfactory access for pedestrians and disabled people, in accordance with UDP Policy TCS13 and UDP Policy T5.

- 22 Details of any external ventilation equipment in relation to non-residential buildings, including ducting, shall be submitted to and approved in writing by the local planning authority before installation. The external ventilation equipment, including ducting, shall be installed prior to the occupation of the relevant non-residential uses, in accordance with the approved details and shall thereafter be operated and maintained in accordance with the manufacturer's instructions.

Reason –in the interest of local amenity and visual appearance, and in accordance with UDP Policy TBE5 and DMPD Policy DMS1

- 23 The Class A3 & A4 uses permitted as part of the development shall not be open to customers other than between the hours of 08.00 and 23.30 Monday to Sunday, and activities associated with the uses shall not take place between the hours of 00.00 and 08.00 Monday to Sunday.

Reason – in the interest of amenity of nearby residential occupiers, in accordance with UDP Policy TCS4 and DMPD Policy DMS1.

Sustainability Conditions

- 24 No development shall commence within a site for which reserved matters approval is being sought until such time as a renewable energy statement for that site, which demonstrates that at least 20% of the reserved matters site's total predicted carbon emissions will be reduced through the implementation of on-site renewable energy sources, has been submitted to and approved in writing by the local planning authority. The statement shall include the total predicted carbon emissions in the form of an Energy Statement of the development and shall set out a schedule of proposed on-site renewable energy technologies, their respective carbon reduction contributions, size specification, location, design and a maintenance programme. The approved renewable energy technologies shall be fully installed and operational prior to occupation of any approved buildings and shall thereafter be maintained and remain fully operational in accordance with the approved maintenance programme.

Reason – in the interest of energy conservation and efficiency, in accordance with Core Strategy Policy IS2 and to ensure compliance with Council DMPD policy DMS3 and 2010 Core Strategy Policy IS2.

- 25 The New-build Residential Development hereby approved (meaning any residential units to be built on the site but excluding those created as a result of the conversion of existing buildings comprising the Main Building, the Elizabeth Newton Wing, High Trees and Glenburnie Lodge) shall be

built to a minimum standard of Level 4 of the Code for Sustainable Homes. Prior to the occupation of each phase of the development which includes New-build Residential Development (or in accordance with an alternative timetable to be agreed with the local planning authority), a copy of the Post Construction Certificate indicating that at least Level 4 of the Code for Sustainable Homes has been achieved shall be submitted to the local planning authority for confirmation.

Reason – in the interest of energy conservation and efficiency, in accordance with Core Strategy Policy IS2 and to ensure compliance with Council DMPD policy DMS3 and 2010 Core Strategy Policy IS2.

- 26 Prior to the conversion of any of the buildings to be retained for conversion to residential use (meaning the Main Building, the Elizabeth Newton Wing, High Trees and Glenburnie Lodge), an Ecohomes Assessment for that building shall be submitted to and approved in writing by the local planning authority. Thereafter, the conversion of that building shall be carried out in accordance with the approved Ecohomes Assessment prior to occupation.

Reason - in the interest of energy conservation and efficiency, in accordance with Core Strategy Policy IS and to ensure compliance with Council DMPD policy DMS3 and 2010 Core Strategy Policy IS2.

- 27 The new-build non-residential buildings hereby permitted shall be built to a minimum standard of "Excellent" under the Building Research Establishment Environmental Assessment Method (BREEAM) or any other equivalent standard that applies at the time of construction of the development. Prior to commencement of the use of each relevant building, a copy of the Post Construction Certificate confirming that a minimum of "Excellent" BREEAM rating has been achieved (or any other level approved) shall be submitted to the local planning authority for confirmation.

Reason – to ensure compliance with DMPD policies DMS3 and Core Strategy Policy IS2.

Environmental Conditions

- 28 Prior to the commencement of development, a method statement setting out mitigation measures for Japanese Knotweed shall be submitted to, and approved in writing by the local planning authority. Thereafter, the development shall proceed in accordance with the approved method statement.

Reason – to ensure a satisfactory appearance and for the protection of species and biodiversity

- 29 No development shall take place on any phase of the development until an air quality method statement has been implemented in accordance with details which have been submitted to and approved in writing by the local planning authority in respect of that phase. The air quality method

statement shall include details for:

- a) air quality measures for the control of dust, fine particles and odours; and
- b) monitoring of local air quality in terms of pollutants set out in the Environmental Statement.

Development of the phase shall be implemented in accordance with the approved air quality method statement.

Reason – in the interests of local amenity in accordance with DMPD Policy DMS1.

- 30 Prior to the commencement of works in each phase, a Construction Management Plan (“CMP”) shall be submitted to and approved in writing by the local planning authority and thereafter the development of each phase shall be carried out in accordance with the relevant CMP. The CMP shall set out the arrangements for managing the environmental effects of the development within that phase during the construction period and shall include a Construction Logistics Plan to be prepared in accordance with Transport for London guidance. The CMP shall include details relating to:
- a) Noise and sound proofing;
 - b) Vibration and appropriate vibration monitoring equipment;
 - c) dust (including means of minimising dust transmission);
 - d) dirt or spoil on the public highway;
 - e) air pollution;
 - f) odours;
 - g) the storage, removal and disposal of waste (including spoil);
 - h) means of temporary artificial illumination;
 - i) temporary site security fencing;
 - j) the location of construction compounds and construction-related temporary buildings;
 - k) arrangements for the storage of materials on the site during the course of works / construction;
 - l) hours of works;
 - m) wheel washing;
 - n) installation and removal of tower cranes;
 - o) site clearance and construction traffic;
 - p) the use of A roads and other major roads;
 - q) a plan to be agreed with the local planning authority to ensure minimum impact on transport infrastructure (including delivery);
 - r) the registration of the site with the considerate constructors scheme;
 - s) the appointment of a resident liaison officer;
 - t) an annual review of the CMP with the local planning authority; and
 - u) the maintenance of the existing bus service into and out of the site along a safe and operational route during the construction phase(s)

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

Reason – to ensure the satisfactory implementation of the development and to protect the amenities of nearby residential occupiers, in accordance with UDP Policy H3.

- 31 Any reserved matters application shall include a detailed surface and foul water strategy pursuant to the reserved matters site for which approval is sought. The development shall be carried out in accordance with the approved details and no dwelling on any reserved matters site for which approval is being sought shall be occupied until all necessary surface and foul water drainage to serve that dwelling has been completed in accordance with the approved details.

Reasons – to ensure satisfactory surface water run-off and reduce flood risk; to improve on-site habitats; to ensure that the foul and / or surface water discharge from the site shall not be prejudicial to the existing sewerage system; and to achieve sustainable development, in accordance with Core Strategy Policy PL2, Policy IS2 and Policy IS4.

- 32 No phase of the development shall commence until an impact study of the existing water supply infrastructure has been submitted to and approved in writing by the local planning authority ~~in consultation with the relevant statutory undertaker in relation to that phase~~. The study should determine the magnitude of any new additional capacity required in the system and suitable connection point(s). Any such additional capacity which may be required shall be secured prior to the occupation of each relevant phase of the development by means of main water requisition pursuant to sections 41-44 of the Water Industry Act 1991.

Reason – to ensure that the water supply infrastructure has sufficient capacity to cope with any additional demand, in accordance with Core Strategy Policy PL2 and Policy IS4.

- 33 No impact piling for each phase of development shall take place until a Piling Method Statement (detailing the 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 or sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority ~~in consultation with the relevant water or sewerage undertaker~~. 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 and sewerage utility infrastructure and piling has the potential to impact on local underground water and sewerage infrastructure.

- 34 Development within each phase shall not commence until a desktop study, site investigation scheme, intrusive investigation and risk assessment have been submitted to and approved in writing by the local planning authority. The desk study will identify all previous site uses, potential contaminants associated with those uses, a conceptual model of the site indicating sources, pathways and receptors and any potentially unacceptable risks arising from contamination at the site and any measures to be taken to prevent and/or remedy contamination at the site. The site investigation scheme will provide information for an assessment of the risk to all

receptors that may be affected, including those off site. The risk assessment will assess the degree and nature of any contamination on site and the risks posed by any contamination to human health, controlled waters and the wider environment. A detailed method statement for any required remediation works shall be submitted to and approved in writing by the local planning authority.

