

LONDON BOROUGH OF BROMLEY

ENVIRONMENTAL SERVICES DEPARTMENT

Development Control Committee on 19th April 2005

REPORT OF THE CHIEF PLANNER

1. Application No : 04/04846/DET Ward: Kelsey And Eden Park

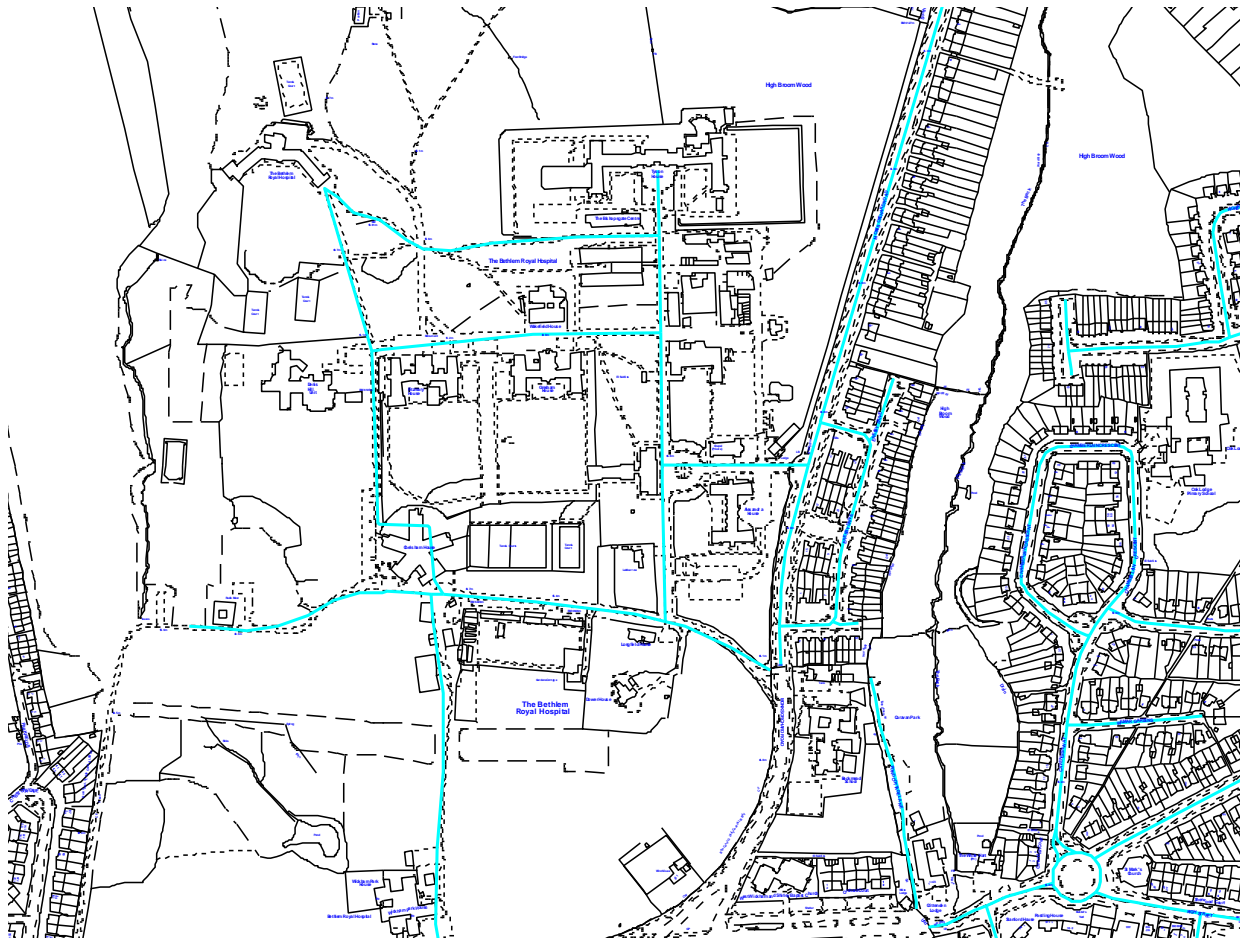
Address : Bethlem Royal Hospital Monks Orchard **Conservation Area:NO**
Road Beckenham Kent BR3 3BY

OS Grid Ref: E: 537210 N: 166494

Applicant : South London And Maudsley NHS Trust **Objections : YES**

Description of Development:

Single and two storey buildings for medium secure unit comprising wards providing 89 beds for mental healthcare, with ancillary entrance/common areas, offices, activity/therapy, restaurant and sports/fitness hall, linked by roofed corridors, with access/servicing, 60 car parking spaces, landscaping and fencing (details of siting, design, external appearance, survey/protection of and works to trees, surface and foul water drainage, car and cycle parking, external lighting and existing site levels/proposed slab levels pursuant to conditions 1, 4, 6-10 and 12 of outline permission ref: 02/00288 granted on appeal)



