Strategic planning application stage 1 referral (new powers)


The proposal

Option 1 – Detailed and outline application for relocation of Stanley Park High School and 246 residential units.

Option 2 – Outline application for 330 residential units.

The applicant

The applicants are Sutton and Merton PCT/London Borough of Sutton, and the architects are HP & Haverstock Associates

Strategic issues

The applications are acceptable in relation to green belt policy meeting the tests for redevelopment of major developed sites. Education and residential use is appropriate. Affordable housing is acceptable at zero or 27.5% given the need to reprovide the housing and supporting facilities for people with learning disabilities. Additional work is required in relation to urban design. In relation to transport, TfL will only be in a position to support this development if the applicant agrees to contribute towards mitigating its impact. Further information is required in relation to climate change mitigation and adaptation. More information is required in relation to the access/equal opportunities implications for the residential development.

Recommendation

That Sutton Council be advised that the application does not comply with the London Plan, for the reasons set out in paragraph 105 of this report; but that the possible remedies set out in paragraph 107 of this report could address these deficiencies.

Context

1 On 12 June 2008, the Mayor of London received documents from Sutton 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 23 July 2008 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 1A of the Schedule of the Order 2008 “Development which comprises or includes the provision of more than 150 houses, flats or houses and flats” and Category 3D: “Development on land allocated as Green Belt… and which would involve the construction of a building with a floorspace of more than 1,000 sq.m.”

3 Once Sutton 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 environmental information for the purposes of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 has been taken into account in the consideration of this case.

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

Site description

6 Orchard Hill Hospital is located about a mile south of Carshalton town centre and a mile and a half from Sutton town centre. It stands in the grounds of the former Queen Mary’s Hospital for Sick Children which was redeveloped in the 1990s.

7 Orchard Hill has provided accommodation for people with learning disabilities since 1959. At present, there are 53 people with learning disabilities living at Orchard Hill in 11 bungalows. Additionally, there are a number of support services on site including therapy facilities, a specialist dental service and a client advocacy service.

8 Orchard Hill Hospital is the last remaining long stay hospital in England and Wales for people with learning disabilities. The patients all require personal care given their disabilities which are both physical and mental. It is Government policy to close long stay hospitals. Therefore, it is proposed to close the Hospital by 2009 and provide new or refurbished accommodation and services in the community for existing residents. These would be provided across 18 sites and as well as living accommodation would need to include a resource centre; a day services centre and a hydrotherapy pool.

9 Existing buildings range in type and include 3-storey red brick buildings with hipped slate roofs to the front of the site; 2-storey buildings and other single storey structures. The buildings are spread across an attractive tree lined site. The site also includes a former transport depot and part of a British Industrial Biological Research Association (BIBRA) estate.

10 The site is located on the edge of the North Downs and has a natural ridgeline running east/west through its central part.

11 The surrounding area is predominately residential in character consisting of 2-storey houses. Additionally, the site is adjoined by a single storey school; a mobility centre and a riding centre.

12 The site has a public transport accessibility level (PTAL) of 1 on a scale of 1 to 6, where 1 is very poor. Bus service S4 (St Helier Station – Roundshaw) serves the residential area to the north, 0.6 km further north Stanley Park Road is served by bus routes 154 (West Croydon – Morden Station) and N213 (Kingston – West Croydon). Carshalton Beeches National Rail Station is
approximately 0.9 km north of the site. National Cycle Network route 20 and a number of other cycle routes run close to the site.

**Details of the proposal**

13 There are three separate applications:

**Option 1**

- A detailed application has been submitted by the London Borough of Sutton for redevelopment of part of the site to provide for the relocation of Stanley Park High School.

- Alongside the above application, an outline planning application for 5.5 ha of the Orchard Hill site, including the former transport depot for residential use. All matters are reserved except for means of access. This has been submitted by the Sutton and Merton PCT.

