

9 September 2015

**The Archbishop Lanfranc Secondary School, Mitcham Road**

in the London Borough of Croydon

planning application no.15/03331/P

**Strategic planning application stage 1 referral**

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008.

**The proposal**

Part demolition of existing buildings and construction of Part-3/Part-4 storey secondary school buildings.

**The applicant**

The applicant is **Galliford Try** on behalf of **The Archbishop Lanfranc School**, and the architect is **Scott Brownrigg**.

**Strategic issues**

**Principle of land use, school provision on Metropolitan Open Land, community use, urban design, inclusive access, sustainable development/energy, flooding, hazardous/contaminated land and transport** are the key strategic issues relevant to this application.

**Recommendation**

That Croydon Council be advised that the application does not comply with the London Plan, for the reasons set out in paragraph 90 of this report; but that the possible remedies set out in that paragraph of the report could address these deficiencies. The application does not need to be referred back to the Mayor if the Council resolves to refuse permission, but it must be referred back if the Council resolves to grant permission.

**Context**

1 On 5 August 2015 the Mayor of London received documents from Croydon 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 15 September 2015 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. 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 the following categories of the Schedule to the Order 2008:

- Category 3D: "Development – (a) on land allocated as Green Belt or Metropolitan Open Land in the development plan, in proposals for such a plan, or in proposals for the alteration or replacement of such a plan; and (b) which would involve the construction of a

*building with a floor space of more than 1000 square metres or a material change in the use of such building.”*

- Category 3E: *“Development – (a) which does not accord with one or more provisions of the development plan in force in the area in which the application site is situated; and (b) comprises or includes the provision of more than 2,500 square metres of floorspace for a use falling within any of the following classes in the Use Classes Order – (xi) Class D1 (non-residential institutions).”*

3 Once Croydon 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 or allow the Council to determine it itself, unless otherwise advised. In this instance if the Council resolves to refuse permission it need not refer the application back to the Mayor.

4 The Mayor of London’s statement on this case will be made available on the GLA website [www.london.gov.uk](http://www.london.gov.uk).

### **Site description**

5 The application site, which has an area of 5.2 hectare falls within the London Borough of Croydon at Mitcham Road, located approximately 2.5km northwest of Croydon Town Centre and is occupied by the Archbishop Lanfranc School, providing education for children eleven to sixteen years old. A portion of the site (the south eastern, eastern and most of the northern part of the site) is designated as Metropolitan Open Land (MOL). The existing school buildings, which are predominantly two storeys in height, are located to the west and south-western corner of the site, but not within the MOL designation. Located to the north-west of the school buildings is a full Multi-Use Games Area (MUGA). The remainder of the site is in use as playing fields.



*Existing and proposed layout of the school footprint, respectively: Source-applicant’s submitted drawings.*

6 The surrounding area is characterised by a mix of residential and business uses. Croydon Cemetery is immediately to the east and north-east of the school, which is designated as a Site of Nature Conservation Importance and is a continuation of the MOL that extends further west of the school and is connected to Mitcham Common. The whole of the application site is designated an Archaeological Priority Zone. It is also noted that the school is constructed on a former (in the fifties) gravel pit/landfill site for domestic waste and builder’s rubble and therefore, issues of land contamination and implementation of remedial measures are to be addressed as part of the redevelopment proposals (see hazardous – contaminated land section below).

7 The nearest section of the Transport for London Road Network (TLRN) is the A23 Thornton Road located approximately 700m to the east of the site, whilst the nearest section of the Strategic Road Network (SRN) is the A236 Mitcham Road, approximately 100m to the south of the site. The

vehicle access point to the site is located on Mitcham Road. The site is situated approximately 750m from Therapia Lane Tram station which is served by the Tramlink services. The 264 bus route operates on Mitcham Road less than 200m south of the existing site. Whilst six other bus routes can be accessed within 800m walking distance of the school's pedestrian accesses, it should be noted that these are not considered to be in acceptable walking distance according to TfL's bus planning guidelines. This generates a public transport accessibility level (PTAL) of 2 (on a scale of 1 to 6b, where 6b is the most accessible).

