**Strategic planning application stage 1 referral**


**The proposal**

Erection of a three storey building comprising an 80 bed care home and a four storey building to provide 74 extra care apartments with associated access roads, provision of 65 parking spaces.

**The applicant**

The applicant is **Castleoak**, and the architect is **PRC Architecture & Planning Ltd.**

**Strategic issues**

**Principle of development:** the redevelopment of this previously developed site in the green belt and the principle of providing extra care apartments and a care home facility is established by the existing planning permission. Further information is required to demonstrate that the revised application will not have a greater impact on the openness of the green belt (paragraphs 16 to 22).

**Affordable housing:** the applicant should provide further information regarding the details of the extra care component of the scheme clarifying whether it is C2 or C3 use in order to establish whether the application is subject to affordable housing policy (paragraphs 24 to 26).

**Transport:** confirmation that the development does not impact on the existing bus infrastructure and the accessibility of the existing bus stops is required, in addition to reducing the overall number of car parking spaces (paragraphs 31 to 38).

Further detailed assurances and discussion is sought with respect to the above-mentioned points, and others associated with **inclusive access** (paragraphs 27 to 29) and **climate change** (paragraph 30).

**Recommendation**

That Bexley Council be advised that the application does not comply with the London Plan, for the reasons set out in paragraph 43 of this report; but that the possible remedies set out in the paragraph 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 10 August 2016 the Mayor of London received documents from Bexley 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 20 September 2016 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 Category 3D of the Schedule to the Order 2008: “(a) development 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 floorspace of more than 1,000 square metres or a material change in the use of such a building.”

3 Once Bexley 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.

Site description

5 Situated on the southern fringe of Sidcup, the 1.4 hectare application site forms the western end of the wider Queen Mary’s Hospital grounds. Queen Mary’s Hospital is situated approximately one mile south of Sidcup town centre, and north west of Foots Cray. The application site is designated as Metropolitan Green Belt in Bexley Council’s Proposal Map.

6 The application site is immediately bound on its north, west and south sides by Frognal Avenue, which is accessed from the west via the A222 Chislehurst Road and forms the main access route to the site. Approximately sixty metres to the south of the site is the A20 Sidcup Bypass Road with forms part of the Transport for London Strategic Road Network.

7 Although the nearest railway station, Sidcup, is around 1.7 kilometres away and the site is on the edge of the built up area, the Queen Mary’s Hospital complex is well served by buses, with six routes providing links to railway stations, town centres and residential areas. This gives the site a public transport accessibility level (PTAL) of 3, where 1 is the lowest and 6 is the highest.

8 Until recently, the site accommodated the former maternity unit of the hospital, which comprised a large vacant building ranging from one to three storeys, however, the site has now been cleared as part of wider masterplan proposals for the Queen Mary’s Hospital site. The site benefits from an extant planning permission granted in November 2013 for the demolition of existing buildings and the erection of two three-storey buildings to provide a 60 bed care home and 47 extra care apartments (LPA ref: 13/00593/FULM).

Details of the proposal

9 The proposals are for the erection of a three storey building comprising an 80 bed care home and a four storey building to provide 74 extra care apartments with associated access roads, provision of 65 parking spaces.
The overall layout follows the principles of the extant planning permission; however, it is now proposed that the extra care apartments will be provided within the northern L-shaped block and the care home within the southern block.

**Case history**

As set out above, the site is subject to extant planning permission 13/00593/FULM for a care home and extra care apartments in a similar scale and layout, albeit for a smaller overall quantum. This was an application of potential strategic importance and was referred to the previous Mayor in June 2013. Overall, the application was considered broadly compliant with the London Plan (GLA ref: D&P/3195/01) and following further clarification with regards to the use class of the proposed extra care apartments, climate change and transport, and following the Bexley Council resolving to grant planning permission for the application, on 20 November 2013 the former Mayor considered a report on the proposals (GLA ref: D&P/3195/02) and decided that he was content for the Council to determine the case itself, subject to any action by the Secretary of State.