**Option 2**

- An outline application for 13 ha of the Orchard Hill site for residential use, including the former transport depot. All matters are reserved except for means of access. This has been submitted by the Sutton and Merton PCT.

14 In Option 1, the school would be located on the eastern half of the site, immediately to the north of the ridgeline with the land south of the ridgeline used for the school’s sports pitches. The remainder of the site to the north and west and the former transport depot would be developed for residential use. The development would provide a total of 246 flats and houses. No affordable housing would be provided.

15 In Option 2, the development would provide a total of 330 flats with 91 affordable units (27.5%). By habitable rooms, this equates to 30% provision.

16 For both options, vehicular access would continue to be from Fountain Drive. A convenience store is proposed.

17 The 3-storey school would be a 7 form entry secondary school with a 350 place sixth form.

**Case history**

18 There is no relevant case history.

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

19 The relevant issues and corresponding policies are as follows:

- Green Belt: London Plan; PPG2
- Education: London Plan
- Housing: London Plan; PPS3; Housing SPG; Providing for Children and Young People’s Play and Informal Recreation SPG
- Urban design: London Plan; PPS1
- Transport: London Plan; the Mayor’s Transport Strategy; PPG13;
- Climate change mitigation: London Plan; PPS, PPS Planning and Climate Change
20 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 2003 Sutton Unitary Development Plan and the London Plan (Consolidated with Alterations since 2004).

21 The Orchard Hill Supplementary Planning Document (November 2007) is also a relevant material consideration.

Green Belt

22 Policy 3D.8 (‘Green belt’) of the London Plan states that: “There is a general presumption against inappropriate development in the Green Belt and such development should not be approved except in very special circumstances”.

23 The site is allocated in the Sutton UDP as a Major Developed Site in the Green Belt. Planning Policy Guidance Note 2 (Green Belts) states that the limited infilling or redevelopment of major existing developed sites identified in UDPs which meet the criteria specified in Annex C is not ‘inappropriate’.

24 In considering applications for Major Developed Sites (MDS) in the Green Belt, PPG 2 (Annex C) states that: “Whether they are redundant or in continuing use, the complete or partial redevelopment of major developed sites may offer the opportunity for environmental improvement without adding to their impact on the openness of the Green Belt and the purposes of including land within it …Redevelopment should:

- have no greater impact than the existing development on the openness of the Green Belt and the purposes of including land in it and where possible have less;
- contribute to the achievement of the objectives for the use of land in Green Belts;
- not exceed the height of the existing buildings; and
- not occupy a larger area of the site than the existing buildings (unless this would achieve a reduction in height which would benefit visual amenity).”

25 In relation to the above tests, the impact of the development on the openness of green belt would be minimised through the restriction of development to the north of the defined ridgeline. It is also recognised that the proposal would contribute to the achievement of objectives for the use of land in the Green Belt by retaining over half the site as woodland area and would not have a greater impact than the existing development on the site of importance for nature conservation or on features of significance for nature conservation.

26 A key consideration is the impact of the proposal on views from the south and east. The visual impact assessment concludes that due to existing tree belts, the positions of the proposed
school and houses and flats, interrupting topography and built form, the zone of visual influence is restricted to the immediate surroundings.

27 The development would not exceed the height of existing buildings. The existing footprint of buildings is 15,260 sq.m. For Option 1, the footprint of the residential proposal is 8,423 sq.m. The school is 6,800 sq.m. giving a total of 15,223 sq.m. For Option 2, the footprint of the residential proposal is 13,070 sq.m. This would therefore meet Green Belt tests.

**Education**

28 The provision of the school would accord with the objectives of Policy 3A.24 (‘Education facilities’) of the London Plan. The policy states that policies in development plan documents should reflect the demands for pre-school, school and community learning facilities taking into account demographic projection.