## Details of the proposal

8 The planning application seeks full planning permission for part demolition of existing buildings and construction of a new and expanded secondary school providing 13,651sqm (GEA) of educational floor space (use class D1) comprising nursery, primary and secondary school facilities. Provision of Multi-Use Games Area (MUGA) and outdoor play facilities, together with associated access works, car parking and landscape arrangements. The existing Artificial Grass Pitch and Multi-Use Games Area (MUGA) surface will be retained with the grass sports pitches optimised and re-turfed.

## Case history

9 A pre-planning application on 5 June 2014, and subsequently a follow up meeting on 10 June 2015 were held between the applicant/agent, the Education Funding Agency (EFA), and GLA/TfL planning officers. As a result, substantial advice reports were issued in regard to strategic planning matters.

## Strategic planning issues and relevant policies and guidance

10 The relevant issues and corresponding policies are as follows:

- Principle of development/MOL *London Plan;*
- Education *London Plan; Mayor's Social Infrastructure SPG;*
- Community use *London Plan;*
- Urban design *London Plan;*
- Access *London Plan; Accessible London: achieving an inclusive environment SPG replacement;*
- Sustainable development *London Plan; Sustainable Design and Construction SPG; Mayor's Climate Change Adaptation Strategy; Mayor's Climate Change Mitigation and Energy Strategy; Mayor's Water Strategy;*
- Flooding *London Plan;*
- Hazardous/contaminated land *London Plan;*
- Transport *London Plan; the Mayor's Transport Strategy;*

11 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plans in force for the area are the 2013 Croydon Local Plan Strategic Policies DPD and Croydon Replacement Unitary Development Plan (UDP) 2006 (as saved in 2009) and the London Plan (Consolidated with Alterations since 2011).

12 The National Planning Policy Framework and Technical Guide to the National Planning Policy Framework, the Mayor's Social Infrastructure SPG (2015) and the Minor Alteration to the London Plan (MALP,2015), are also relevant material considerations.

## Principle of land use: Provision of school on Metropolitan Open Land

13 The Archbishop Lanfranc School converted to academy status sponsored by The Coloma Trust in September 2014 and was renamed The Archbishop Lanfranc Academy. However the school continues to coordinate with Croydon Council for admissions.

14 The redevelopment of this school forms part of the EFA's Priority School Building Programme as it has been identified as being one of the 261 schools in England in most urgent need of repair and where that condition necessitates a complete rebuild.

15 The proposal involves redevelopment of the existing school site by: part demolition of the existing school buildings which were built between the mid-1950s and late 1970s and constructing new and expanded secondary school buildings on adjacent land which is currently designated Metropolitan Open Land (MOL); to demolish the existing school buildings once the new buildings have been completed; and to revert this land to playing fields for use by the school or community. The planning statement stated that temporary decanting of the school to allow the new buildings to be built on the site of the existing buildings is not considered to be feasible in this case.

16 The redevelopment results in an increase in school places for 11-16 year olds at the school, from 1,050 (7 form entry) to 1,350 (9 form entry), and provision of a new 6th form providing 270 places for 16-19 year olds, resulting in a total of 1,620 school places at the site (compared to 1,050 existing spaces), a net increase of approximately 600 pupils.

17 The application site is part of a larger area identified as MOL. The London Plan (policy 7.17) gives the MOL the same level of protection as in the Green Belt, and the National Planning Policy Framework (paragraph 89) sets out that only development associated with agriculture, forestry, outdoor sport and recreation, limited infilling and redevelopment of existing sites is appropriate in the Green Belt. All other forms of development are, by definition, 'inappropriate'. In order for the 'inappropriate' development to be acceptable in the MOL, very special circumstances must apply.

18 In relation to the provision of educational facilities, policy 3.18 'Education facilities' of the London Plan states that "Development proposals which enhance education and skills provision will be supported, including new build, expansion of existing facilities or change of use to educational purposes".

19 The NPPF in Para 87 sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in 'very special circumstances'. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

20 The Mayor's Social Infrastructure SPG provides guidance on planning for social infrastructure provision at strategic level starting with the GLA's own demographic projections and the ways in which these can be used to understand need for health, education and sports facilities. It sets out that "the Mayor is keen to support the development of free schools in London, not only through increasing provision of places in areas where there is unmet demand but also in driving up the quality of provision."