**Strategic planning issues and relevant policies and guidance**

The relevant issues and corresponding policies are as follows:

- **Green Belt/MOL**  
  London Plan;
- **Housing**  
  London Plan; Housing SPG;
- **Inclusive design**  
  London Plan; Accessible London: achieving an inclusive environment SPG;
- **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;
- **Transport**  
  London Plan; the Mayor’s Transport Strategy; Land for Transport Functions SPG.

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 Bexley Core Strategy 2012, saved policies from the 2004 Bexley UDP and the London Plan 2016 (The Spatial Development Strategy for London Consolidated with Alterations since 2011).

The following are also relevant material considerations:

- Extant planning permission 13/00593/FULM dated 30 November 2013.

**Principle of development**

**Impact on openness of the Green Belt**

The application site is part of a larger area designated as Metropolitan Green Belt. London Plan policy 7.16 states that “the strongest protection should be given to London’s Green Belt, in accordance with national guidance. Inappropriate development should be refused, except in very special circumstances.” The National Planning Policy Framework (NPPF) gives further guidance in paragraphs 89 and 90 on what constitutes appropriate development in the Green Belt and states that the “limited infilling or the partial or complete redevelopment of previously developed sites,
whether redundant or in continuing use, which would not have a greater impact on the openness of the Green Belt” is not inappropriate development.

16 As the site was previously occupied by a one to three storey building that was the former maternity ward to the hospital, it is ‘previously developed land’ as defined by the glossary to the NPPF. Therefore, the principle of redeveloping this site in the Green Belt is appropriate in the context of National Planning Policy. The principle of redeveloping this site for a care home and extra care apartments is also reinforced by the extant planning permission (LPA ref: 13/00593/FULM). However, the revised application seeks to marginally increase the size and scale of the new buildings previously considered acceptable and therefore for the purposes of this revised planning application it is necessary to assess whether the revised massing would have a greater impact on the openness of the Green Belt than the currently approved buildings.

17 As per the approved scheme, the revised proposals seek to consolidate the built form of the former maternity ward building by creating two L-shape buildings that wrap around a central landscaped courtyard. The applicant has provided information on the existing and proposed building footprints for comparison which is summarised in the table below. As a result of the revised proposals, the overall built footprint in this area of the Green Belt would be marginally increased when compared to the extant permission but would still be reduced by a total of 625 sq.m. when compared to the previously developed building, which is supported.

<table>
<thead>
<tr>
<th>Built Footprint (sq.m.)</th>
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<tbody>
<tr>
<td>Existing building</td>
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<tr>
<td>Extant permission</td>
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<tr>
<td>Revised proposal</td>
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<td>Total reduction in footprint</td>
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18 In order to reduce the overall built footprint on the site, the approved buildings are marginally taller than the now demolished maternity ward building and have a consistent height of three storeys, as opposed to the former maternity ward which ranged from one to three storeys. This increase in height was considered marginal overall and did not raise any concerns. The assessment process for the previous planning application concluded that, on balance, while the scale of the now approved buildings would appear slightly larger than that the maternity ward building, the proposed layout and reduced building footprint would increase the open nature of the site by creating new views through the site and into the proposed landscaped courtyard (GLA ref:D&P/3195/01). It is clear from the assessment that the creation of new views into the site at the junctions of the L-shaped blocks was considered a key mitigating factor in this instance.

19 The revised proposals will not increase the overall height of buildings of the approved southern block, although the proposed roof line is now hipped as opposed to the saw-tooth type design of the extant scheme. However, the proposals seek to increase the northern building (extra care building) in height to four storeys. While this increase in height does not raise any objections in principle, when considered cumulatively with the proposed increase in length of this block and the reduction in separation distance with the southern block at the north-east junction, the revised building form may have a greater impact on the openness of the green belt than that which was considered acceptable with the extant permission.
20 The applicant has provided some layout plans which demonstrate that comparable amounts of separation will be maintained at the north-east and south-west junctions in order to achieve a sense of openness that was achieved in the approved scheme. However, while the degree of separation at the south-west corner appears similar in size, albeit slightly more ‘pinched’, the revised layout in the north-east corner results in a small degree of overlapping between the north and south block which will limit views into the courtyard space from this area. The applicant is therefore encouraged to explore further opportunities to keep these corners as open as possible in order to maximise longer views into the site and contribute towards its openness, thus helping mitigate the proposed increase in height. Opening the north-east corner further will be particularly beneficial given this is a primary arrival area to the extra care apartments and the wider hospital complex.