Implementation of that phase shall not commence until any required remediation works have been completed and a validation report to verify these works has been submitted to and approved in writing by the local planning authority. If, during development, contamination not previously identified is found to be present at the site the local planning authority is to be informed immediately and no further development shall be carried out until a report indicating the nature of the contamination and how it is to be dealt with has been submitted to and agreed in writing by the local planning authority. Any required remediation should be detailed and verified in an amendment to the remediation statement and carried out accordingly.

Reason – to ensure a satisfactory level of safety in accordance with DMPD Policy DMS1.

Ecology Conditions

- 35 Prior to or concurrently with the submission of the first of the reserved matters application(s) for residential development for the site, a site wide Ecological Conservation Management Plan shall be submitted to the local planning authority for approval. The plan shall include details of measures to be taken to preserve and protect wildlife and the ecological environment. No development shall commence until such time as the Ecological Conservation Management Plan has been approved in writing by the local planning authority. All species and habitat protection, enhancement, restoration and creation measures shall be carried out in accordance with the approved Ecological Conservation Management Plan

Reason - to ensure protection of species and biodiversity in accordance with Core Strategy Policy PL4 and DMPD Policy DMO4

Archaeology Condition

- 36 No development shall take until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority. The developer shall afford access at all reasonable times to any archaeologist nominated by the local planning authority, and shall allow that person to observe the excavations and record items of interest and finds.

Reason – in order that the archaeological remains that may exist on the site can be investigated, in accordance with UDP Policy TBE14 and DMPD Policy DMS2.

Continuing Control over Development

- 37 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking, amending and re-enacting that Order), no extensions, additions or enlargements shall at any future time be erected or constructed to the new-build dwellings within parcels P, Q, X, Y or Z hereby approved.

Reason – in order to control future development on or adjacent to metropolitan open land.

- 38 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (or any Order revoking, amending and re-enacting that Order):
- i. no more than 160 sqm (net (excluding the retail use shown in drawing PL-04 rev A)) of the floorspace hereby permitted shall be used for purposes within Class A1 of the Town and Country Planning (Use Classes) Order 1987;
 - ii. no more than 200 sqm (net) of the floorspace hereby permitted shall be used for purposes within Class A2 of the Town and Country Planning (Use Classes) Order 1987
 - iii. no more than 300 sqm (net) of the floorspace hereby permitted shall be used for purposes within Class A3 of the Town and Country Planning (Use Classes) Order 1987;
 - iv. no more than 250 sqm (net) of the floorspace hereby permitted shall be used for purposes within Class A4 of the Town and Country Planning (Use Classes) Order 1987;
 - v. no more than 200 sqm (net) of the floorspace hereby permitted shall be used for purposes within Class B1 of the Town and Country Planning (Use Classes) Order 1987;
 - vi. no more than 1195 sqm (net (excluding the School in parcel A) of the floorspace hereby permitted shall be used for purposes within Class D1 of the Town and Country Planning (Use Classes) Order 1987; and
 - vii. no more than 1195 sqm (net) of the floorspace hereby permitted shall be used for purposes within Class D2 of the Town and Country Planning (Use Classes) Order 1987.

Reason – in the interests of the vitality and viability of nearby defined shopping centres, in accordance with UDP Policy TCS9 and DMPD Policy DMTS1.

- 39 No more than 262 dwellings shall be provided in the converted buildings (i.e. the Main Hospital Building, the Elizabeth Newton Wing, High Trees and Glenburnie Lodge), and no more than 577 New-build Residential dwellings shall be provided within the site as a whole.

Reason – to ensure a high quality of development in compliance with Council DMPD Policies DMS1 and DMS2.

Transport

- 40 Prior to or concurrently with the submission of the first of the reserved matters application(s) a site-wide Car Park Management Plan shall be submitted to and approved by the local planning authority in writing. The Plan shall cover each phase of the development, and identify the location and number of car parking spaces to be provided. **The total number of car parking spaces within the development hereby approved shall not exceed 952.** The parking arrangements approved shall be implemented prior to the first occupation of that phase and retained for no purpose other than the parking of vehicles.

Reason – in the interest of the visual appearance of the site and to ensure satisfactory provision of parking, in accordance with UDP Policy TBE5 and DMPD Policy DMT2

- 41 Prior to the commencement of development of any phase of the development, details shall be submitted of the car club facility identifying the location of not less than four spaces (in total across the site) and which shall be provided prior to the first occupation of the relevant phase and maintained for a period of not less than three years from the spaces being brought into use,

Reason: to ensure that the proposal complies with the aim of providing alternative transport choices

- 42 A site-wide Delivery and Servicing Plan, to be prepared in accordance with Transport for London guidance, shall be submitted in writing for approval by the local planning authority in relation to each relevant phase of development. The approved details shall be implemented upon occupation of each phase and retained thereafter.

Reason – to ensure adequate facilities for servicing, in accordance with UDP Policy T7.

- 43 Development shall not commence until details of the bus / cycle / pedestrian route linking the Springfield Hospital site and the adjacent St George's Grove site shown on Drawings PL-11 rev A and PL-13 rev A, to include details of arrangements for the granting of rights of access along any part of the route not intended to be adopted as public highway and details of how motorised four-wheel vehicles other than buses will be prevented from using this route, have been submitted to the local planning authority for approval in writing **acting in consultation with Transport for London.** The development shall be carried out in accordance with the approved details.

Reason – to provide adequate facilities for cyclists, in accordance with UDP policy T6; and to improve accessibility by public transport on foot and by bicycle, in accordance with Council policy IS1(b).

- 44 Details of, including number, location and design, of Electric Vehicle Charging provision to be provided in accordance with London Plan policy 6.13 (or subsequent policy) shall be submitted for approval by the local planning authority in writing before commencement of any phase of development. The approved details shall be implemented before occupation of each phase of development and retained thereafter.

Reason – to accord with the provisions of Policy 6.13 of the London Plan 2011.

- 45 Details of on- site street parking to the east of parcels P and Q shall be submitted to and approved in writing by the local planning authority as part of the reserved matters details in relation to that phase of the development. The development shall be carried out in accordance with the approved details.

Reason – to ensure a satisfactory appearance adjacent to MOL, in accordance with UDP Policy TBE5 and DMPD policy DMS1.

- 46 Prior to the commencement of each phase of the development hereby permitted, details of cycle parking facilities shall be submitted to and approved in writing by the local planning authority. Such details should include the location, number and type of cycle parking stands or spaces (including secure spaces) to be provided in the relevant phase and, where applicable, details of any shelter, covering or means of enclosure of those spaces. Each phase of development shall be implemented in accordance with the approved details and retained thereafter.

Reason – to ensure adequate arrangements are made for cycle parking, in accordance with UDP Policy RDP1 and Core Strategy Policy IS1.

- 47 The service vehicle areas shown on the approved drawings, or on any drawings approved pursuant to planning conditions attached to this permission, shall be provided and made available for use before occupation of the relevant phase of the development and shall be retained for purposes relating to the servicing of the development and for no other purpose.

Reason – to ensure adequate arrangements are made for servicing vehicles, in accordance with saved UDP Policy RDP1.

- 48 Vehicular access to the site from Hebdon Road shall be for no more than 92 residential units in Parcels U, V, Z and part of Y as shown on Drawing PL-12 Rev B. Details of measures to prevent access for vehicles other than bicycles and emergency vehicles from the roads in Parcels U, V, Z and part of Y to the rest of the site shall be submitted to, and approved in writing, by the local planning authority prior to the commencement of the relevant phase(s) of development. Thereafter, the approved measures shall be implemented and retained.

Reason – to protect the amenities of nearby residential areas, in

accordance with UDP Policy H3

- 48 Prior to commencement of each phase of the development hereby approved, details shall be submitted to and approved in writing by the local planning authority to demonstrate adequate levels of daylight and sunlight achieved within the new residential units and on existing neighbouring residential properties as assessed against the standards in the BRE published "site layout planning for daylight and sunlight – a good practice guide" extant at the time that phase is to be submitted. Development of that phase shall thereafter be carried out in accordance with the approved details.

Reason – to ensure adequate standards of daylight and sunlight in new and existing dwellings, in accordance with UDP Policy H11

Appeal B Listed Building Consent

- 01 The works hereby approved shall commence no later than five years from the date of this consent.

Reason – to comply with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 02 The works of demolition/alteration hereby authorised shall be carried out in accordance with the following approved plans:

ME 01
ME 02
ME 03
ME 04
ME 05
ME 06
ME 07
ME 08
362-PL-300 P01
362-PL-301 P01
362-PL-302 P01
362-PL-303 P01
362-PL-304 P01
362-PL-305 P01
362-PL-306 P01
362-PL-307 P01
362-PL-308 P01

Reason –in the interest of proper planning and for the avoidance of doubt.