21 **Very special circumstances:** At this stage the applicant has identified the very special circumstances that may justify the proposed school development on MOL, though the applicant considers educational need is key to the justifications for this development. All the special circumstances set out by the applicant are summarised below.

22 Condition of the existing school and the need for redevelopment:

- Archbishop Lanfranc Academy was selected by the DfE for inclusion in the Priority School Building Programme (PSBP), because it was assessed by the EFA as being one of the 261 schools in England in most urgent need of repair and where that condition necessitates a complete rebuild.
- The existing school is formed of a number of blocks that have been built between the mid-1950s and late 1970s. In addition to the main school building, there are a number of smaller single storey buildings. Most areas have single glazed windows and poor insulation

resulting in excessive heat in summer and cold in winter. Furthermore, a number of buildings are contaminated with asbestos.

- The school was built on a landfill site, and it is understood that the landfill was not properly lined or treated prior to the construction of the school. As a result, the site has been impacted by various pollution concerns and differential settlement. There are large and obvious cracks running through various sections of the school foundations and clear signs of subsidence and heave are present throughout the site. The total condition backlog for the school is £6.9m.
- In terms of suitability, the layout of the school is extremely poor. For example, pupil movements are severely restricted, leading to log jams during timetable changes. Additionally, a number of teaching areas also serve as circulation spaces. The majority of teaching spaces are below current DfE size standards.

23 Therefore, the existing condition of the school and the need for redevelopment to address the existing functional and physical problems within the existing school constitutes a very special circumstance.

24 The need for additional secondary places: The EFA's Pupil Place Planning (PPP) team undertook an assessment of secondary school basic need in Croydon. This supported the Council's proposal that Archbishop Lanfranc Academy should be expanded. The Academy is located in the Croydon and Norwood planning area, which is showing high to severe need for places between 2014 and 2020.

25 Therefore, the need for additional secondary places constitutes a very special circumstance.

26 Educational imperatives: An Ofsted inspection report dated September 2013 judged the school to be inadequate and placed it in '*special measures*'. Under section 4 of the Academies Act 2010, this meant that the school was 'eligible for intervention' and directed to the Secretary of State to become a sponsored academy. Following a long search by the DfE, The Coloma Trust was confirmed as the sponsor and the academy conversion took place on 1st September 2014. Significantly, a number of larger academy chains declined to sponsor the school due to the extremely poor condition of its buildings. The Coloma Trust, has been providing education in England for over 140 years. Coloma Convent Girls' School has been judged 'Outstanding' in all four Ofsted inspections, the most recent in September 2009. The Coloma Trust's academy sponsorship is predicated on the assumption that the school will have a new school building. Reflecting this, they have the right to terminate their Funding Agreement with the Secretary of State for Education by giving three months' notice if the PSBP scheme does not proceed. If so, this would have an extremely negative impact on the efforts to bring the school out of its '*special measures*' status. Therefore, the proposed redevelopment should be allowed to proceed.

27 As a result, the educational imperatives constitute a very special circumstance.

28 The absence of any other economically viable alternatives: A number of redevelopment options were considered:

- Option 1: Remodel existing buildings with new build facilities to support expansion;
- Option 2: Phased new build on existing footprint;
- Option 3: Rebuild on school's existing footprint with onsite decant;
- Option 4: Rebuild on MOL and then demolish existing buildings and convert to playing field.

29 Option 1: The EFA's Technical Advisor estimates the condition backlog at Archbishop Lanfranc Academy to be £6.9m. Option 1 would need to address this backlog, remodel the existing buildings to upgrade them to a compliant standard with the PSBP's Facilities Output

Specification (FOS) and provide new facilities to enable the expansion to nine-forms of entry within the existing footprint. The nature of the school's existing facilities means that, in the view of the EFA's Technical Advisor, FOS compliance is not believed to be achievable via a remodelling scheme. Specifically, under Option 1, the school's footprint would not be remediated, meaning that it would continue to be impacted by structural issues caused by differential settlement.

30 Option 2: A phased new build on the school's existing footprint, was found to be neither practical nor economical due to the need for significant land remediation and having regard to the layout of the school and the location of key infrastructure, including the plant room and kitchen. This approach would involve decanting at least half of the school's existing accommodation into temporary accommodation, adding an estimated cost of £2.5m to the total capital cost, not including additional preliminaries. The resulting total construction programme would be some 45 months. Construction is due to start in April 2015, which would result in completion in December 2018. As it is a condition of PSBP funding that all schemes are completed by the end of 2017, Option 2 is not viable in funding terms.