29 As part of the Building Schools for the Future programme, the government is providing Sutton Council with funding to rebuild Stanley Park High School as a ‘One School Pathfinder’ for the borough. Due to the nature of the existing site and it being split into numerous buildings, the facilities are not considered accessible and inclusive for all the schools users. Six sites were evaluated before Orchard Hill was chosen.

**Housing**

**Supply of housing**

30 The provision of both the private and affordable housing (in Option 2 only) is welcomed in terms of increasing London’s supply of housing (London Plan policy 3A.1).

**Affordable housing**

31 London Plan Policy 3A.10 requires borough councils to seek the maximum reasonable amount of affordable housing when negotiating on individual private residential and mix-use schemes. In doing so, each council should have regard to its own overall target for the amount of affordable housing provision. Policy 3A.9 states that such targets should be based on an assessment of regional and local housing need and a realistic assessment of supply, and should take account of the London Plan strategic target that 35% of housing should be social and 15% intermediate provision, and of the promotion of mixed and balanced communities. In addition, Policy 3A.10 encourages councils to have regard to the need to encourage rather than restrain residential development, and to the individual circumstances of the site. Targets should be applied flexibly, taking account of individual site costs, the availability of public subsidy and other scheme requirements.

32 Policy 3A.10 is supported by paragraph 3.52, which urges borough councils to take account of economic viability when estimating the appropriate amount of affordable provision. The ‘Three Dragons’ development control toolkit is recommended for this purpose. The results of a toolkit appraisal might need to be independently verified.

33 Where borough councils have not yet set overall targets as required by Policy 3A.9, they should have regard to the overall London Plan targets. It may be appropriate to consider emerging policies, but the weight that can be attached to these will depend on the extent to which they have been consulted on or tested by public examination.

34 Option 1 provides no affordable housing given that the school would be provided. Option 2 provides affordable housing at 27.5%. This level of provision is based on the assertion that the
funding for reprovision of accommodation for people with learning difficulties (PLD) would be generated from capital receipts from the sale of the Orchard Hill site. The cost of reprovision is around £40 million and the NHS’s consultants have advised that the availability of funding from the NHS is limited.

35 A 3 Dragons assessment was run in December 2007 which showed that with affordable housing, neither development is likely to generate the necessary receipts either on its own or with external funding to allow reprovision. The 3 Dragons assessment has assumed Social Housing Grant.

36 The London Plan recognises that housing for PLD is a type of affordable housing. Given the 3 Dragons appraisal and the need to reprovide the PLD housing, in this instance, the zero or lower level of affordable housing provision is acceptable. However, clarification is required as to what will happen to the existing school site and whether funding from its sale could be used for affordable housing. It is also understood that another 3 Dragons assessment will be run but given current market conditions, it is unlikely that the provision of higher levels of affordable housing would be demonstrated.

38 Within the affordable housing, the mix between social rented and intermediate accommodation is not known at present.

Housing mix

39 The housing mix would be as follows:

**Option 1**

<table>
<thead>
<tr>
<th>Unit size</th>
<th>Option 1: Proposed mix</th>
<th>Option 1 by percentage</th>
<th>SPG market mix</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-bed</td>
<td>38</td>
<td>15%</td>
<td>25%</td>
</tr>
<tr>
<td>2-bed</td>
<td>163</td>
<td>66%</td>
<td>75%(2/3 beds)</td>
</tr>
<tr>
<td>3-bed</td>
<td>29</td>
<td>12%</td>
<td></td>
</tr>
<tr>
<td>4-bed</td>
<td>16</td>
<td>7%</td>
<td></td>
</tr>
</tbody>
</table>

40 This mix is acceptable.
The mix within the private and affordable accommodation is acceptable.

**Density**

Option 1 would deliver a density of 45 dwellings per hectare whilst Option 2 would be 48 dwellings per hectare.

This accords with guidelines in the London Plan for a location such as this which sets out a density range of 35-55 units per hectare.