21 In order to enable GLA officers to undertake a full assessment of the revised building designs on any increased impact on openness, the applicant should provide modelled views from the key arrival areas to the north and south, in addition to views looking north-east and south-west through the site in order to demonstrate the degree to which the revised footprints and layouts will affect the views into the central courtyard.

Specialist housing

22 The London Plan identifies the need for London’s housing market to meet the requirements of the capital’s changing age structure, in particular the varied needs of older people. The redevelopment of this derelict site will help contribute towards meeting this need through the provision of an eighty bed care home and 74 extra care apartments and subject to the satisfactory outcome of the further assessment required above is supported in accordance with London Plan policy 3.8.

Affordable housing

23 Past practice on similar care village applications has demonstrated that it may sometimes be difficult to categorise such schemes clearly under the Use Classes Order. As set out within paragraphs 3.7.17 to 3.7.19 of the Mayor’s Housing SPG, while some specialised housing is clearly institutional in character and has a well-defined element of ‘care’ (typically registered with the Care Quality Commission, previously the Commission for Social Care Inspection193) and can be readily categorised as falling within Use Class C2 (residential institution including nursing and care homes), other forms appear to be on the cusp between this and conventional C3 housing, particularly as some developments incorporate elements of both as proposed by the extra care apartments.

24 Previous cases have shown that where independent living units can be bought or rented as if they were residential properties they should be treated as C3 use, and therefore, subject to affordable housing policy.

25 While it was accepted that the extant planning permission represented a C2 use, this was following the submission and assessment of detailed information clarifying the proposed care products, details of the provision of communal facilities, details of the proposed service charges, age restrictions attached to occupation and minimum care level requirements.

26 The current application submission defines the proposed accommodation as C2 use class, however, little further information has been provided to support this definition. Given that the current application is being brought forward by a different care provider, as per the assessment carried out for the extant permission, GLA officers require further detailed information justifying the stated C2 use class in order before an appropriate assessment of land use can be made.
Inclusive design

27 The Mayor’s Housing SPG gives further detailed advice regarding the provision of housing for older Londoner’s. Given the nature of the scheme and the specialist nature of the developer in delivering care and retirement housing schemes, the design should ensure that it achieves the highest standards of accessibility and inclusive design.

28 The design and access statement provides a general commentary on the accessibility of both the extra care and care home buildings and states that they will be designed to meet the needs of the intended end users of the development, which is welcomed. However, given the nature of the scheme, as required as part of the consultation on the previous application, the applicant should provide further detail showing how the development achieves this and meets relevant regulations and standards. The applicant is recommended to consult with the local disabled and older people’s organisations on the detailed design of the scheme.

29 Whilst the landscape strategy is welcomed, the applicant should ensure that there are dedicated accessible routes away from vehicular movements that provide direct access from the adjacent street to the front entrances. In addition, there should be dedicated accessible routes to the bus stops that serve the site. Please see paragraph 33 of this report for further detail.

Energy

30 The submitted sustainability statement does not provide sufficient detail to support the planning application and therefore a detailed energy strategy produced in line with the latest GLA energy assessment guidance (available online) must be provided in order for officers to make an appropriate assessment of the proposals against London Plan energy policy. Details of regulated carbon dioxide emissions and savings at each tier of the energy hierarchy should be submitted and presented in the same format as Table 1 & 2 of the guidance.

Transport

31 The transport assessment does not provide a full multi-modal assessment of trip generation. However, due to the nature of the development proposal, the number of trips generated is unlikely to have a detrimental impact on the public transport and highway networks.

32 Notwithstanding this, it is unclear whether the existing bus shelters on Frognal Avenue are within the application red line and confirmation that the shelters would not be affected by the development should be provided, as loss of the shelter would conflict with London Plan Policy 6.2. It is also noted that the transport assessment does not audit the nearby bus stops for accessibility levels, which is particularly important given the nature of the land use. This information should be provided to enable officers to determine if a contribution to improve accessibility is required.