- 03 The works of demolition/alteration hereby authorised shall not be carried out in any phase before a contract for the carrying out of the works of redevelopment of the site for that phase has been made and reserved

matters approval or detailed planning permission has been granted for the redevelopment of the relevant phase for which the contract provides.

Reason – in pursuance of Section 17 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in order to prevent the premature alteration or demolition of the building.

- 04 A mitigation strategy comprising a programme to record the curtilage-listed buildings prior to demolition, and the recording of the two listed buildings and the retained curtilage-listed buildings prior to any works to the buildings to be converted shall be submitted to and approved by the local planning authority in writing prior to the commencement of works. Records of the curtilage-listed buildings shall be sent to English Heritage, London Region (1 Waterhouse Square, 138-142 Holborn, London EC1N 2ST) with a copy sent to the local planning authority within 4 weeks from commencement of works

Reason – to ensure that the heritage interests of the buildings are properly preserved, in accordance with Council policies DMS1 and DMS2.

- 05 The developer shall give the local planning authority 28 days advance notice of the start of any works and, for a period of 14 days before any work begins, reasonable access to the building(s) shall be given to Assistant Director of Planning and Environmental Services and or a person/body nominated by the local planning authority for the purpose of recording the building(s) and or interior(s) by making measured drawings or taking photographs.

Reason – to ensure preservation of the special interest of the building affected by the works hereby approved

- 06 Details of areas required to be made good following the removal of buildings and structures attached to the retained listed buildings and details of measures to be taken to salvage materials, fittings and fixtures (as agreed by the local planning authority) shall be submitted to and approved in writing by the local planning authority prior to the removal of any building/structure. The works to the listed building shall be carried out in accordance with the approved details.

Reason – to ensure a satisfactory appearance in accordance with Council Policies DMS1 and DMS2.

- 07 ~~Written notification of the intended start of works on site shall be sent to English Heritage, London Region (1 Waterhouse Square, 138-142 Holborn, London EC1N 2ST) with a copy sent to the local planning authority, at least seven days before the works hereby approved are commenced.~~

~~*Reason – in order that English Heritage and the local planning authority may be given the opportunity of monitoring the progress of works on site to ensure the preservation of the special interest of the building affected by the works hereby approved.*~~

ANNEX B

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Mr Scott Lyness of counsel	Instructed by Sharpe Pritchard
He called:	
Mr B Sellers BA(Hons) DipUD MA	Senior planner, Conservation, Design and Development Group, LBW
Mr D Tidley BSc(Hons) DipTP MSc MILT MCIHT	Group Planner, Transportation, LBW
Ms S Manchanda MA MPhil	Assistant Director, Planning and Environmental Services, LBW

FOR THE APPELLANT:

Mr Paul Brown QC	Instructed by Winckworth Sherwood
He called:	
Ms K Goddard	Director of Operations and Nursing, The Trust
Prof Andrew Taylor DipArch RIBA	Director, Patel Taylor Architects
Mr C Rooney IHE CIHT	Director, Over Arup and Partners (International) Ltd.
Mr P Burley BA(Hons) MPhil MRTPI	Partner, Montagu Evans LLP

INTERESTED PERSONS APPEARING AT THE INQUIRY

Cllr Daley	Tooting Ward
Mr S Dannreuther	SURG Representative
Mr W Main-Ian	Sutton 1 in 4 Network
Cllr McNaught-Davis	Earlsfield Ward
Cllr Heaster OBE	Wandsworth Common Ward
Mr M Penny	Local Resident

Mr C Hulett	Local Resident
Mr S Gidda	Steering Committee Fleming House
Ms N Smith	Steering Committee Fleming House
Mr R Tracey JP AM	London Assembly Member for Merton and Wandsworth
Mr L Dahl	Charge Nurse and former service user
Mr G Nicholas	Local Resident
Cllr McDermott	Nightingale Ward
Mr M Wallis	Neighbours of Springfield & Local Resident
Mr J Dawson	Secretary Wandsworth Society
Rt Hon Sadiq Khan	Member of Parliament for Tooting
Mr J Morrill	Service user reference group
Mr T Pollak	Local Resident
Mr R Newby	Battersea Ironsides Sports Club
Mr D Gardiner-Hill	The Spencer Club
Mr N Jones BA(Hons) DipTP MRTPI	Rapleys LLP, on behalf of Parpost Ltd.
Mr S Desai	On behalf of Unison Branch of South West London and St George's and Mr Tubman (Chair)
Mrs Quince	Local Resident
Mr J Morris	Director of Sport, Northcote Lodge School
Ms V Page	Local Resident

ANNEX C**CORE DOCUMENTS****Springfield Hospital Appeal
Statement of Common Ground Documents List****Version 3 – 4 November 2011**

All documents can be viewed at the following website:

www.springfieldhospitalappeal.co.uk

Series	Number	Document	Date
A Site Description & Surrounding Area			
A	01	Site Location Plan	2011
A	02	Ward Boundaries in Vicinity of Site	2011
A	03	Map of On-site Buildings	2011
A	04	Schedule of Existing and Demolished Buildings	2011
A	05	The Buildings of England Vol 2 Extracts	1983
A	06	English Heritage Listed Buildings Records	various
A	07	English Heritage 'Heritage at Risk' (extracts)	2010
A	08	LBW Locally-listed Buildings	2010
A	09	Boundaries of MOL and Historic Park and Garden	2011
A	10	Historic Park and Garden Listing Details	2002
A	11	Tree Preservation Order 182-1994	1994
A	12	Tree Preservation Order 32-2001	2001
A	13	Photographs of Site and Surroundings	2011
A	14	Indicative Residential Densities in Surrounding Area	2011
A	15	Geographical Boundary Names	2011
A	16	English Heritage 'Heritage at Risk' (extracts)	2011
B Planning History			
B	01	Schedule of Planning History	
Buildings Pre-dating the TCPA 1947			
Orchid Wing Conversion to Key Worker Housing			
B	02	Applications 2003-1559 & 2003-1562 (Orchid Wing) Planning Application & Listed Building Consent Design and Access Statement	Oct 2003
B	03	Applications 2003-1559 & 2003-1562 (Orchid Wing) Planning Application & Listed Building Consent Drawings	Oct 2003
B	04	English Heritage Comments on Orchid Wing Application	25 Sep 2003
B	05	Applications 2003-1559 & 2003-1562 (Orchid Wing) Committee Report	13 Nov 2003
B	06	Application 2003-1559 (Orchid Wing) Planning Application Decision Notice	17 Nov 2003
B	07	Application 2003-1562 (Orchid Wing) Listed Building Consent Decision Notice	17 Nov 2003
Harewood House			
B	08	Submission 88-S-0266 (Harewood Hse COU) No Objection Notice	16 Aug 1988
B	09	Submission 91-C-0017 (Harewood Hse COU) No Objection Notice	7 Feb 1991
Corner House			
B	10	Application 2005-0001 (Classroom) Officer Report	Jan 2005
B	11	Application 2005-0001 (Classroom) Decision Notice	3 Feb 2005
B	12	Application 2010-4621 (Classroom) Decision Notice	7 Feb 2011