**Children’s play space**

Policy 3D.13 of the London Plan sets out that “the Mayor will and the boroughs should ensure developments that include housing make provision for play and informal recreation, based on the expected child population generated by the scheme and an assessment of future needs.” Using the methodology within the Mayor’s supplementary planning guidance ‘Providing for Children and Young People’s Play and Informal Recreation’ it is anticipated that there will be approximately 43 children within the 246 dwellings development and 143 children within the 330 dwellings development. The guidance sets a benchmark of 10 sq.m. of useable child playspace to be provided per child, with under-5 child playspace provided on-site. As such the development should make provision for 430 sq.m of playspace for the 246 dwellings development and 1,430 sq.m. for the 330 dwellings development.

A range of child play spaces is proposed to serve the development. There would be five areas of play space to serve children below 4 years of age located so that each residential unit would be within 60-100 metres of a play space. A larger play area aimed at older children would also be provided. It is also noted that there is an adjacent woodland which is also likely to be used for play. This level of play provision is accepted.

**Urban design**

Good design is central to the objectives of the London Plan and is specifically promoted by the policies contained within Chapter 4B which encompass both general design principles and specific design issues. London Plan Policy 4B.1 sets out a series of overarching design principles
for development in London. Other design polices in this chapter and elsewhere in the London Plan include specific design requirements relating to maximising the potential of sites, the quality of new housing provision, tall and large-scale buildings, built heritage, views, and the Blue Ribbon Network.

47 The south-western part of the developable area would be occupied by detached houses. North of this would be houses arranged in a mix of detached, semi-detached and short terraces. The land currently occupied by hospital buildings would be developed for 3-storey flats. Areas to the north and north-west would be developed as a mix of flats and terraced housing. The southern part of the site would be cleared of buildings and used as public open space.

48 The proposed design provides higher density development at the northern end of the site where there are surrounding residential properties. This reduces the visual impact and ensures that the tallest of the new buildings are in broadly similar locations to existing taller buildings. There is a progressive reduction in density closer to the green belt edges. The southern boundary has been designed as individual properties with gaps between to provide a soft edge to the open land beyond.

49 A central plaza will be created which is intended to act as the heart of the proposal. There will also be private court yards.

50 The objective for a ‘gateway’ entry at Fountain Road is supported but it is not clear how this is achieved, as the most prominent block, the western flatted block, is accessed from the inside.

51 The street lay-out is generally supported except where the public realm would be bordered by inactive frontages. This is the case on the southern edge of the eastern part of the central east-west road, which connects with the existing development to the east. This stretch of road would be opposite a child play space area and would not be properly overlooked. Given the size of the site there is ample space to provide a street lay-out and block arrangement that prevents inactive frontages.

52 As is evident with recent housing on Kenny Drive which adjoins the site, wrongly placed and designed housing present a blank side elevation and garden walls to public space, which is contrary to principles of ‘Secured by Design’.

53 Additionally, the school lay-out would have long stretches east and west of the school building that are not overlooked. No amount of landscaping can remedy the absence of active frontages.

54 According to the Design and Access Statement, the architecture and use of materials “reflects the history of the site” and would involve “the use of pitched roofs, white joinery and a generally vertical emphasis to the window proportions”, but this in itself would not give the development “its own distinct identity and a visible link to the site’s history”. The proposed architecture is dominated by garages and small windows and would not result in an inviting neighbourhood. The style of existing properties to the east illustrate that a requirement for pitched roofs, white joinery and a generally vertical emphasis to the window proportions is not sufficient to achieve a well-designed housing development.