31 Option 3: The existing school building footprint is not designated as MOL. Therefore construction on MOL could be avoided if the new school building was built within the same footprint, as is the case under Options 1 & 2. However, in order to facilitate this, the school would need to be temporarily decanted during demolition and construction. Due to the lack of off-site alternatives, the temporary decant would be on the existing school playing fields. A temporary decant would have a significant financial and programme impact on the scheme. Temporary accommodation on the existing school playing fields would require substantial foundations due to the ground conditions. Due to the scale of the accommodation required, a temporary planning permission would also be needed. A minimum of six months would be required to set up the temporary accommodation. As a point of reference, the cost of an equivalent scheme elsewhere to decant a 1,200 place secondary school was over £5m.

32 In order to enable the school to improve on the current poor educational standards and return out of its '*special measures*' status, it is essential that any impact on the operation of the school should be minimised as far as possible. A temporary decant would require the students to be moved twice during the construction period, whereas the currently preferred option 4 of constructing a new school on the MOL would result in the students being moved only once (directly from the old school into the new school buildings). As such, option 3 is not viable on account of its adverse educational impacts and affordability. The high costs of providing temporary accommodation on site would make the scheme unaffordable, as the budget is very limited and there is no allowance within it for a temporary decant.

33 The planning statement points out that in addition to the above three options, alternative sites for the re-provision of the school were evaluated (see below.)

34 Alternative sites: In order to further inform the overall feasibility assessment and having regard to the GLA's own preliminary advice on the proposal, the EFA has commissioned a sequential assessment report to determine whether the proposed development could be accommodated on an alternative and less constrained site elsewhere and without recourse to developing on the part MOL. The sequential site assessment report is included in Appendix E. The terms of reference of the assessment were agreed with the GLA at the outset and an extensive search of primary data sets, including commercial agent listings, resulted in a total of 232 sites being considered within a broadly 7 miles radius of the school (in effect embracing most of the borough).

35 The majority of the sites were dismissed, as they were not large enough to accommodate the school requirement (a minimum site area of 5.6 hectares being needed). The assessment was also extended to consider the potential of the borough's open spaces. However all of the identified sites are similarly constrained in terms of MOL and Green Belt designations, and were therefore rejected on this basis.

36 The 13 sites or cluster areas carried forward into the second stage assessment (as potential candidate sites) were similarly rejected on account of failing to meet the minimum scoring criteria needed to warrant further consideration.

37 As such, the lack of any other economically viable alternatives or available sites elsewhere in the borough to accommodate the school requirement is a further very special circumstance that should be considered.

38 Option 4 - (the preferred option): In the absence of any other economically viable alternatives, the only feasible and deliverable option for improving the school is to utilise the area of the MOL to the southeast of the site for a full rebuild. The remainder of the MOL directly to the north (currently used as sports pitches) and northwest (used as a MUGA) would be retained and is not affected by the proposed redevelopment. The proposal is designed to cause minimum disruption to the school and to enable it to continue operating during the construction period, after which the existing school buildings would be demolished with the land reinstated as a grass/soft sports area.

39 In overall terms, there would be a net reduction in building footprint of 3,017sqm with a net gain in open space of 5,632sqm (see the figures below). As such there would be quantitative improvement in open space provision on the site that would help to compensate for the part loss of the MOL. Furthermore, the opportunity could be taken to designate the newly formed open space as MOL, thus increasing the extent of MOL on the site.

40 In summary, by siting the new school building in the southernmost corner of the site, the openness of the retained MOL can continue to be preserved. Furthermore, in addition to the quantitative improvement in open space, there would also be a qualitative improvement arising also, as the newly formed area of playing field would have a flatter topography than the existing undulating area where the new building is to be located.