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Proposal

This application concerns the reserved matters and certain other details required to satisfy conditions of the outline permission for the Medium Secure Unit (MSU). The access was approved at the outline stage, being via the existing vehicular entrance from Monks Orchard Road and the internal roads within the Bethlem Royal Hospital (BRH). Details of the landscaping are to be submitted at a later date. In allowing the appeal the Inspector imposed conditions regarding the use of the development, and its floor area, mass and height, as follows –

14. The buildings hereby permitted shall be used for accommodation and care (with related ancillary uses) in connection with the treatment and assessment of persons with mental health problems only and for no other uses within Class C2 of the Town and Country Planning Use Classes Order 1987 (as amended).
15. The details submitted pursuant to condition 1 shall show buildings with a gross floor area not exceeding 10,000m² as ascertained by external measurement, and with building mass and height not materially different from that shown on the illustrative drawings 3319D/317C and 3380SK26.

The following is adapted from the architect's letter and explains and supports the proposal –

- the proposal is on a reduced site area compared with the illustrative layout in the outline application, avoiding the major services diversions previously envisaged and creating a group of buildings which will not be visible from the residential areas to the south, enclosed within the existing tree belts and landscape features, all of which are substantially retained. By utilising the existing slope from east to west (approximately 1:40) the buildings create a single and two storey profile which is lower in height than envisaged in the outline scheme (the highest point on the new scheme is now 0.62m lower than the previous proposals). The southerly aspect and winter and summer sun-path have been maximised to create sunny well lit spaces both internally and externally.
- the scheme comprises a family of buildings sheltered by the existing landscape with clear separation between patient areas, therapies and administration areas. The east-west access road on the north side of the site will be diverted to run about 14m to the north of its present alignment. The main entrance to the scheme is via the proposed two storey administration building which will be to the north. A two storey light-weight glazed link through the existing tall group of trees which runs east-west adjacent to the road will create a secure access to the two storey therapies building and on to the 6 ward areas (89 beds) – these will be a mixture of single and two storey buildings arranged around open courtyard/garden areas with a large cloistered central courtyard space which will be further developed through the concept of a “healing garden”. These open spaces will maximise the penetration of sunlight and natural daylight into the building and open spaces created by the footprint.
- the architectural forms are of single and two storey elements utilising the natural slope of the land with pitched roofs and well landscaped courtyard areas individually designed with specific landscape elements creating a therapeutic response as part of the overall concept and daily life of the unit. The palette of materials proposed includes a standing seam metal roof with complimentary panelled rendered elevations with colour coated aluminium fenestration including curtain walling. In addition certain external/internal elements of the building will be identified using specific colours/rendered panels which will be the subject of further discussion with the authority as the design concept develops.
- all patient areas will be surrounded by a continuous 5.2m high weld mesh fence with a concrete base to Home Office standard. Security is further enhanced by having one entrance zone previously described, and staff parking areas quite separate from the building. Physical security will be further complimented by the use of CCTV cameras both internally and externally. A secure service yard and secure entrance for patients with space for ambulance parking will be provided in the north-east corner of the site with control maintained from the main entrance building.
- 3 disabled parking spaces will be provided immediately adjacent to the west end of the administration building, with a further 57 new car parking spaces for staff being provided on the existing open areas to the west of the site, all within the previously identified application boundary. In addition 20 cycle parking spaces will be provided adjacent to the main entrance, and a service bay at the western end of the therapy building will provide general access to plant rooms etc.
- the scheme has a reduced footprint of 1220 sq m less than the outline application. The layout of the scheme on a reduced site area together with the retention of all major trees creates a significant reduction in overall impact when compared with

the outline proposals. In addition, the two storey elements of the scheme are in a similar position to those of the outline application.

- the outline illustrative plans indicated highest ridge heights of 62 and 63m. In the detailed scheme, the highest roofs will be at a level of 62.38m (hence 0.62 lower than the highest part shown on the outline scheme). Ground levels fall from about 54m at the north-east end of the site to about 52m at the west side of the site. During processing of the details, revised plans have been submitted to increase the ridge height of the sports hall/therapies wing from 61.4 to 62m to accommodate constructional and technical requirements, which is consistent with the outline drawing heights and lower than the highest part of the building.
- the application is further supported by the submission of 3 dimensional computer generated images/“fly-round”, which together with a physical model, at a scale of 1:500, which has now been commissioned, will show the buildings and landscape in their true setting and further demonstrate the reduced impact of the proposals.
- it is confirmed that the gross floor area will be 9784 sq.m., complying with condition 15.

The east-west extent of buildings will be reduced from 195m to 153m, which will have a bearing on their visibility from Wickham Road, particularly as the north-south internal road from that public road is not to be diverted and the deletion of the proposal to build over it, as now proposed. The parking was formerly shown on land to the north of the proposed buildings, now is to be to the west. The administration block will be to the north of the footprint proposed at outline stage.