55 A good way to refer to the site’s history is to retain all existing buildings that make a positive visual contribution to the townscape, in line with policies 4B.1 and 4B.4 of the London Plan.
Figure 2.1 of the Orchard Hill SPD shows four buildings ‘to be considered for retention’, including the main hospital block which was built in 1902, and is “considered to be of some architectural and historic value, in terms both of its original design and especially in the survival of its decorative façade. Portland Stone details across the façade – dentils, sculpted portico, detail of St. Luke – have survived in good condition, as has the red brickwork”. The main block forms part of a cluster of original hospital buildings, many of which “are in good condition externally (an internal survey was not possible at the time of visiting) and are good examples of the Arts and Crafts style in a health context. Many interesting architectural features such as lantern roofs have survived”. In addition to the four structures indicated in the SPD as to be considered for retention, there is at least one more building within the northern cluster of period buildings that may be worth retaining. The SPD, on which the proposal is largely based, is not clear on the principles on what basis a decision to not retain certain buildings can be made.

In the application only two smaller buildings are retained, Oak House and Mayfield House. The main hospital block is replaced with apartment blocks. Therefore, there should be further investigation of the retention of existing buildings.

The design of the school is welcomed. It has received an overall rating of ‘good’ from CABE’s schools design panel.

Transport

Given the site’s PTAL of 1, TfL has been in discussions with the applicant and has outlined concerns regarding the appropriateness of this site for development, particularly in relation to the relocation of the school. The very poor public transport accessibility level experienced accompanied by financial implications and operational constraints of extending existing or providing new bus services make this a very difficult site to serve.

In relation to transport capacity, London Plan policy 3C.1 seeks to integrate transport and development while policy 3C.2 seeks to ensure that there is sufficient transport capacity to allow for travel generated by developments. It is TfL’s view that the increased demand expected to be generated by this development both in terms of the educational and residential uses cannot be provided for based on current public transport capacity levels in the area.

The transport assessment states that ‘it is proposed that bus services would be improved alongside the redevelopment of this site’. TfL has been in discussions with the applicant and has advised that the extension of route 151 from Wallington to the Orchard Hill site is currently the most feasible solution to meet the demand generated by the relocation of school. In addition to this TfL will also expect the frequency of bus route S4 to be increased to accommodate the demand generated by the residential aspect of the development. The applicant is yet to commit to/agree appropriate financial contributions to allow these required capacity improvements to be fully realised. TfL will not be in a position to support this application unless appropriate financial contributions are agreed.

It is TfL’s view that a residential development alone will also require improvements to public transport services. The increased demand expected to be generated by this development in terms of the proposed residential use cannot be provided for based on current public transport capacity levels in the area; however an improvement to the frequency of bus route S4 is expected to address this issue. Additionally, pedestrian access from within the site to the existing bus stops on Stanley Square should be enhanced. The applicant is yet to commit to/agree appropriate financial contributions to allow this capacity/frequency improvement to be fully realised. TfL will not be in a position to support this application unless appropriate mitigation is secured.
London Plan policy 3C.20 relates to the improvement of conditions for buses. The applicant has designed a bus standing area in front of the proposed school to accommodate two vehicles, as well as future proofing internal roads so that if required they can accommodate buses. Whilst TfL welcomes this provision, it expects a planning condition so it can agree the detailed design and layout of this area. In addition, as well as accommodating the required extension of a bus route to the site, TfL expects bus priority measures and bus driver facilities (toilets) to be provided within the scheme.

In relation to school car parking, a total of 86 car parking spaces have been proposed, 6 of which are identified as disabled spaces. This is considered to be acceptable.

In relation to residential car parking for the 246 dwellings scheme, a total of 286 spaces have been proposed. For the 330 dwellings scheme, a total of 402 spaces have been proposed. For both proposals, the applicant has not demonstrated how this level of provision (more than one space per home) relates to the London Plan notably 3C.23 which states ‘The Mayor…will seek to ensure that on-site car parking at new developments is the minimum necessary required and that there is no over-provision that could undermine the use of sustainable non-car modes’ and ‘annex 4 parking standards’. TfL’s requires the applicant to provide a robust justification for this level of car parking.

