Strategic planning application stage 1 referral (new powers)


The proposal

Outline application for erection of a 3 storey building to accommodate a secure mental health unit (use class C2A) and associated works including: landscaping; car parking; cycle parking; and access.

The applicant

The applicants are East London NHS Foundation Trust and City & Hackney Primary Care Trust, and the architect is Sonnemann Toon Architects Limited.

Strategic issues

The principle of the redevelopment of part of the hospital site for continued healthcare uses is acceptable. The proposed design of the scheme is generally acceptable but further consideration of CGI images is required.

A number of transport, energy and access and inclusion matters require resolution through the use of planning conditions or through the section 106 agreement.

Recommendation

That Hackney Council be advised that while the application is generally acceptable in strategic planning terms the application does not comply with the London Plan, for the reasons set out in paragraph 49 of this report; but that the possible remedies set out in paragraph 50 of this report could address these deficiencies.

Context

On 31 December 2009 the Mayor of London received documents from Hackney Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. Under the provisions of The Town & Country Planning (Mayor of London) Order 2008 the Mayor has until 10 February 2010 to provide the Council with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. However, Hackney Council has scheduled the application to be taken to its planning committee on 3 February 2010, before the six-week statutory consultation period has
ended. The Mayor may also provide other comments. This report sets out information for the Mayor’s use in deciding what decision to make.

2 The application is referable under paragraph 2 of the Schedule to the Order 2008: “If the local planning authority receive an application for planning permission for development, which they consider forms part of more substantial proposed development, on the same land or adjoining land, they must for the purposes of this Schedule treat that application as an application for planning permission for the more substantial development”.

3 Once Hackney Council has resolved to determine the application, it is required to refer it back to the Mayor for his decision as to whether to direct refusal; take it over for his own determination; or allow the Council to determine it itself.

4 The Mayor of London’s statement on this case will be made available on the GLA website www.london.gov.uk.

Site description

5 The 1.61-hectare site is located on the western side of Kingsland Road and is bounded to the north by Nuttall Street, Hoxton Street to the west and Stanway Street to the south. Vehicular access is via Nuttall Street, with an alternative pedestrian link to Hoxton Street to the west.

Figure 1: location of St Leonard’s Hospital (source: Design and Access Statement)

6 Existing development on site comprises a variety of healthcare and supporting administrative facilities totalling approximately 14,655 sq.m. of floorspace. The site is formed of three main buildings: St Leonard’s Hospital, which is formed of five blocks (Blocks ‘A’, ‘B’, ‘C’, ‘D’ & ‘E’); the Louis Freedman Centre and the Ivy Centre. The remainder of the site comprises a small security point, car parking, access roads and associated landscaped areas.
The application site is located within both the Kingsland and the Hoxton Street conservation areas. Blocks ‘A’ and ‘B’ of the St Leonard’s Hospital buildings are Grade II listed buildings while adjacent to the north east corner of the site lies the Grade I listed Christ Apolistic Church (formally Church of St Columba). Also the buildings bordering to the south east of the site are locally listed. The surrounding land uses are mixed and comprise a care home, and residential and commercial uses. Hoxton Street market is located to the west of the site.

The site is immediately to the west of A10 Kingsland Road, which is part of the Transport for London road network. Four bus routes directly serve the site with stops in Kingsland Road; 67, 149, 242 and 243, with route 394 also serving Whiston Street. The site is currently estimated to have a public transport accessibility level of 3 where 1 represents the lowest accessibility level and 6 the highest. With the opening of Hoxton East London Line station in 2010 this is expected to increase to 5.

Details of the proposal

The planning application seeks outline planning permission to provide a new mental health unit (MHU) at the east of the site. The MHU will consist of a 3-storey building and will provide the following facilities:

- 5 adult care wards
- 1 older persons care ward
- Two internal courtyards for the use of patients
- Therapy rooms
- Administrative and facilities management areas

The proposal is supported by a wider masterplan for the site which included the provision of a MHU of approximately 9,000 sq.m. on the eastern part of the site. Indicative details and a design code for the MHU were also established within the design and access statement submitted in support of the adjacent polyclinic application (see case history) to ensure that the design responds to the heritage considerations at the site and comes forward at the application stage. This current application is in accordance with the masterplan.