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Series	Number	Document	Date
'Crown Development' and Subsequent Extensions			
Jasmine Cottages			
B	13	Submission 87-S-1268 (Jasmine Cottages) No Objection Notice	1 Jul 1987
Shaftesbury Clinic			
B	14	Application 93-C-0078 (Original Shaftesbury) Committee Report	15 Apr 1993
B	15	Clinical Justification for Shaftesbury Clinic	c1993
B	16	Application 2000-4738 (Shaftesbury Extn 1) Decision Notice	25 Apr 2001
B	17	Application 2009-0918 (Shaftesbury Extn 2) Officer Report	29 May 2009
B	18	Application 2009-0918 (Shaftesbury Extn 2) Decision Notice	2 Jun 2009
B	19	Application 2009-3472 (Shaftesbury Extn 3) Officer Report	17 Nov 2009
B	20	Application 2009-3472 (Shaftesbury Extn 3) Decision Notice	27 Nov 2009
Maintenance Building			
B	21	Submission 84-C-1199 (Workshop) No Objection Notice	16 May 1984
Development Requiring Express Permission			
Ronald Gibson House			
B	22	Application 88-S-0786 Committee Report	9 Feb 1989
B	23	Application 88-S-0786 Ronald Gibson House Decision Notice	4 Apr 1989
B	24	Application C-99-0103 Ronald Gibson House Extension Decision Notice	20 Apr 1999
B	25	Application C-99-0448 Ronald Gibson House Extension Decision Notice	5 Oct 1999
Older People's Unit & Phoenix Unit			
B	26	Application 2002-1418 (Older People's & Phoenix Units) Committee Report	18 Jul 2002
B	27	Application 2002-1289 (Older People's Unit) Decision Notice	22 Jul 2002
B	28	Application 2002-1418 (Phoenix Unit) Decision Notice	22 Jul 2002
B	29	Phasing Document prepared by Nightingale Associates	20 Apr 2002
Wandsworth Recovery Centre			
B	30	Application 2006-0574 (Wandsworth Recovery Centre) Committee Report	18 Apr 2006
B	31	Application 2006-0574 (Wandsworth Recovery Centre) Committee Minutes	18 Apr 2006
B	32	Application 2006-0574 (Wandsworth Recovery Centre) Decision Notice	20 Apr 2006
B	33	Application 2006-5821 (Temporary Car Park) Decision Notice	5 Feb 2007
B	34	Application 2008-2809 (Temporary Car Park) Withdrawal Notice	9 Jun 2008
B	35	Application 2008-5614 (Temp CP Time Extension) Decision Notice	25 Aug 2009
B	36	Application 2008-5614 (Temp CP Time Extension) Officer Report	21 Aug 2009
B	37	Application 2010-4837 (WRC Infill) Decision Notice	30 Dec 2010
B	38	Application 2011-0299 (WRC Extension) Officer Report	6 Apr 2011
B	39	Application 2011-0299 (WRC Extension) Decision Notice	7 Apr 2011
Replacement Hospital – Refused and Withdrawn Proposals			
2008 New Hospital Application – Refused			
B	40	2008 Application – Development Framework Drawings	2008

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Series	Number	Document	Date
B	41	Applications 2008-4452 & 2008-5135 (2008 Scheme) Outline Application & Listed Building Consent Committee Report	12 Mar 2009
B	42	Applications 2008-4452 & 2008-5135 (2008 Scheme) Outline Application & Listed Building Consent Committee Minutes	12 Mar 2009
B	43	Application 2008-4452 (2008 Scheme) Outline Application Decision Notice	9 Apr 2009
B	44	Application 2008-5135 (2008 Scheme) LBC Decision Notice	9 Apr 2009
Golf Course			
Golf Course			
B	45	Application 91-C-0390 (Golf Course) Decision Notice	2 Dec 1991
B	46	LBW Newsletter on 1992 Golf Course Proposal (App 92-C-0005)	1992
B	47	Application 92-C-0005 (Golf Course) Decision Notice	29 Apr 1992
B	48	Application 94-C-0312 (Golf Course) Decision Notice	19 Dec 1994
B	49	Application C-97-0783 (Golf Course) Decision Notice	9 Feb 1998
B	50	Application C-98-0038 (Golf Course Driving Range) Decision Notice	24 Jul 1998
B	51	Application C-98-0520 (Golf Driving Range Landscaping) Decision Notice	5 Oct 1998
B	52	Application 1997-3597 (Golf Course Netting) Decision Notice	13 Mar 2000
B	53	Application 2001-3824 (Golf Course Driving Range) Withdrawal Notice	14 Feb 2002
B	54	Application 2001-4083 (Golf Course Driving Range) Withdrawal Notice	31 Dec 2002
Other Developments (Off-site)			
Burntwood School			
B	55	Application 80-S-1470 (Burntwood School Field) Decision Notice	12 Dec 1980
B	56	Application 2010-3887 (Burntwood School) Drawings (incomplete, from Council records) and Design and Access Statement	Sep 2010
B	57	Application 2010-3887 (Burntwood School) Committee Report	7 Dec 2010
B	58	Application 2010-3887 (Burntwood School) Decision Notice	10 Dec 2010
Horton Halls			
B	59	Committee Report for 2002 Permission (2002/1076)	18 Jul 2002
B	60	Application 2006-0028 (Horton Halls) DAS & Approved Drawings	Mar 2006
B	61	Application 2006-0028 (Horton Halls) Committee Report	18 Apr 2006
B	62	Application 2006-0028 (Horton Halls) Decision Notice	20 Apr 06
St George's Grove			
B	63	Application 2003-5059 (St George's Grove Key Worker) Approved Drawings	Nov 2003
B	64	Application 2003-5059 (St George's Grove Key Worker) Committee Report	16 Feb 2006
B	65	Application 2003-5059 (St George's Grove Key Worker) Decision Notice	27 Nov 2006
B	66	Application 2003-5059 (St George's Grove Key Worker) s106 Agreement	27 Nov 2006
B	67	Application 2007-5051 (St George's Grove Key Worker) Approved Drawings	2007
B	68	Application 2007-5051 (St George's Grove Private Housing) Committee Report	5 Dec 2007
B	69	Application 2007-5051 (St George's Grove Private Housing) Decision Notice	7 Dec 2007
B	70	Application 2008-2348 (St George's Grove Private Housing Change to Density) Committee Report	17 Jul 2008
B	71	Application 2008-2348 (St George's Grove Private Housing Change to Density) Decision Notice	23 Jul 2008

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Fishponds Playing Field			
B	72	Application 2001-2048 (Fishponds Changing Rooms) Drawings and Decision Notice	Jun 2001 / Aug 2001
C - Pre-application Advice			
C	01	GLA Pre-planning application meeting response	17 Sep 2009
C	02	TfL Pre-application Letter	17 Sep 2009
C	03	English Heritage Pre-planning application advice	21 Dec 2009
C	04	LBW Pre-planning application advice	16 Feb 2010
C	05	2010 PPA	19 Aug 2010
D - Application Documentation & Related Information			
D1 - Application Submission			
D1	01	Planning Performance Agreement	19 Aug 2010
D1	02	Application Covering Letter	20 Aug 2010
D1	03	Application for Outline Planning Permission form and certificates	20 Aug 2010
D1	04	Application for Listed Building Consent form and certificates	20 Aug 2010
D1	05	Application Site Plan (PL 01)	Aug 2010
D1	06	Introduction to the Planning Application	Aug 2010
D1	07	Planning Statement	Aug 2010
D1	08	Parameter Plans and Illustrative Drawings Report	Aug 2010
D1	09	PPS5 Statement and Appendices	Aug 2010
D1	10	PPS5 Statement Addendum	Sept 2010
D1	11	Curtilage Buildings to be Demolished - Photographs	Aug 2010
D1	12	Statement of Community Involvement	Aug 2010
D1	13	Flood Risk Assessment	Aug 2010
D1	14	Site Wide Energy Strategy	Aug 2010
D1	15	Infrastructure Strategy	Aug 2010
D1	16	Construction Management Plan	Aug 2010
D1	17	Parking Management Strategy	Sept 2010
D1	18	Design and Access Statement including Design Code	Aug 2010
D1	19	Landscape Strategy	Aug 2010
D1	20	Conservation Strategy Report – Main Building and Elizabeth Newton Wing	Aug 2010
D1	21	Transport Assessment Report and Appendices	Aug 2010
D1	22	Transport Assessment Errata	Sept 2010
Environmental Impact Assessment (EIA)			
D1	23	EIA Non-Technical Summary	Aug 2010
D1	24	EIA Vol. 1 Main Chapters	Aug 2010
D1	25	EIA Vol. 2 Heritage, Townscape and Visual Assessment	Aug 2010
D1	26	EIA Vol. 2 Heritage, Townscape and Visual Assessment Appendices	Aug 2010
D1	27	EIA Vol. 2 Heritage, Townscape and Visual Assessment Addendum	Sept 2010