With reference to school cycle parking, in order to comply with policy 3C.22 of the London Plan, provision of cycle parking for staff and pupils must be in line with TfL’s cycle parking standards. These state that 1 cycle space/10 staff or students should be provided. It is proposed that 1,493 pupils and 130 staff will be on-site; TfL therefore expects the 60 spaces for pupils to be increased to a minimum of 149. A total of 25 spaces for staff and visitors have been proposed and is deemed an acceptable level of provision. TfL expects the numbers and details of cycle parking spaces for the school to be secured through an appropriate planning condition.

For residential cycle parking for both the 246 and 330 dwellings scheme, TfL welcomes the applicant’s intention to provide a minimum of 1 cycle parking space/or adequate cycle storage space in relation to each residential unit. In order to comply with policy 3C.22 of the London Plan. TfL expects this to be secured through an appropriate planning condition.

In line with London Plan policy 3C.25 and the London Freight Plan, TfL expects the applicant to produce a construction management plan (CMP) in order to minimise the impact of construction traffic on the surrounding highway network. The CMP should be prepared and agreed with the local highway authority and conditioned as part of any planning permission.

TfL supports the production of a draft residential and draft school travel plans in accordance with policy 3C.2 of the London Plan. Full travel plans which cover all elements of the proposals will be required and should include information on objectives, targets, management, marketing, measures and monitoring. All travel surveys should be iTTRACE compliant. TfL requests that the travel plan be secured, enforced, monitored and reviewed as part of the Section 106 agreement.

Climate change mitigation and adaptation

Climate change mitigation

The London Plan requires developments to make the fullest contribution to the mitigation of, and adaptation to, climate change and to minimise carbon dioxide emissions (Policy 4A.1).

Policies 4A.2 to 4A.8 of the London Plan focus on how to mitigate climate change, and the carbon reduction targets that are necessary across London to achieve this. Developments are
required to be adaptable to the climate they will face over their lifetime and address the five principles set out in policy 4A.9 of the London Plan.

**Energy**

72 London Plan policies 4A.4 and 4A.7 require the submission of an energy demand assessment along with the adoption of sustainable design and construction, demonstration of how heating and cooling systems have been selected in accordance with the hierarchy and how the development will minimise carbon dioxide emissions, maximise energy efficiencies, prioritise decentralised energy supply, and incorporate renewable energy technologies, with a target of 20% carbon reductions from on-site renewable energy.

**Option 1**

73 Baseline emissions for the school and residential are 1,157 tonnes of carbon (56% residential and 44% school).

74 For the residential element, baseline emissions are representative of a building just compliant with 2006 building regulations. This is acceptable but the applicant needs to specify the software used for the school thermal modelling.

75 Energy efficient design measures proposed for the dwellings reduce carbon emissions between 7% and 13% beyond building regulations minimum requirements. This is equivalent to 4% carbon savings for the residential element if unregulated energy use is also accounted for.

76 Energy efficient design measures proposed for the school achieve a carbon reduction below the baseline of 4%.

77 The applicant needs to provide a breakdown of heating, cooling and electricity energy requirements and carbon emissions for the school after energy efficient design measures have been adopted.

78 The applicant should also specify whether energy efficiency measures could be pushed forward to achieve further carbon reductions before renewables are used.

79 Linking the school and residential through a common heating network has been looked at, but due to phasing issues, the applicant has advised that this is a non viable option. Additionally, the applicant has stated that given that two separate developers could build the residential and school elements, it may be difficult to link both elements of the development.

80 Whilst the above is recognised, a condition should be added that by the time the residential element is built, the energy strategy should review the viability of linking the dwellings and school into a single heat network.

81 A communal heating network for the residential is proposed. A 90kWe CHP engine has been identified as able to displace 20% carbon. While the applicant suggests that this option is possible, being such a small development, it may mean that viable implementation is not possible. Therefore, a condition needs to be added that by the time the residential element is built, the energy strategy needs to review the viability of linking the dwellings and school into a single heat network. The viability of partially supplying the heat network with combined heat and power should also be reviewed.