Type of Area	Existing (sqm)	Proposed (sqm)	Change from existing (sqm)
Building Footprint	7,410	4,393	-3,017
Car Parks & Roads	5,355	3,211	-2,144
MUGA and / or Hard Play	8,640	11,422	2,782
Footpaths / Other Hard Landscape	6,296	2,425	-3,871
Grass / Soft Sports Areas	26,694	32,326	5,632
Nursery	0	618	618
<b>Other Land uses</b>			
Caretaker House	300	300	0
<b>Total Site Area (inc. other land uses)</b>	<b>54,695</b>	<b>54,695</b>	<b>0</b>

Archbishop Lanfranc School existing and proposed site areas: Source- applicant's VSC (part 1) report.



MOL Diagram: Source- applicant's planning documentation on very special circumstances report.

41 GLA officers response to the very special circumstances put forward by the applicant:

42 The Mayor supports the expansion of schools and acknowledges that there are various factors that limit potential sites and configurations to address the pressing need of school places. In this instance the applicant has clearly set out the physical and functional problems associated with the existing school, the educational imperatives, the predicted demand for school places across the borough and how this is being met. Evidence has been presented that there are no other suitable and available sites in the catchment area.

43 The Control Option 4 submitted represents the preferred option and attempts to reconcile the conflicting redevelopment objectives of the other options. The applicant has set out why this option has been chosen, including details of the costs and other factors (educational disruption) of a temporary decant solution. In this instance, the applicant's argument choosing option 4 that involves the partial loss of MOL is accepted.

44 In conclusion, officers consider that the very special circumstances put forward by the applicant, in particular the compelling local educational need have been demonstrated which justify the proposed inappropriate development on MOL. Although, there is an increase in floor space and additional two storeys in height, there is a net reduction in terms of the secondary school buildings footprint resulting in quantitative improvement in open space provision on the site. The applicant has pointed out that the opportunity could be taken to designate the newly formed open space as MOL, thus increasing the extent of MOL on the site. This is welcomed and the Council should take steps to designate this newly open space as MOL, which is considered to compensate the loss in the MOL.

45 The design and layout of the redevelopment have been thought carefully to minimise as much as possible the visual impact of the development on the openness of the MOL, while also allowing for the retaining of the existing campus buildings during construction (see design section below.) In this instance, the proposed school redevelopment is supported in strategic planning terms.

### **Community use**

46 The London Plan policy (3.18E) expects community use of educational facilities to be maximised. The planning statement confirms that it is intended to allow community use of the school facilities outside of the school's core hours, including the sports hall, playing fields and MUGA, subject to an agreement being in place with appropriate organisations.

47 Whilst the applicant's commitment to community use is welcomed, this should be conditioned.

### **Urban design**

48 Good design is central to all objectives of the London Plan (2015) and is specifically promoted by the policies contained within chapter seven which address both general design principles and specific design issues. London Plan Policy 7.1 sets out a series of overarching design principles for development in London.

49 It is understood that the proposals have been developed through consultation with Croydon Council officers and this has resulted in a well thought out proposal that responds successfully to context. In response to pre-application and follow up discussions, the scheme has been subject to further design development and further information has been provided in the planning application to address the majority of strategic design issues raised.

50 The design is well articulated through its massing arrangement resulting in a much improved building layout, with the part-3/part-4 storey block realigned to contain the extent of the redevelopment within the south eastern portion of the site. This approach is supported in principle and while this results in closing off views through to the MOL from Mitcham Road to a

certain degree, it is acknowledged that only limited views are possible at present due to the run of residential terrace properties along this edge of the site.

51 The main block is divided into two wings, with the taller four storey wing angled to form a defined entrance square at the centre of the campus. This is welcomed and provides the school with a welcoming public facing frontage which gives the potential to act as a flexible play/congregating space for pupils and teachers. The inclusion of separate vehicle access from Mitcham Road is strongly supported and enables the pedestrian access link between the terraced housing to be designed as a continuous surface through to the secure entrance of the school campus and the community entrance to the extended sports block. This has been designed in conjunction with a wider landscaping strategy for the site which includes a good range of break-out spaces for staff and pupils as well as a greened buffer between the school block and Mitcham Road housing, which is supported.

52 It is understood that the main block has been designed to meet the key design objectives of the EFA and government baseline guidance, resulting in fully accessible and legible internal circulation areas with teaching spaces positioned so as to optimise daylight penetration and means of passive ventilation, which is welcomed. The block is also aligned to form a zone of secure play space to the rear, with views across the MOL and direct access from classrooms along this edge.