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Series	Number	Document	Date
D1	28	EIA Vol. 3 Technical Appendices	Aug 2010
Application Drawings			
D1	29	Parameter Plans - SUPERSEDED <ul style="list-style-type: none"> • PL 02 Site Considerations • PL 03 Parcel Plan • PL 04 Building Uses – Ground Floor • PL 05 Building Uses – Upper Floor • PL 06 Open Space Plan • PL 06A Public Open Space • PL 06B Private Open Space • PL 07 Building Storey Heights • PL 08 Building Heights • PL 09 Topography – Existing • PL 10 Topography – Proposed • PL 11 Access Plan – Pedestrian and Cyclists • PL 12 Access Plan – Vehicles • PL 13 Access Plan – Buses • PL 14 Car Parking Diagram 	Aug 2010
D1	30	Revised Parameter Plans <ul style="list-style-type: none"> • PL 02 Rev A Site Considerations • PL 03 Rev A Parcel Plan • PL 04 Rev A Building Uses – Ground Floor • PL 05 Rev A Building Uses – Upper Floor • PL 06 Rev A Open Space Plan • PL 06A Rev A Public Open Space • PL 06B Rev A Private Open Space • PL 07 Rev A Building Storey Heights • PL 08 Rev A Building Heights • PL 09 Topography – Existing • PL 10 Rev B Topography – Proposed • PL 11 Rev A Access Plan – Pedestrian and Cyclists • PL 12 Rev B Access Plan – Vehicles • PL 13 Rev A Access Plan – Buses • PL 14 Rev B Car Parking Diagram 	Dec 2010
D1	31	Illustrative Springfield Masterplan Drawing (362-PL-100) - SUPERSEDED	Aug 2010
D1	32	Illustrative Springfield Masterplan Drawing (362-PL-100 Rev A)	Aug 2010
D1	33	Illustrative Site Sections <ul style="list-style-type: none"> • 362-PL-200 Sections 1 and 2 • 362-PL-201 Sections 3 and 4 • 362-PL-202 Sections 5, 6 and 7 • 362-PL-203 Sections 8, 9 and 10 • 362-PL-204 Sections 11 and 12 	Aug 2010
D1	34	Demolition Plans <ul style="list-style-type: none"> • ME 01 Springfield Buildings to be Demolished • ME 02 Old Estates Building • ME 03 White Lodge • ME 04 Harewood House • ME 05 Hebdon Lodge • ME 06 ABCD Building • ME 07 John Meyer Wing and Old Laundry Block • ME 08 Corridor Between High Trees and Main Building 	Aug 2010
D1	35	Demolition Elevation Drawings (Existing and Proposed) <ul style="list-style-type: none"> • 362-PL-300 P01 Main Building • 362-PL-301 P01 Main Building & John Meyer Wing 	Aug 2010

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Series	Number	Document	Date
		<ul style="list-style-type: none"> • 362-PL-302 P01 John Meyer Wing & Main Building • 362-PL-303 P01 Ballroom & 1880 Chapel • 362-PL-304 P01 Ballroom & 1880 Chapel • 362-PL-305 P01 High Trees and Jubilee Wing • 362-PL-306 P01 High Trees and Jubilee Wing • 362-PL-307 P01 Elizabeth Newton Wing 	
D1	36	Demolition Elevation Drawing 362-PL-308 Elevation A, B and C – Existing 20 th Century Dining Hall	Oct 2010
D2	-	Addition Correspondence / Clarification of Issues	
D2	01	Arup Technical Note addressing LBW comments raised in relation to 2008 Transport Assessment	5 Jan 2009
D2	02	Letter from Wandsworth Technical Services requiring further PPS5 justification for demolition.	7 Oct 2010
D2	03	Assessment of Economic Viability and Affordable Housing Provision prepared by BNP Paribas Real Estate	Nov 2010
D2	04	Letter from Montagu Evans responding to LBW request for PPS5 justification	11 Nov 2010
D2	05	Letter from Montagu Evans providing confirmation of drawings submitted for approval and responses to consultation comments	15 Nov 2010
D2	06	Letter from Montagu Evans on behalf of the Trust responding to objections submitted by local residents	24 Nov 2010
D2	07	Letter from Montagu Evans on behalf of the Trust responding to a letter of objection submitted by Sadiq Khan MP	24 Nov 2010
		<i>Transport Related Issues</i>	
D2	08	Submission of traffic flow analysis data considering 27, 80 or 100 units taking access from Hebdon Road	6 Oct 2010
D2	09	Letter from Montagu Evans regarding Junction of Burntwood Lane and increased number of homes accessed through Hebdon Road	8 Nov 2010
D2	10	Submission of Bus Swept Path Analysis	26 Nov 2011
D2	11	Submission of Arup Note regarding revised car parking provision	26 Nov 2011
D2	12	Submission of Arup Note addressing increase in the number of homes served through Hebdon Road from 27 to 92	29 Nov 2010
D3	-	Further Information	
D3	01	Minutes and Agenda of meeting held with TfL	24 Feb 2011
D3	02	Travel Plan Monitor Survey	24 Mar 2011
D3	03	Minutes and Agenda of Meeting held with TfL	2 June 2011
D3	04	Travel Questionnaire	June 2011
D3	05	Consolidated Schedule of Key Information	Aug 2011
D3	06	Consolidated Schedule of Key Information - Drawings <ul style="list-style-type: none"> • SPR-SK100 Appeal Site Location • SPR-SK101 Appeal Site/Masterplan • SPR-SK102 Historic Park and Gardens • SPR-SK103 Metropolitan Open Land • SPR-SK104 Existing Site Areas on Metropolitan Open Land • SPR-SK105 Proposed Site Areas on Metropolitan Open Land • SPR-SK106 Existing Dwellings on Metropolitan Open Land • SPR-SK107 Proposed Dwellings on Metropolitan Open Land • SPR-SK108 Existing Golf Course on Metropolitan Open Land • SPR-SK109 Proposed Publicly Accessible Parkland 	Aug 2011

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Series	Number	Document	Date
		<ul style="list-style-type: none"> • SPR-SK110 Existing Principle Floorspace Uses • SPR-SK111 Proposed Floorspace Areas Ground Floor • SPR-SK112 Proposed Floorspace Area Upper Floors • SPR-SK113 Proposed Parcel Areas • SPR-SK114 Indicative Play Space and School Playing Fields • SPR-SK115 Existing Site Car Parking • SPR-SK116 Proposed Site Car Parking • SPR-SK117 Proposed Road Widths • SPR-SK118 Proposed Bus Stops • SPR-SK120 Proposed St Georges Road Access Route • SPR-SK121 Overlay of Existing Situation and Proposed Masterplan 	
E	-	Formal Consultation Responses and Application Determination	
E1	-	Formal Consultation Responses	
E1	01	London Fire and Emergency Planning Authority	13 Sep 2010
E1	02	Thames Water	24 Sep 2010
E1	03	Environment Agency	27 Sep 2010
E1	04	Natural England	01 Oct 2010
E1	05	Environment Agency	13 Oct 2010
E1	06	NHS Wandsworth	13 Oct 2010
E1	07	Active Wandsworth	13 Oct 2010
E1	08	Metropolitan Police Authority	27 Oct 2010
E1	09	English Heritage (Historic Buildings)	27 Oct 2010
E1	10	English Heritage (email)	09 Nov 2010
E1	11	Thames Water	15 Nov 2010
E1	12	Sport England	17 Nov 2010
E1	13	English Heritage (Historic Buildings) (Amendments to Application)	18 Nov 2010
E1	14	London Fire and Emergency Planning Authority	25 Nov 2010
E1	15	English Heritage (Archaeology)	10 Dec 2010
E2	-	Internal Council Consultation Responses	
E2	01	LBW Sustainability / Energy Statement Review	16 Sep 2010
E2	02	LBW Adult Social Services	30 Sep 2010
E2	03	LBW Principal Parks Officer – Bat Survey Report Review	Oct 2010
E2	04	LBW Principal Parks Officer – Breeding Bird Survey Review	Oct 2010
E2	05	LBW Principal Parks Officer – EIA Volume 3 Review	Oct 2010
E2	06	LBW Principal Parks Officer – Extended Phase I Review	Oct 2010
E2	07	LBW Principal Parks Officer – Reptile Survey Review	Oct 2010
E2	08	LBW Waste Policy Manager Comments	22 Oct 2010
E2	09	LBW Conservation & Design (Listed Building Consent Application)	1 Nov 2010
E2	10	LBW Arts Team	4 Nov 2010
E2	11	LBW Conservation & Design (Outline Planning Application)	5 Nov 2010
E2	12	LBW Tree Officer (1)	25 Nov 2010