82 In relation to residential cooling, the applicant needs to clarify whether dwellings will be designed as to require active cooling.
For renewables for the dwellings, no specific solution has been suggested. Instead a range of options to comply with the 20% renewable target are proposed. While it is understood that deciding for a definite energy strategy at this stage may be difficult, this is due to the unknown mix of houses and flats. The applicant needs to assume, to the best available knowledge, a certain accommodation mix and to come up with a recommended option. In addition, for all the options suggested, more information is required to ensure they are robust enough.

The applicant needs to suggest a preferred option or to enumerate them by order of priority giving consideration to the robustness of the options and to how the proposed strategy fits within a centralised heat network for the block of apartments.

For the school renewables, a combination of biomass boiler and photovoltaic (450 sq.m.) is proposed to achieve 20% carbon reduction. While the combination of the suggested technologies is technically viable, further information is required in relation to air quality issues. Additionally, delivery and storage of biomass issues and relating roof area of photo voltaics that will need to be installed to building roof available should be addressed.

Baseline emissions for the dwellings is 921 tonnes of carbon. These are representative of a building that just complies with 2006 building regulations which is acceptable.

Energy efficient design measures proposed for the dwellings reduce carbon emissions of between 7 and 13% % beyond building regulations 2006 minimum requirements. This is equivalent to a 4% emission reduction accounting for non-regulated energy usages. This is acceptable.

A communal heating network is proposed. A 130kWe CHP engine has been identified as able to displace 20% carbon. Due to the small number of dwellings (330) the applicant has stated that it is probable that CHP cannot be implemented in the future. The applicant arguments are valid but uncertain. Therefore, a condition should be added to ensure that all apartments (excluding houses) are supplied through a common heat network supplied with plant installed in a single energy centre. Additionally, the viability of the installation of a CHP plant supplying the heat network should be reviewed at the design stage.

No specific renewable solution is being suggested. Instead a range of options to comply with the 20% renewable target are proposed. Whilst it is recognised that deciding for a definite energy strategy at this stage may be difficult due to the unknown mix of houses and flats and other issues, the applicant needs to assume, to the best available knowledge, a certain accommodation mix and to come up with a recommended option. In addition, for all the options suggested, more information is required to ensure they are robust enough.

Accordingly, the applicant needs to suggest a preferred option or to enumerate them by order of priority giving consideration to the robustness of the options and to how the proposed strategy fits within a centralised heat network for the block of apartments.

Climate change adaptation

The London Plan promotes five principles in policy 4A.9 to promote and support the most effective adaptation to climate change. These are to minimise overheating and contribution to heat island effects, minimise solar gain in summer, contribute to flood risk reductions, including applying sustainable drainage principles, minimise water use and protect and enhance green infrastructure. Specific policies cover overheating, living roofs and walls and water.

Overheating (Policy 4A.10)
More information is required on this matter.

Living roofs and walls (Policy 4A.11)

The policy seeks that green and brown roofs and walls are included where these are feasible. It is not clear whether these are provided in the proposal.

Flooding (Policy 4A.13) and sustainable drainage (Policy 4A.14)

The site lies within Flood Risk Zone 1 and therefore has a low possibility of flooding. The flood risk assessment demonstrates that surface water drainage is adequate.

Water use (Policy 4A.16)

For the school, the water use rate per day would not exceed 105 litres. Water efficient sanitary ware would be specified for all dwellings. Grey water and rainwater recycling systems would be investigated to provide water for internal and external use and to limit the use of mains water.

Access /equal opportunities

An access statement needs to be produced for the residential part of the proposals. All homes should be built to Lifetime Homes standards and 10% of housing should be suitable for wheelchair users.