53 The form and massing strategy is broadly supported, raising no specific strategic issues, with the taller four storey element positioned away from Mitcham Road in order to acknowledge the predominant low-rise scale of residential development and mitigate any risk of overbearing massing impact. The use of contrasting timber and metallic panel cladding materials allows each massing element to be clearly delineated from each other, with the timber being particularly successful in creating a soft and refined appearance in submitted views on the approach from Mitcham Road. The Council is encouraged to secure key details of facing materials, window reveals, curtain walling and roof lines in order to secure the highest possible quality of architecture in this sensitive location within the MOL.

54 Notwithstanding the above, the Council is encouraged to secure key details of facing materials to ensure the highest possible quality of architecture is delivered.



*The proposed redevelopment of the school: Source- applicant's design and access statement.*

## **Inclusive access**

55 The design and access statement states that the school allows for access and inclusion, including for pupils with disabilities, consistent with current legislation and design guidance including the requirements of the Equality Act 2010. Although the site has significant changes in ground level between the south and north ends, level and suitably ramped access is provided into all parts of the site from surrounding roads and footpaths, with flush thresholds at building entrances.

56 The school site sits around 2 metres higher than the road which means that the points of access are sloped all the way up to the main entrance but most entrance and exits on site have steps into them. The proposal will ensure that level access will be available into all buildings and will be achieved by proving a shallowly sloping landscape.

57 The buildings will contain lifts which will enable compliant access for everyone to all parts of the buildings and these will be located centrally in obvious locations.

58 Accessible toilets have been positioned throughout the scheme, on all floors adjacent to other toilets. This ensures that you will never have to travel far to toilet and toilets located in the same place on each floor will reinforce familiarity with the surroundings.

59 As the scheme develops, a colour strategy will be developed for the interior spaces which will also consider the requirements of those who may be visually impaired.

60 It is proposed to provide 100 parking spaces including 10 disabled spaces.

61 In light of the above, the proposed redevelopment of the school complies with policy 7.2 of the London Plan.

## **Sustainable development/energy**

62 The applicant has not submitted an energy statement compliant with GLA requirements; therefore, it is not possible to assess the development's performance against London Plan energy policies. The sustainability statement submitted is missing most of the energy and carbon figures so cannot be properly reviewed.

63 The applicant should submit an energy statement that complies with energy policies of the London Plan and the GLA Guidance on preparing energy assessments should be followed: (<https://www.london.gov.uk/sites/default/files/GLA%20guidance%20on%20preparing%20energy%20assessments%20April%202015.pdf>).

## **Flooding**

64 **Flood risk:** The site is within flood risk zone 1 with low risk of surface water flooding and is therefore acceptable in principle.

65 **Drainage:** There are areas in the local catchment that are at risk of surface water flooding, therefore the application of London Plan drainage policy 5.13 will be important for this development. The Flood Risk Assessment prepared by Water Environment Ltd and the Drainage Statement by Elliottwood proposes that sub surface attenuation tanks/geo-cellular storage will be constructed to achieve a 50% reduction on current discharges. The main reason for selecting this form of sustainable drainage is the fact that the school is built on a former landfill site meaning that infiltration techniques are not recommended.

66 The use of green roof, and surface level/raised rain garden planters could also be used and it is queried whether the development could not route some or all surface water beyond the extend of the landfill to infiltrate in the surrounding green spaces/Mitcham Common, which would represent a more sustainable approach to implementing London Plan Policy 5.13.

67 The applicant is asked to investigate the above options prior to a Stage 2 Planning referral to the Mayor.

## **Hazardous – contaminated land**

68 The applicant has submitted a Remediation Strategy Statement that details the steps required to address the potential contaminant migration pathways at the Archbishop Lanfranc Secondary School on Mitcham Road in Croydon. The report presents a summary of the site history, the ground conditions and the results of chemical analyses and soil gas monitoring.

69 The investigations have found the site to contain significant depths of landfill which contains concentrations of a number of contaminants that could pose a risk to human health and to groundwater quality. The elevated contaminant concentrations could pose a risk to human health and could also pose a risk of degradation or permeation of buried services and water pipes. Off-site migration of groundwater carrying excessive concentrations of these contaminants could thus be considered to pose a risk to the local groundwater quality. During construction direct soil contact, accidental ingestion and dust inhalation would present a direct exposure pathways to unprotected site workers.