Figure 2: The proposed masterplan (source: Design and Access Statement)
Case history

11 A pre-application meeting was held in July 2009 to discuss the proposed redevelopment of the site for both a polyclinic and a mental health unit. The principle of development was accepted but further information was requested in relation to the urban design, access and inclusion, climate change and transport issues. In addition, it was requested that the application for the MHU should be for full planning permission rather than outline to allow full consideration of the heritage issues.

12 A planning application for the development of the Polyclinic on the western part of the site was subsequently submitted to Hackney Council in September 2009 (ref no 2009/2184) and the Mayor provided comments on this application in November 2009 (PDU 2477/01).

Strategic planning issues and relevant policies and guidance

- Health & community facilities: London Plan
- Urban design: London Plan; PPS1
- Heritage: London Plan; PPS15
- Access and inclusive design: London Plan; PPS1; Accessible London: achieving an inclusive environment SPG; Planning and Access for Disabled People: a good practice guide (ODPM)
- Climate change: London Plan; PPS1, PPS3; PPG13; PPS22; the Mayor’s Energy Strategy; Sustainable Design and Construction SPG
- Transport: London Plan; the Mayor’s Transport Strategy; PPG1

13 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area is the Hackney Unitary Development Plan (1995) and the London Plan (Consolidated with Alterations since 2004).

14 The Hackney Core Strategy (submission stage) is a relevant material consideration that can be afforded substantial weight, as it is due for examination in public in early 2010. The draft replacement London Plan is also a material consideration in the determination of planning applications.

Healthcare, community facility and the principle of the development

15 London Plan policies 3A.20 ‘Health objectives’, 3A.21 ‘Locations for health care’ and 3A.22 ‘Medical excellence’, support the provision of healthcare facilities across London as identified by the Strategic Health Authority and primary care trusts. Policy 3A.18 ‘Protection and enhancement of social infrastructure and community facilities’ and 3A.20 ‘Health Objectives’ of the London Plan seek to identify and address the needs of London’s diverse population, providing social infrastructure and community facilities wherever possible and encouraging the improvement of health of the local population and the reduction of health inequalities.

16 The draft replacement London Plan (October 2009) also includes policies to support the provision of high quality healthcare facilities in areas of identified need, particularly in places with accessibility by public transport, cycling and walking (Policy 3.18 Healthcare facilities).

17 The applicants have provided information within the previous application setting out the need for both the polyclinic and the MHU. The applicants identify mental health problems as a serious issue which on average affect one in six people in the UK, with a higher rate of one in four people suffering from some type of mental health problem during their lifetime in Hackney. The proposed new MHU is designed to cope with this localised higher demand, to provide high quality
inpatient and support services to the local community. The applicants anticipate that there will be circa 1,000 admittances annually to the inpatient beds.

18 The provision of the MHU at the site will provide a central and more accessible facility that contributes significantly to the future proofing of mental health service provision in Hackney. The new unit will offer modern wards for acute mental healthcare, psychiatric intensive care and a ward for older people with mental health problems alongside support and therapy spaces. The main focus of the design is to provide individual ensuite bedrooms as well as direct access to outdoor space for every patient to enhance the quality of care.

19 As such, the principle of re-providing and enhancing the healthcare facilities on a site that is already in healthcare use is compliant with both existing and emerging strategic planning policy.

**Urban design**

20 Good design is central to all objectives of the London Plan and is specifically promoted by the policies contained within Chapter 4B which address both general design principles and specific design issues. London Plan Policy 4B.1 (‘Design principles for a compact city’) sets out a series of overarching design principles for development in London. In addition to Chapter 4B, London Plan policies relating to density (3A.3 ‘Maximising the potential of sites’) and sustainable design and construction (4A.3 ‘Sustainable design and construction’) are also relevant. Design policies in the London Plan include specific design requirements relating to maximising the potential of sites, tall and large-scale buildings, built heritage, views, and open space.

21 This is an outline planning application for the development of a new mental health unit. The building forms part of a wider redevelopment of the St. Leonard’s Hospital site. The wider plans for the site also include a new Polyclinic building on the southern edge of the site.