33 The proposed site layout raises concerns with regards to pedestrian connections to the nearby bus stops on Frognal Avenue. There is no direct footpath to the bus stop to the south west of the site and access to the bus stop to the north east requires walking across the car park and via one of the development’s vehicular accesses which raises particular inclusive design issues as set out in paragraph 29 above. The proposals should be revised to improve access, especially given the likely more limited mobility of the residents. A PERS audit for routes outside the site should also be undertaken and a contribution made to improvements if identified as being necessary.
Further clarification on the quantum of car parking is required. Whilst there is no car parking standard for this land use in the London Plan, the site’s accessibility by bus and other sustainable modes should help limit the number of spaces required. It is also not clear how more general hospital parking will be prevented. Therefore, information on how the spaces will be allocated and managed and further information on the number should therefore be provided, and a planning condition secured requiring a car parking management plan.

Six of the car parking spaces would be designated for Blue Badge holders. Given the nature of the development proposed, consideration should be given to increasing the number of these spaces and/or enlarged normal spaces to meet likely demand, with a minimum of seven spaces required to meet 10% of the overall number of spaces in accordance with the London Plan.

Based on the 25 predicted maximum staff members on site, eight cycles spaces are proposed which accords with London Plan standards. These stands should be covered and secured, and in a well lit location. Showers and lockers would be provided for those who cycle to work, which is supported.

There is currently no cycle parking proposed for residents and their visitors. Whilst it is accepted that care home residents are unlikely to cycle, consideration should be given to an element of convenient cycle parking for visitors.

Community Infrastructure Levy

The Mayor has introduced a London-wide Community Infrastructure Levy (CIL) to help implement the London Plan, particularly policies 6.5 and 8.3. The Mayoral CIL formally came into effect on 1 April 2012, and it will be paid on commencement of most new development in Greater London that was granted planning permission on or after that date. The Mayor's CIL will contribute towards the funding of Crossrail.

The Mayor has arranged boroughs into three charging bands. The rate for Bexley is £20/sq.m. The required CIL should be confirmed by the applicant and Council once the components of the development or phase thereof have themselves been finalised. See the 2010 regulations: http://www.legislation.gov.uk/ukdsi/2010/9780111492390/contents as amended by the 2011 regulations: http://www.legislation.gov.uk/uksi/2011/987/made

Local planning authority’s position

The Council has not yet advised GLA officers of a potential committee date. It is also understood that the Council is seeking further clarification on the proposed use class of the buildings.

Legal considerations

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

42 There are no financial considerations at this stage.

Conclusion

43 London Plan policies on Green Belt, housing, inclusive design, climate change and transport are relevant to this application. At present the application does not comply with the London Plan, but that the possible remedies set out below could address these deficiencies:

- **Green Belt**: the redevelopment of this previously developed site and the principle of providing extra care apartments and a care home facility is established by the existing planning permission. However, the applicant should increase the separation distances between building junctions where possible and, given the proposed increase in scale and revisions to the extant permission, further views are required to demonstrate that the revised application will not have a greater impact on the openness of the green belt, than the extant permission.

- **Housing**: the provision of a care home and extra care home will help meet the requirements of London’s changing age structure, and in particular the varied needs of older people in accordance with London Plan policy 3.8.

- **Affordable housing**: The applicant should provide further information regarding the details of the extra care component of the scheme clarifying whether it is C2 or C3 use.

- **Inclusive design**: the applicant should provide further detail on how the scheme will meet accessibility standards, in particular wheelchair accessibility. Further consideration should be given to the provision of dedicated accessible pedestrian routes away from vehicular movements, to and from the entrances and the adjacent bus stops.

- **Climate change**: the applicant should provide a detailed energy strategy to enable an assessment against London Plan Policy.

- **Transport**: confirmation is required that the development does not impact on the surrounding bus infrastructure and the accessibility of the existing bus stops; confirmation of pedestrian routes to public transport; confirmation of resident and visitor cycle parking; clarification of trip generation modelling and further information on of car parking.

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