70 However, following the completion of the proposed redevelopment these pathways would be eliminated in areas where hard surfacing or buildings are proposed. In the areas of soft landscaping direct contact, accidental ingestion and dusting could potentially produce viable exposure pathways for end users unless the existing fill material is capped with an adequate depth of clean cover.

71 Remediation Proposals: The following remedial measures are proposed, in order to address the above risks. The sequencing of these remedial measures has not been finalised at this stage but will need to be phased around the existing school which is to remain in operation until the new school is complete and the pupils can be decanted to the new buildings to allow the existing school to be demolished and the remedial works completed. The objective of the remedial work should be to address the risks posed by the contaminants within the made ground such that the risks posed can be minimised as far as is practically and economically possible. In particular the remedial measures would include the following;

- provide a clean ‘capping’ layer and ‘anti-dig layer’ to isolate end users of the site from direct contact with the contaminants in the fill material and to ensure that dust generated from the upper levels of the soil does not contain potentially harmful contaminant concentrations;
- provide a gas exclusion system to minimise the potential for soil gas and soil vapours to enter the proposed buildings;
- provide areas of proposed landscaping with a sufficient depth of ‘clean’ imported sub soil and topsoil to support growth and prevent any phytotoxic effects that may arise due to contaminants within the fill material;
- provide a low permeability layer to minimise the infiltration of rainwater and thus the potential for leaching of contaminants within the fill material and to reduce the off-site flow of any contaminated groundwater. To this end the existing additional source of water in the centre of the site should be located and stopped;
- provide a gas venting system to allow soil gas trapped below the low permeability layer to escape and thus reduce the potential for off-site gas migration;
- provide a barrier between buried services and the fill material or design them to be resistant to the contaminants present;
- implement a management and maintenance system to minimise the potential for future damage to the remedial systems installed, and
- Compact the existing fill material to minimise the potential for future differential settlement between the piled structures and the surrounding ground and hence the

potential for damage to the capping system, gas exclusion systems, and to buried services and thus reduce the potential for the future failure of the remedial measures.

72 Whilst the proposals for remedial works are welcomed, the applicant is advised to work in collaboration with the Health and Safety Executive (HSE) and the Council should satisfy itself that the proposed remedial works are sufficient and secure the remedial measures through appropriate conditions.

## **Transport for London comments**

### Site access

73 The two access points gained from Mitcham Road will be retained, however the western access point will be designated to vehicles and the eastern access point will be designated to pedestrians and cyclists. The proposals also include widening of the western site access road from the existing width of 4.35m to a proposed width of 4.8m. The applicant should enter into S278 agreements with the council for the undertaking of these works.

### Car parking

74 There are currently two car parks on site, which will be consolidated into one car park, accessed via the western access. This will provide 100 formal parking spaces including 10 Blue Badge spaces. The applicant is also encouraged to provide Electric Vehicle Charging Points (EVCP). TfL would encourage a further reduction in parking spaces to promote sustainable travel and reduce the negative impact to the traffic flow on the surrounding roads. Evidence should be provided clearly demonstrating why this many spaces are needed for staff and visitors.

### Cycle parking

75 There are currently no cycle parking spaces provided for students. The submitted Transport Assessment (TA) states that it has been agreed with the Council that an upfront provision of 50% of the total FALP spaces will be provided. The redevelopment of the site thus proposes a total upfront provision of 130 on-site cycle parking spaces comprising 120 long-stay and 10 short-stay spaces, with a further 123 spaces to be provided at a later stage.

76 The level of provision should be increased and in any event the application should seek permission for the full level of provision in line with FALP standards, and this should be secured by planning condition. A plan should also be submitted illustrating the location of these spaces. A reduced or phased level of provision will only be acceptable on the basis that permission is sought for the full amount with an option not to provide the full amount straightaway subject to evidence of use after implementation, and controlled by a suitably worded condition.

### Trip generation

77 TfL welcomes the multi-modal trip generation surveys which have been carried out.

78 Given the scale and nature of the development and after assessing the trip generation included in the Transport Statement, TfL considers that the impact on the public transport network will be negligible and no mitigation or contributions are sought.