For the school, the access statement demonstrates that the principles of inclusive design have been taken into account. Design measures include landscaping around the building to provide appropriate surface treatments at a gradient not steeper than 1:21 where possible; level access and thresholds to all entrances/exits and wide circulation routes.

London Development Agency’s comments

The LDA supports the proposal in principle given that it contributes to the objectives of the London’s Economic Development Strategy to deliver healthy, sustainable, high quality communities and urban environments.

The LDA however highlights the need for the Council to be satisfied that there will not be an overall deficiency in community facilities as a result of the number of households proposed as part of this scheme. Should there be a need for additional social facilities as a result of this proposal, the developer should be asked to contribute to the provision of any additional infrastructure required as part of any section 106 agreement negotiations.

In accordance with policy 3B.11 of the London Plan, the Council should seek to ensure that local residents and businesses benefit from jobs created by this proposal. Initiatives to create training and employment opportunities for local people and address other barriers to employment should be formalised through a Section 106 agreement or other mechanism. This should also include local opportunities for residents and businesses during construction as well as in the supply of goods and services and sub-contracting.

The LDA would welcome a discussion with Sutton Council with regards to the inclusion of employment and training initiatives within the proposal.

Local planning authority’s position
102 Sutton Council has not yet set a date to determine the application.

**Legal considerations**

103 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. 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**

104 There are no financial considerations at this stage.

**Conclusion**

105 London Plan policies on green belt, education, housing, urban design, transport, climate change mitigation and adaptation and access/equal opportunities are relevant to this application. The application complies with some of these policies but not with others, for the following reasons:

- Green belt: Compliance with London Plan policy 3D.9 (Green belt).
- Education: Compliance with London Plan policy 3A.24 (Education facilities).
- Housing: Compliance with London Plan policy 3A.1 (Increasing London’s supply of housing); 3A.3 (Maximising the potential of sites); 3A.5 (Housing choice); 3A.10 (Negotiating affordable housing in individual private residential and mixed-use schemes) and 3A.13 (Children and young people’s play and informal recreation strategies).
- Urban design: Non compliance with London Plan policy 4B.1 (Design principles for a compact city).
- Transport: Non compliance with London Plan policies 3C.1 (Integrating transport and development); 3C.2 (Matching development to transport capacity); 3C.20 (Improving conditions for buses); 3C.22 (Improving conditions for cycling) but acceptable for the residential proposals); 3C.23 (Parking strategy) and 3C.25 (Freight strategy).
- Climate change mitigation and adaptation: Non compliance with Policies 4A.1 (Tackling climate change); 4A.4 (Energy assessment); 4A.7 (Renewable Energy); 4A.9 (Adaptation to Climate Change); 4A.10 (Overheating); 4A.11 (Living Roofs and Walls); 4A.13 (Flood risk management); 4A.14 (Sustainable drainage) and 4A.16 (Water supplies and resources).
- Access/equal opportunities: Non compliance with London Plan policy 3A.5 (Housing choice and 3A.17 (Addressing the needs of London’s diverse population).

106 On balance, the application does not comply with the London Plan.

107 The following changes might, however, remedy the above-mentioned deficiencies, and could possibly lead to the application becoming compliant with the London Plan:
• Improvements to the design which should include less inactive frontages; investigation of retention of more of the existing buildings; and a better reflection of the site’s history.

• To ensure there is adequate integration between the new development and current transport provision, capacity enhancements to public transport will be required. TfL will only be in a position to support this development if the applicant agrees to contribute towards mitigating the impact of this development. Additionally, justification of residential parking provision is required; increased cycle parking for the school is required; the travel plan strengthened and secured as part of the Section 106 agreement; and appropriate facilities for buses provided.

• Additional information in relation to climate change mitigation and adaptation as set out at paragraphs 70-95 above.

• The provision of an access statement for the residential parts of the development and a condition to ensure that 100% Lifetime Homes and 10% wheelchair housing is provided.

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