*Figure 3: The proposed MHU and Polyclinic (Source: DAS)*
Heritage and conservation

22 The application site is in a historically sensitive area, located within both the Kingsland and the Hoxton Street conservation areas. There are a number of statutorily and locally listed buildings within, and immediately adjacent to, the hospital site, including: the grade I listed Christ Apolistic Church (formally Church of St Columba); the grade II* listed Church of St Columba Vicarage and the grade II listed St Leonard’s Hospital Blocks A and B; as well as a number of locally listed buildings along Hoxton Street. The Christ Apolistic Church, its vicarage and St Leonard’s Hospital run along the eastern side of the site along Kingsland Road. The listed buildings fall outside the area of this application.

23 In considering the impacts of this development it is important to assess if this proposal would preserve or enhance the setting of the Conservation Area and listed buildings, as set out in PPG 15 and London Plan policies 4B.11 – 4B.13 relating to heritage issues. New buildings that stand alongside historic buildings need very careful consideration and the applicants have provided a detailed historical assessment with the submitted application. The proposed mental health unit is between two and three-storeys and is located along the eastern edge of the site, alongside grade I and II listed buildings. The proposed height is comparable with existing buildings in the surrounding conservation areas and the recently permitted Polyclinic building, which is between three and four-storeys.

24 As part of the hospital redevelopment the applicant is proposing the demolition of buildings C, D and E, which are not listed but are within the Conservation Area. The proposed redevelopment of these buildings to provide a high quality, contemporary design that offers a fit for purpose building should justify their demolition. The demolition of blocks D and E were proposed as part of the previous polyclinic application and this application proposes the demolition of demolition of building ‘C’.

25 The proposed mental health unit would have a limited visual impact on views from Kingsland Road and Hoxton Street and in views from these streets would only be partially visible. To the south of the hospital site is a large 1970’s housing estate with an eleven-storey residential tower that sits immediately south of the hospital boundary. Given the context of the surrounding area, the proposed building would continue to preserve the character of Kingsland Road and Hoxton Street. The key impact on the Conservation Area and the setting of listed buildings is evident along Nuttall Street as shown in Figure 4 below.

Figure 4: the view of the proposed MHU along Nuttal Street (Source: DAS)
The proposed polyclinic building sits alongside the Grade I listed Christ Apolistic Church building. The area around the Church has increased since its construction, as the Church would have originally sat within a tighter urban block. Heavy bomb damage and redevelopment within the hospital site has resulted in the hospital car park being sited around the base of church. In spite of the visual impacts of a car park, the car-park does open up views to the Church along Nuttall Street, therefore allowing the church to sit as focal point in these views. The design of the polyclinic building has undergone a series of design iterations to recognise the role the Church and its contribution to the character of Nuttall Street.

- The proposed polyclinic has been limited to three-storeys in height to retain views to the top of Church.
- The building has been pulled away from the base of the Church to provide breathing space of up to 13-metres between the polyclinic and the Church and this area is heavily landscaped.
- The building line of the polyclinic building is pulled back from Nuttall Street and angled so as to maintain the visual prominence of the Church building in these views.

These mitigation measures help to reduce any detrimental impacts from the proposed building and serve to respect the setting of the Church.

The proposed mental health unit would introduce a building of higher quality design than the existing buildings on-site. The location of the building and the proposed streetscape improvements would help create a more legible and active route along Nuttall Street.

Inevitably the success of the building will be dependant on its detailed design. In this regard, there is a concern with the current choice of materials and finishing. It is strongly recommended that the Council secure a design code with any planning permission to ensure that the final design achieves the highest standards feasible. Design principles been submitted as part of this application and Hackney Council officers have noted that they are comfortable with the indicative massing, orientation and relationships and quality of proposed architecture. They have also noted that the proposal for the Polyclinic gives good indication of the likely finished quality of the mental health unit.

**Central space**

The proposed arrangement of the two hospital buildings would result in a new central open space. The applicant has justified the proposed location and scale of this central space, demonstrating that the site is arranged to ensure that the buildings respect their wider setting within a conservation area, that they are sufficiently sized to provide the required health services, and ensure ease of movement between the Lawson Clinic and the polyclinic. This justification is acceptable.