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Series	Number	Document	Date
E2	13	LBW Tree Officer (2)	28 Nov 2010
E2	14	LBW Engineering Services – Highways and Traffic Group	29 Nov 2010
E2	15	LBW Director of Children's Services (1)	7 Dec 2010
E2	16	LBW Director of Children's Services (2)	7 Dec 2010
E2	17	LBW DOLAS Assistant to Head of Waste	undated
E3	-	Application Determination	
E3	01	Mayor's Stage I Report	20 Oct 2010
E3	02	Mayor's Initial Representation	21 Oct 2010
E3	03	LBW Outline Application & Listed Building Consent Committee Report	7 Dec 2010
E3	04	LBW Outline Application Printed Decision	7 Dec 2010
E3	05	LBW Outline Application Printed Minutes	7 Dec 2010
E3	06	Mayor's Letter, Applications Not Taken Over	11 Jan 2011
E3	07	Mayor's Stage II Report	12 Jan 2011
E3	08	Decision Notice Outline Application	13 Jan 2011
E3	09	LBW LBC Committee Report	10 Feb 2011
E3	10	LBW LBC Application Printed Minutes	10 Feb 2011
E3	11	Decision Notice – Listed Building Consent Application	11 Feb 2011
F	-	Development Plan Policy, Guidance, Monitoring & Evidence	
F1	-	Adopted Local Planning Policy	
F1	01	UDP 2003 Saved Policies and Proposals Map	2003
F1	02	Core Strategy Written Statement and Proposals Map	Oct 2010
F2	-	Development Plan Monitoring	
F2	01	Housing Land Report 2007-2008	2008
F2	02	Housing Land Report 2008-2009	2009
F2	03	Housing Land Report 2009-2010	2010
F2	04	Housing Land Report 2010-2011	2011
F2	05	LBW Annual Monitoring Report 2009-2010	2010
F3	-	Adopted SPG and SPDs	
F3	01	Springfield Hospital Revised Development Brief and Annex (Listed Building Management Guidelines)	2000
F3	02	Guidelines for Housing Development SPG	2001
F3	03	Access to Buildings and Spaces for People with Disabilities SPG	2003
F3	04	Important Local Views SPG	2003
F3	05	Refuse and Recyclables SPG	2003
F3	06	Design Guidelines for Personal Safety and Security	2004
F3	07	Magdalen Park CA Appraisal	2009
F3	08	Wandsworth Common CA Appraisal (parts in draft) (no date)	(no date)

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Series	Number	Document	Date
<i>Emerging CIL and s106 SPDs are in Series Q</i>			
F4	-	Emerging Planning Policy	
DMPD & SSAD Preferred Options			
F4	01	DMPD Preferred Options	Nov 2009
F4	02	SSAD Preferred Options	Nov 2009
F4	03	SSAD Preferred Options Site-specific Comments	Dec 2009 – Feb 2010
F4	04	DMPD & SSAD Preferred Options Statement of Consultation	Oct 2010
DMPD & SSAD Proposed Submission			
F4	05	DMPD & SSAD Proposed Submission Proposals Map	Oct 2010
F4	06	DMPD Proposed Submission	Oct 2010
F4	07	SSAD Proposed Submission	Oct 2010
F4	08	LBW Advice on Policy Weight (Proposed Submission Version)	Oct 2010
F4	09	SSAD Proposed Submission Site-specific Comments	Oct-Dec 2010
F4	10	Proposed Submission Statement of Consultation	2011
DMPD & SSAD Submission			
F4	11	DMPD SSAD SPTOSC for submission Committee Report	12 Apr 2011
F4	12	DMPD SSAD SPTOSC for submission Minutes	12 Apr 2011
F4	13	DMPD SSAD Executive Decision for Submission	26 Apr 2011
F4	14	DMPD & SSAD Submission Proposals Map	May 2011
F4	15	LBW Advice on Policy Weight (Submission Version)	May 2011
F4	16	DMPD Submission Version	May 2011
F4	17	SSAD Submission Version	May 2011
F5	-	Evidence Base	
F5	01	Wandsworth Open Space Study	2007
F5	02	Housing Market Assessment	2008
F5	03	Housing Market Assessment 2009 Update Paper 09-521	2009
F6	-	Procedural	
F6	01	UDP Policies Saving Direction	
F7	-	Historic Planning Policy	
F7	01	1978 Wandsworth Earlsfield Plan (extracts)	1978
F7	02	1978 Interim Tooting Plan (extracts)	1978
F7	03	1978 Draft Borough Plan (extracts)	1978
F7	04	Borough Plan (extracts)	1980
F7	05	Borough Plan (extracts)	1984
F7	06	Draft UDP (extracts)	1991

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Series	Number	Document	Date
F7	07	UDP Consultation Statement (extracts)	1992
F7	08	Adopted Wandsworth UDP (extracts)	1994
F7	09	Deposit UDP (extracts)	1999
F7	10	Second Deposit UDP (extracts)	2000
F7	11	Springfield Hospital Development Guidelines	1990
F7	12	Development Brief for Wandsworth Hospital	August 1997
F8	-	Strategic Planning Policy	
F8	01	London Plan	2011
F9	-	London Plan Evidence Base	
F9	01	London SHLAA-HCS	2009
F10	-	London Plan SPG and BPG	
F10	01	SPG Accessible London	Apr 2004
F10	02	SPG Housing	Nov 2005
F10	03	SPG Sustainable Design and Construction	May 2006
F10	04	SPG Land for Transport Functions	Mar 2007
F10	05	SPG - Providing for Children and Young People's Play and Informal Recreation	2008
F10	06	Scrutiny of Green Spaces in London	Nov 2001
F10	07	BPG Open Space Strategies	2004
F10	08	BPG Health Issues in Planning	Jun 2007
F10	09	BPG Open Space Strategies Consultation Draft	Sep 2008
F10	10	Draft London Housing Design Guide	Jul 2009
G	-	National Planning Policy & Guidance	
G	01	PPS1 Delivering Sustainable Development	2005
G	02	The Planning System General Principles	2005
G	03	PPS1 Supplement Climate Change	2007
G	04	PPG2 Green Belts	1995, revised 2001
G	05	PPS3 Housing	2010
G	06	PPS4 Planning for Sustainable Economic Growth	2009
G	07	PPS5 Planning for the Historic Environment	2010
G	08	PPS5 Practice Guide	2010
G	09	PPG8 Telecommunications	2001
G	10	PPS9 Biodiversity and Geological Conservation	2005
G	11	PPS10 Planning for Sustainable Waste Management	2005, revised 2011
G	12	PPS12 Local Spatial Planning	2008
G	13	PPG13 Transport	2001, revised 2011
G	14	PPG17 Planning for Open Space Sport & Recreation	2002

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Series	Number	Document	Date
G	15	Draft Replacement for PPG17	2010
G	16	PPS22 Renewable Energy	2002
G	17	PPS23 Planning and Pollution Control	2004
G	18	PPS23 Annex 1 Pollution Control, Air and Water Quality	2004
G	19	PPS23 Annex 2 Development on Land Affected by Contamination	2004
G	20	PPG24 Planning and Noise	1994
G	21	Proposed Draft National Planning Policy Framework	2011
G	22	Mr Shapps' Housing Policy Announcement	Jun 2011
H Circulars and Legislation			
H	01	Planning (Listed Buildings & Conservation Areas) Regulations 1990	1990
H	02	Town and Country Planning TCP (Inquiries) Procedure (England) Rules 2000	2000
H	03	Town and Country Planning (Development Management Procedure) (England) Order 2010	2010
H	04	Community Infrastructure Levy Regulations 2010	2010
H	05	Circular 11/95 Use of Conditions in Planning Permission	1995
H	06	Circular 05/00 Planning Appeals Procedures	2000
H	07	Circular 01/01 Arrangements for Handling Heritage Applications	2001
H	08	Circular 05/05 Planning Obligations	2005
J Health & Hospital Background			
J	01	Map of Trust Sites	2011
J	02	Dr Jim Bolton's Letter	17 Mar 2011
J	03	Professor Kopelman's Letter	11 Apr 2011
J	04	Quality of Services Action Plan October 2009	2009
J	05	2009 Mental Health Act Annual Statement	2009
J	06	April 2010 Care Quality Commission Report	2010
J	07	DDA Assessment	May 2010
J	08	Energy Usage Comparison Graph	2011
J	09	Maintenance Backlog	May 2010
J	10	HHTS Service Letter	10 Mar 2011
J	11	NHS Estates Health Building Note 35 Parts 1, 2 and 3	1997
J	12	Funding Paper	Jul 2009
J	13	SWLSG Mental Health NHS Trust Board Report and Minutes	30 Jun 2011
K Landscaping and Open Space			
K	01	Extract from CLGC Lease (showing extent of golf course)	2001
K	02	Wandsworth Play Strategy (text in draft, Maps from 2008)	2008
K	03	Design for Play	2008
K	04	Golf Courses in London	2011
K	05	Wandsworth Sports Strategy 2005-2010	2006
K	06	Planning & Design for Outdoor Sport and Play	2008