### Pedestrian environment

79 TfL welcomes the Pedestrian Environment Review Survey (PERS) which has been undertaken. Any identified improvements should be agreed with the Council and secured through the section 106 agreement.

80 At the pre-application stage, TfL requested pedestrian and cycle routes were clearly identified throughout the site and look to minimise any conflicts with vehicles. This information has not been included within the submission material and should therefore be provided.

### Highway proposals

81 The TA includes information on parking surveys which have been carried out to monitor the impact on the surrounding road network. TfL is satisfied with this information and recommends the Travel Plan includes a measure to reduce drop off/ pick up activity by car, and to monitor the impact on the surrounding roads

### Travel planning

82 TfL welcomes the school's commitment in updating the School Travel Plan, and requests a commitment to achieving Sustainable, Travel, Active, Responsible, Safe (STARS) Bronze accreditation by June 2016 and Silver accreditation by June 2017.

83 TfL requests that the aim to increase the preference of walking to 60% by January is reconsidered, as this is an unrealistic target.

84 As stated above, TfL requests permission is sought for the full level of cycle parking in line with FALP standards, and the Travel Plan is updated to reflect this. The travel plan should include additional mechanisms to monitor the cycle parking and its level of usage. The final version of the travel plan, including all agreed measures therein, should be secured, enforced, monitored and reviewed as part of the section 106 agreement.

85 A construction logistics plan (CLP) and delivery and servicing plan (DSP), in accordance with TfL guidance should be submitted and secured via condition. Guidance on the methodology and further information regarding construction routing has been sent to the council. Maintaining cycle safety during construction and ensuring construction vehicles avoid key strategic routes and peak hour movements is essential.

### Community Infrastructure Levy (CIL)

86 It is understood the development will only be used for educational use and therefore it should be noted that the Mayor's Community Infrastructure Levy (CIL) will not apply, as defined in the Education Acts.

## **Local planning authority's position**

87 Croydon Council planning officers have yet to confirm their position.

## **Legal considerations**

88 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. 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**

89 There are no financial considerations at this stage.

## **Conclusion**

90 London Plan policies on **principle of land use, school provision on MOL, community use, urban design, inclusive access, sustainable development/energy, flooding, hazardous/contaminated land and transport** are the key strategic issues relevant to this application. Whilst the application is broadly acceptable in strategic planning terms, on balance, the application does not comply with the London Plan. The following changes might, however, remedy

the above-mentioned deficiencies, and could possibly lead to the application becoming compliant with the London Plan:

- **Principle of land use/school provision:** The proposed redevelopment of the secondary school is supported as it will contribute to address the shortage and quality of school places in London. Very special circumstances have been demonstrated, in particular the educational need justifies the school redevelopment on MOL. Robust alternate site analysis has confirmed that there are no other suitable sites. The redevelopment results in new open space and the Council is encouraged to designate it as MOL, which is considered to compensate the loss in the MOL.
- **Community use:** The applicant's commitment towards the promotion of community use of the school's facilities outside of school hours is welcomed. This should be secured through an appropriate condition.
- **Urban design:** No major concern and the Council is encouraged to secure key details of facing materials to ensure the highest possible quality of architecture is delivered.
- **Inclusive access:** The scheme meets the minimum requirements of inclusive design and complies with policy 7.2 of the London Plan. All the proposed measures should be secured.
- **Sustainable development/energy:** The applicant is required to submit an energy strategy compliant with energy policies of the London Plan.
- **Flooding:** The applicant is required to investigate the use of green roof, and surface level/raised rain garden planters that could also be used and it is queried whether the redevelopment could not route some or all surface water beyond the extend of the landfill to infiltrate in the surrounding green spaces/Mitcham Common, which would represent a more sustainable approach to implementing London Plan Policy 5.13.
- **Hazardous/contaminated land:** Whilst the proposals for remedial work are welcomed, the applicant is advised to work in collaboration with the Health and Safety Executive (HSE) and the Council should satisfy itself that the proposed remedial works are sufficient and secure the remedial measures through appropriate conditions.
- **Transport:** There are strategic transport concerns as detailed in the report that need to be addressed and/or conditioned.

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