The applicants have also now provided additional information demonstrating that the design of the central space would be provided as a more useable space for both members of the public and hospital visitors. The space includes a reduced level of car parking, has level access, sufficient way finding infrastructure and landscaping proposals, which are acceptable. In addition, the location of the entrance to the polyclinic is easily recognisable and visible from Nuttall Street.
In summary, officers are generally satisfied that the design of the proposed mental health unit will be of high quality, subject to the review of further CGI images which are due to be submitted to demonstrate that the impact of the proposed development on the listed adjacent building will not harm its setting.

**Access and inclusion**

London Plan policy 4B.5 ‘Creating an inclusive environment’ sets out that development should meet the highest standards of accessibility and inclusion (not just the minimum). The draft replacement London Plan policy 7.2 ‘An inclusive environment’ also requires the highest standards of accessible and inclusive design in all new development. This together with the Mayor’s Supplementary Planning Guidance ‘Accessible London: achieving an inclusive environment,’ underpins the principles of inclusive design and the aim to achieve an accessible and inclusive environment consistently across London.

At the pre-application stage it was noted that a detailed access statement should be submitted with the planning application to explain the design rationale behind the application and to demonstrate how the principles of inclusive design, including the specific needs of disabled people have been integrated into the proposed development and how inclusion will be maintained and managed. Although reference has been made to a number of the relevant standards relating to accessibility within the Access statement, it has not been clearly demonstrated how these various standards will actually be achieved.

An access consultant has been appointed but given the outline nature of the application, the ongoing use of specialist access consultant should be secured through the use of a planning condition to ensure that local access needs and the expertise of disabled users are incorporated as the design progresses.

**Climate change**

It was noted as part of the masterplan the energy proposals should be finalised in greater detail and the applicant should commit to implementing a site-wide approach which includes the use of CHP. In addition, it was previously recommended that a set of planning conditions are
applied to any planning permission to ensure full delivery of the proposed energy strategy in line with strategic planning policy (and draft replacement London Plan policies 5.2 ‘Minimising carbon dioxide emissions’, 5.5 ‘Decentralised energy networks’, 5.6 ‘Decentralised energy in development proposals’ and 5.7 ‘Renewable energy’).

The main changes from the initial energy strategy are the inclusion of 100 metre-depth boreholes for ground source heat pumps to supply heating and cooling for the polyclinic and the proposed use of 300 sq.m. of photovoltaic panels on the roofs to provide the renewables element. The mental health unit building is due to be built approximately five years after completion of the polyclinic and it is proposed that this would interconnect with the polyclinic heating and cooling systems. It is also proposed that MHU would incorporate a gas-fired CHP sized for the base heat demand. The size is estimated to 50 kW electrical output capacity.

These matters should appropriately conditioned by Hackney Council and the applicants should commit to a long-term, site-wide strategy for the site, to ensure compliance with London Plan policies 4A.5, 4A.6 and 4A.7.

Transport

This site was subject to a full planning application for the erection of a polyclinic in November 2009 (PDU ref. 2477, LPA ref. 2009/2184) which is currently pending decision. Although the comments provided by Transport for London (TfL) below relate to the current outline application for the construction of a mental health unit considered on its own, they should therefore be considered subject to the decision of the above related application. TfL also notes that the same transport assessment and draft travel plan (both dated 23rd September 2009) were submitted in support of both applications.

TfL welcomes the site wide reduction in car parking from 143 to 47 spaces encouraging sustainable travel. In order to comply with draft revised London Plan policy 6.13 ‘parking’, 20% of the proposed parking spaces should provide an electrical charging point in order to encourage the uptake of electrical vehicles with a further 20% passive provision.

92 cycle spaces will be provided at the development. Although this is in accordance with the London Plan Standards policy 3C.22, ‘Improving Conditions for Cycling’ and draft replacement London plan policy 6.9, ‘Cycling’, the transport assessment predicts a high proportion of cycle trips. Therefore, demand for spaces may exceed capacity and in order to ensure that there is sufficient on site provision, in accordance with the above policies, levels should be reassessed and increased where necessary. TfL also encourages the use of CCTV as an additional security measure where cycle parking will be located under building overhangs.