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Series	Number	Document	Date
K	07	Letter to DOLAS and Possible Sports Provision	2011
K	08	CLGC Information	2011
K	09	Letter from DOLAS	16 Aug 2011
L Heritage			
L	01	Principles of Selection for Listing Buildings	2010
L	02	EH Listed Buildings Register Criteria	
L	03	Guidance on Conservation Area Appraisals	2006
L	04	Conservation Principles Policies & Guidance	2008
L	05	English Heritage Health and Welfare Buildings Selection Guide	Mar 2007
L	06	The Setting of Heritage Assets: English Heritage Guidance (Consultation Draft)	2010
L	07	Historic Map Regression	N/A
L	08	Confirmation that White Lodge is not Listed	June 2007
<i>The following document is bound separately</i>			
L	09	Springfield Hospital Conservation Plan (GL Hearn)	
M Transport			
Buses			
M	01	Existing Bus Stop Accessibility Map	2011
M	02	TfL Accessible Bus Stop Design Guidance	2006
M	03	TfL 'Spider Maps' of local bus routes	2010
M	04	TfL Local Public Transport Map Extract	2010
M	05	Future Bus Stop Accessibility Map	2011
M	06	Proposed Bus Routes and Bus Infrastructure Drawings	2011
London Underground & National Rail			
M	07	TfL Oyster Rail Services Map	Apr 2011
PTAL			
M	08	PTALs in Vicinity of Site	2011
M	09	TfL Measuring PTALs	Jun 2003
Cycling			
M	10	Existing Local Cycle Routes	2011
M	11	Details and Map of Cycle Superhighway CS7	2011
M	12	Existing Cycle Isochrones	2011
M	13	Future Cycle Isochrones	2011
M	14	Proposed Cycle Connections	2011
M	15	TfL Workplace Cycle Parking Guide	Oct 2006
Walking			
M	16	Existing Walking Isochrones	2011
M	17	Future Walking Isochrones	2011
M	18	Proposed Pedestrian Connections	2011
Parking			
M	19	Drawing SK115 (Existing Site Car Parking)	Aug 2011

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Series	Number	Document	Date
M	20	Location of Controlled Parking Zones	2011
Roads & Traffic			
M	21	Map of Local Highway Network	2011
M	22	Map of Transport for London Road Network	2002
M	23	Location of Accidents on the Local Highway Network	2011
M	24	Accident data	Jun 2011
M	25	Traffic Survey Locations	2011
M	26	TfL TA Best Practice Guidance	Apr 2010
M	27	Junction of Trinity Road and Burntwood SPTOS Committee Report	26 Apr 2011
M	28	Draft St George's Grove Planning Application Drawings	2008 & 2011
HSTAT			
M	29	HSTAT Overview – Jacobs	Mar 2010
M	30	HSTAT Analysis for Tolworth Hospital	May 2011
Travel Plans			
M	31	The Trust's Voluntary Travel Plan	2006
M	32	TfL Travel Planning for New Development in London	Mar 2011
M	33	LBW Travel Plan SPTOS Committee Report	26 Apr 11
<i>The following documents are bound separately</i>			
Travel Plans			
M	34	TfL NHS Developing & Implementing Travel Plans (Revision 2)	2006
The Mayor's and the Borough's Transport Strategies			
M	35	Mayor's Transport Strategy	May 2010
M	36	TfL Travel in London Report 3	2010
M	37	LBW Local Implementation Plan 2006-2011	Jan 2007
M	38	LBW Second Local Implementation Plan Consultation Draft	Dec 2010
N Development Guidance			
N	01	By Design	2000
N	02	By Design Better Places to Live	2001
N	03	Protecting Design Quality in Planning	2003
N	04	Safer Places	2004
N	05	Secured by Design Principles	2004
N	06	Delivering Quality Places	2007
N	07	Urban Design Compendium	2007
<i>The following document is bound separately</i>			
N	08	Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice	1991
P Miscellaneous Documents			
P	01	Building Regulations Part M	2004
P	02	Lifetime Homes Revised Criteria	July 2010
P	03	Section 106 for Chancery Mews Development	2000

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Series	Number	Document	Date
P	04	Revised Development Programme	July 2011
P	05	GLDP Panel Report Extract and GLDP SoS's Reasoned Statement of Modifications Extract	1973
P	06	South Lakeland DC v SoS for the Environment [1992] 2 AC 141	1992
Q - Section 106 Agreement			
Q	01	Draft CIL Charging Schedule	Jun 2011
Q	02	CIL Draft Charging Schedule Supporting Information	Jun 2011
Q	03	Draft Planning Obligations SPD	Jun 2011
Q	04	SPTOS Committee Paper 11-498	13 Jun 2011
Q	05	SPTOS Committee Minutes 11-498	13 Jun 2011

SI (A) Statement of Common Ground Sept 2011

SI (S) " " " " update Nov 2011

SR Supplemental - September 2011

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ANNEX D**INQUIRY DOCUMENTS**

Number	Title	Submitted by	Date
ID1	Route and aide memoir of site visit on 2 November	The Trust	3/11/11
ID2	Additional documents of the appellant November 2011	The Trust	8/11/11
ID3	Opening Statement on Behalf of South West London and St George's Mental Health NHS Trust – Paul Brown QC	The Trust	8/11/11
ID4	Opening Statement on Behalf of the London Borough of Wandsworth - Scott Lyness	LBW	8/11/11
ID5	Map of Springfield Hospital Gardens	LBW	8/11/11
ID6	Appeal notification to Neighbours – letter dated 4/8/11 and list of neighbours consulted	LBW	8/11/11
ID7	Principle of the 2009 London SHLAA HCS	LBW	10/11/11
ID8	Annual Monitoring Report 2010-2011	LBW	10/11/11
ID9A-9F	Conditions	LBW/Appellant	11/11/11–18/11/11
ID10A-10F	S106 Planning Obligation and update note (10F)	Appellant	11/11/11-19/12/11
ID11	Additional Information	Appellant	15/11/11
ID12	Appellant's Response to Mr Main-Ian's questions	Appellant	15/11/11
ID13	2 A3 maps for site visit	Mr Wallis	11/11/11
ID14	Measuring PTALs	LBW	16/11/11
ID15	Document B64(B) St. George's Grove Committee Report	Appellant	17/11/11
ID16	Errata to Statement of Common Ground September 2011	Appellant	17/11/11
ID17	Summary of ES Mitigation Measures	Appellant	17/11/11
ID18	Note from Mr Rooney on VISSIM Models	Appellant	17/11/11
ID19	Revised Table of	Appellant	17/11/11

	Contents ES Volume 1		
ID20	Revised List of ES Technical Appendices	Appellant	17/11/11
ID21	Revised Non-Technical Summary	Appellant	17/11/11
ID22	Mr Lyness' closing submission	LBW	18/11/11
ID23	Mr Brown's closing submissions plus appendix	Appellant	18/11/11
ID24	Legislative and policy justification for S106 provisions	Appellant/LBW	18/11/11
ID25	Assessment of G1 bus link in application and ES	Appellant	18/11/11
ID26	Notes of pre-inquiry meeting	Inspector	

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ANNEX E

PROOFS AND WRITTEN STATEMENTS

LPA DOCUMENTS

LBW/BS/1.1	Mr Sellers' Proof
LBW/BS/1.2	Mr Sellers' Appendices
LBW/BS/1.3	Mr Sellers' Summary Proof
LBW/BS/1.4	Mr Sellers' Rebuttal Proof
LBW/DT/2.1	Mr Tidley's Proof
LBW/DT/2.2	Mr Tidley's Appendices
LBW/DT/2.3	Mr Tidley's Summary Proof
LBW/DT/2.4	Mr Tidley's Rebuttal Proof
LBW/SM/3.1	Ms Manchanda's Proof
LBW/SM/3.3	Ms Manchanda's Summary Proof
LBW/SM/3.4	Ms Manchanda's Rebuttal Proof

THE TRUST'S DOCUMENTS

APP/KG/1.1	Ms Goddard's Proof
APP/KG/1.2	Ms Goddard's Appendices
APP/KG/1.3	Ms Goddard's Summary Proof
APP/KG/1.4	Ms Goddard's Rebuttal Proof
APP/AT/2.1	Prof Taylor's Proof
APP/AT/2.2	Prof Taylor's Appendices
APP/AT/2.3	Prof Taylor's Summary Proof
APP/AT/2.4	Prof Taylor's Powerpoint Presentation
APP/AT/2.5	Prof Taylor's Rebuttal Proof
APP/AT/2.6	Prof Taylor's Rebuttal Appendices
APP/CR/3.1	Mr Rooney's Proof
APP/CR/3.2	Mr Rooney's Appendices
APP/CR/3.3	Mr Rooney's Summary Proof
APP/CR/3.4	Mr Rooney's Rebuttal Proof
APP/CR/3.5	Mr Rooney's Rebuttal Appendices
APP/PB/4.1	Mr Burley's Proof
APP/PB/4.2	Mr Burley's Appendices
APP/PB/4.3	Mr Burley's Summary Proof
CA1 – CA3	Appellant's Common Appendices