With the opening of the East London Line at Hoxton Station, there is likely to be a modal shift from the bus network onto Overground Rail, as a consequence TfL expects there to be capacity on the bus network in the vicinity of the site to accommodate this additional demand likely to be generated by development. However, in order to improve accessibility to the bus network and to comply with London Plan policy 3C.20 ‘Improving conditions for buses’ and draft revised London Plan policy 6.7 ‘buses, bus transits, trams’ TfL requests that a contribution of £10,000 be secured to bring the nearest bus stop on Whiston Road up to TfL’s standard as required in Accessible Bus Stop Guidance.

TfL welcomes the provision of new pedestrian routes through the site as they will encourage walking in accordance with London plan policy 3C.21 ‘improving conditions for walking’. The pedestrian assessment should be undertaken to provide detail on the footways surrounding all of the pedestrian and cycle access points to the site in order to identify and
mitigate any deficiencies. TfL also requires confirmation that all crossings within the vicinity of the site are fully accessible and for any necessary upgrades to be secured as part of the section 106 process. TfL welcomes the applicant’s commitment to widen the footway on Nuttall Street; where possible, nearby footways should have a minimum width of two metres. A way finding strategy for the surrounding area should also be developed in accordance with TfL, using the principles of the Legible London’ initiative.

44 TfL welcomes the submission of a draft travel plan and expects for it to be secured, enforced, and monitored by the section 106 agreement. TfL expects the development to be accompanied by a delivery and servicing plan in accordance the London Freight plan and policy 3C.25 ‘freight strategy’ and revised draft London Plan policy 6.14 ‘freight’. TfL welcomes the recent submission of a construction logistics plan in order to mitigate the impact of the construction period on the Transport for London road network and will provide further comments on this to the developer in due course.

45 Subject to the applicant addressing the above matters through the submission of a delivery and servicing plan, a pedestrian audit, commitment to install electric car charging points and contribution towards improving accessibility to the bus network, TfL considers that the development would be in accordance with the transport policies of the London Plan as discussed above.

Local planning authority’s position

46 Hackney Council generally supports the proposals for the redevelopment of the site.

Legal considerations

47 Under the arrangements set out in Article 4 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor is required to provide the local planning authority with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. Unless notified otherwise by the Mayor, the Council must consult the Mayor again under Article 5 of the Order if it subsequently resolves to make a draft decision on the application, in order that the Mayor may decide whether to allow the draft decision to proceed unchanged, or direct the Council under Article 6 of the Order to refuse the application, or issue a direction under Article 7 of the Order that he is to act as the local planning authority for the purpose of determining the application and any connected application. There is no obligation at this present stage for the Mayor to indicate his intentions regarding a possible direction, and no such decision should be inferred from the Mayor’s statement and comments.

Financial considerations

48 There are no financial considerations at this stage.

Conclusion

49 London Plan policies relating to health and community facilities, urban design, access and inclusion, climate change mitigation and adaptation and transport are relevant to this application. Whilst the application is broadly acceptable in strategic planning terms, there are some areas where the application does not yet fully comply with the London Plan:

- **Health and community facilities:** the proposal complies with London Plan policies 3A.18 (and draft replacement London Plan policy 3.18) relating to the provision of health facilities.
• **Urban design:** the proposal broadly complies with London Plan policy 4B.1 and 4B.10-12 relating to design and heritage (draft replacement London Plan policy 7.1) although the review of further CGI images is necessary.

• **Access and inclusion:** the proposals broadly comply with London Plan policy 4B.5 (and draft replacement London Plan policy 7.2) relating to inclusive design.

• **Climate change mitigation and adaptation:** the energy strategy is broadly acceptable, but should be further developed to ensure compliance with London Plan policies 4A.5 and 4A.7 relating to climate change mitigation (and draft replacement London Plan policies 5.6 and 5.7).


The following changes might, however, remedy the above-mentioned deficiencies, and could possibly lead to the application becoming compliant with the London Plan:

• **Access and inclusion:** the ongoing use of a specialist access consultant for the detailed design stage should be secured by a planning condition.

• **Climate change mitigation and adaptation:** the energy strategy will need to be secured through the section 106 agreement and/or appropriate planning conditions.

• **Transport:** a number of planning conditions and section 106 contributions are required.

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