THIRD PARTY DOCUMENTS

TP1	Cllr Daley's written statement
TP2A-2F	Mr Dannreuther's (SURG) written statement, presentation

	and other documents
TP3A-3C	Mr Main-Ian's written statement, summary and questions
TP4	Cllr McNaught-Davis' written statement
TP5	Cllr Heaster's written statement
TP6	Mr Penny's written statement
TP7	Mr Hulett's written statement
TP8A-8D	Mr Gidda's and Ms Smiths summary statement, letter to Inspector, written statement and Save Wandsworth MOL online petition (as of 8/11/11) with 1,106 signatures (some with comments)
TP9	Mr Tracey's written statement
TP10A-10B	Mr Dahl's email note and written statement
TP11	Mr Nicholas' written statement
TP12	Cllr McDermott's written statement
TP13	Mr Wallis' (Neighbours of Springfield) written statement
TP14A & 14B	Wandsworth Society's written statement and queries
TP15	Rt Hon Sadiq Khan MP - written statement and representation made to the planning committee
TP16A & 16B	Messrs Newby and Gardiner-Hill's written statement and powerpoint presentation
TP17	Mr Jones' written statement on behalf of Parpost Ltd.
TP18	Mr Tubman's letter read out at the Inquiry by Mr Desai
TP19	Mr Pollak's written statement
TP20	Mrs Quince's written statement
TP21	Mr Morris' written statement
TP22A & 22B	Ms Page's written statement and images

Richborough Estates

ANNEX F**INQUIRY PROGRAMME****Springfield University Hospital - Inquiry Programme 1****Day 1****Tuesday****8 November 2011**

Inspector	Opening	10:00 – 10:45
Mr Paul Brown QC	Opening for St George's	10:45 – 11:00
Mr Scott Lyness of counsel	Opening for LBW	11:00 – 11:15
	Mid morning break	11:15 – 11:30

LBW Case

Mr Barry Sellers (setting and MOL)	Evidence in chief	11:30 – 12:30
	Lunch	12:30 – 13:15
	Cross examination	13:15 – 16:30 (includes mid-afternoon break)
	Re-examination	16:30 – 17:00

Day 2**Wednesday****9 November**

Mr Barry Sellers (setting and MOL)	Cross examination (cont)	09:30 – 10:15
	Re-examination	10:15 – 10:30
Mr David Tidley (transport)	Evidence in chief	10:30 – 12:15 (includes break)
	Cross Examination	12:15 – 13:00
	Lunch	13:00 – 13:45
	Cross Examination (cont)	13:45 – 15:30
Third parties	Cllr Daley Mr Simon Dannreuther (SURG) Mr William Main-Ian (Sutton 1 in 4 Network) Cllr Charles McNaught Davis Cllr Heaster Mr M Penny	18:30 – 20:30

Ms Sarah Kent
 Mr Cameron Hulett
 Mr Sanj Gidda
 (residents)

Day 3
Thursday
10 November

Laurie Dahl
 Mr Richard Tracey (GLA) 09:30 – 10:30

Mr David Tidley (transport) Cross Examination (cont) 10:30 – 12:30

Re-examination 12:30 – 13:00

Lunch 13:00 – 13:45

Ms Seema Manchanda Evidence in chief 13:45 – 14:45
 (planning)

Cross Examination & Re-examination 14:45 – 17:15

Day 4
Friday
11 November

Mr Giles Nicholas 09:30
 Ms Kim Goddard The Trust 09:45 – 10:15

Cllr McDermott 10:15 – 12:30
 Mr Wallis (Neighbours of
 Springfield
 Mr John Dawson
 (Wandsworth Society)
 Mr Khan MP

Lunch 12:30 – 13:00

Conditions and S106 13:00 – 15:30
 (initial session)

Day 5
Tuesday
15 November

Appellant's Case

Prof Andrew Taylor Evidence in chief 10:00 – 11:00

(design)

	Cross Examination	11.00 – 13.15 (includes break)
	Lunch	13.15 – 14.00
Mr Pollak		14.00 – 14.15
Prof Andrew Taylor (design)	Re-examination	14.15 – 14.45
Mr Christopher Rooney (transport)	Evidence in chief	14.45 – 16.45 (includes break)
Mr Ross Newby (Battersea Ironsides Sports Club)		16:45 – 17:15

**Day 6
Wednesday
16 November**

Mr Neil Jones (Rapleys)		09.30 – 10.00
Mr Christopher Rooney (transport)	Cross examination	10.00 – 12.30 (includes break)
Mr Christopher Rooney (transport)	Re-Examination	12.30 – 13.00
	Lunch	13.00 – 13.45
Mr Paul Burley	Evidence in Chief	13.45 – 15.30
Mr Paul Burley	Cross Examination	15.30 – 17.30 (includes break)

**Day 7
Thursday
17 November**

Miscellaneous 10.00 – 10.15

Third Parties Mr Jonathan Morris 10.15 – 11.00
Ms Veronica Page

Break 11.00 – 11.15

Conditions and S106
(final session) 11.15 – 13.00

Lunch and Site visit 13.00 – 14.30

**Day 8
Friday
18 November**

Mr Lyness Closing Submissions 09:30 – 12:30

Mr Brown Closing Submissions 13:15 – 16:15

Inquiry close

18 November 2011

ANNEX G

GLOSSARY OF ABBREVIATIONS

CD	Core Documents
DMPD	Development Management Policy Document
DPH	Dwellings per hectare
EIA	Environmental Impact Assessment
ES	Environmental Statement
ID	Inquiry Documents
LBW	London Borough of Wandsworth
MOL	Metropolitan Open Land
NPPF	National Planning Policy Framework
PTAL	Public Transport Accessibility Level
SCOOT	Split Cycle Offset Optimisation
SHLAA	Strategic Housing Land Availability Assessment
SHMA	Strategic Housing Market Assessment
SoCG	Statement of Common Ground
SSAD	Site Specific Allocations Document
TfL	Transport for London
TPO	Tree Preservation Order
UTC	Urban Traffic Control
VISSIM	Multi Modal Traffic Flow Modelling

Richborough Estates

RIGHT TO CHALLENGE THE DECISION IN THE HIGH COURT

These notes are provided for guidance only and apply only to challenges under the legislation specified. If you require further advice on making any High Court challenge, or making an application for Judicial review, you should consult a solicitor or other advisor or contact the Crown Office at the Royal Courts of Justice, Queens Bench Division, Strand, London, WC2 2LL (0207 947 6000).

The attached decision is final unless it is successfully challenged in the Courts. The Secretary of State cannot amend or interpret the decision. It may be redetermined by the Secretary of State only if the decision is quashed by the Courts. However, if it is redetermined, it does not necessarily follow that the original decision will be reversed.

SECTION 1: PLANNING APPEALS AND CALLED-IN PLANNING APPLICATIONS;

The decision may be challenged by making an application to the High Court under Section 288 of the Town and Country Planning Act 1990 (the TCP Act).

Challenges under Section 288 of the TCP Act

Decisions on called-in applications under section 77 of the TCP Act (planning), appeals under section 78 (planning) may be challenged under this section. Any person aggrieved by the decision may question the validity of the decision on the grounds that it is not within the powers of the Act or that any of the relevant requirements have not been complied with in relation to the decision. An application under this section must be made within six weeks from the date of the decision.

SECTION 2: AWARDS OF COSTS

There is no statutory provision for challenging the decision on an application for an award of costs. The procedure is to make an application for Judicial Review.

SECTION 3: INSPECTION OF DOCUMENTS

Where an inquiry or hearing has been held any person who is entitled to be notified of the decision has a statutory right to view the documents, photographs and plans listed in the appendix to the report of the Inspector's report of the inquiry or hearing within 6 weeks of the date of the decision. If you are such a person and you wish to view the documents you should get in touch with the office at the address from which the decision was issued, as shown on the letterhead on the decision letter, quoting the reference number and stating the day and time you wish to visit. At least 3 days notice should be given, if possible.