The number of parking spaces is the same as proposed in the outline application, and the cycle parking is shown adjacent to the entrance to the administration buildings, including a covered shelter.

The lighting details comprise –

- 6m high columns along the security fence/site boundaries and in the car park
- 2.9m high columns in internal courtyards, with recessed luminaries in one of them
- 1m high bollard lights close to external walls of the buildings
- 3 tree uplighters on the north-east part of the site.

Consultations

Objections to the application (including from the Campaign Against Bethlem Building Expansion (CABBE)) concern the following points –

- too large and extensive for a site close to residential properties
- adverse effect on openness of the land, Metropolitan Open Land (MOL) that is lost cannot be replaced, greater impact than outline proposals indicated
- fear of crime/risk to public safety due to unsupervised access to grounds and the locality by patients, close proximity to schools, such facilities should be provided in a secure prison environment. Inclusion of 2 acute assessment wards represents a substantial risk to the public
- there are existing problems of drug abuse in the existing unit
- increase in traffic, consequent increase in air pollution
- security lights too high, would have detrimental impact on the area, existing tree screening is limited

- external cladding should be of neutral colours
- other previous objections to the outline application still apply, including loss of trees and natural habitat for wildlife.

Regarding the drainage details, Thames Water have no observations, but in view of the large impermeable area proposed on-site attenuation measures should be provided to limit outfall of surface water towards watercourses at times of heavy rainfall. Any further technical comments on this issue will be reported verbally at the meeting.

Any comments by the London Borough of Croydon will be reported verbally at the meeting.

Planning Considerations

The outline application for this development was refused by the Development Control Committee on 23rd July 2002 on the following grounds –

1. The site is part of an area of Metropolitan Open Land and the proposal constitutes inappropriate development, thereby contrary to Central Government advice set out in RPG3 “Strategic Guidance for London Planning Authorities” and PPG2 “Green Belts”. No very special circumstances have been demonstrated in relation to the application and as such the proposal is contrary to Policy R.14 of the London Borough of Croydon District Plan (1982) and Policy G2 of the London Borough of Bromley first deposit draft Unitary Development Plan (March 2001).
2. The proposal would be detrimental to the open character of Metropolitan Open Land, contrary to Policy R.14 of the London Borough of Croydon District Plan (1982) and Policy G3 of the London Borough of Bromley first deposit draft Unitary Development Plan (March 2001).

This part of the hospital was part of Croydon until April 1994, and as such that Borough’s policies at that time apply until the UDP Review is complete. Policy G2(iv) of the draft UDP states that permission will not normally be granted for new buildings/extensions in MOL unless it is for various purposes, including limited infilling or redevelopment within the Major Developed Site (MDS) at Bethlem Royal Hospital.

A 7-day Local Inquiry took place in April 2003 to hear the appeal against the refusal. The Inspector considered that greater weight should be given to draft Bromley UDP Policy G2 (so far as it reflected RPG3 “Strategic Guidance for London Planning Authorities” and PPG2 “Green Belts) than to Policy R14 of the 1982 Croydon District Plan. He summarised the various effects of the proposal as follows –

“The effect on openness from within the BRH grounds

24. In my view, the greatest effect would be on those coming and going from Chelsham House and Monks Orchard House. The north-western corner of the proposed building would introduce a prominent substantial structure in this position without any softening by existing or proposed planting. There would be a readily noticeable loss of openness. This would also be the perception of those using the realigned access road along the western side of the MSU leading to Wickham Park House.
25. Although this impact on openness would be readily noticeable in this part of the grounds of the BRH, there would be little or no perception of change by patients,

staff or visitors in the majority of buildings at the hospital or in the extensive grounds to the north and north-west. Despite the substantial change in the scale of built development on the appeal site in terms of floorspace and footprint, I consider that the loss of openness would be readily perceived only from a small part of the grounds and by those in the nearest parts of the immediately adjoining buildings.

Effect on open character from outside the BRH grounds

28. The western side of the MSU would be visible from Wickham Road down the access road which leads from West Wickham House and from a short section of the road to the east. In these views, part of Chelsham House and one of the huts on the appeal site are currently visible. The proposal would result in a substantial building slightly closer to the viewer, but still in the distance and beyond the orchard either side of the access road. I consider that this change would have a slight adverse impact on the perception of openness.
29. The extent to which the building would be visible above the orchard would be very sensitive to the final design. The amended illustrative drawings indicate the building would be cut into existing ground levels. The appellant's cross-sections and photomontage indicate that part of the building would be visible above the orchard. The Council consider that more than this would be visible. In my view, bearing in mind the slight slope in ground levels, the variation in height of the trees in the orchard and the screening of a section of the orchard by large parkland trees, only parts of the two storey structure of the MSU would be visible above the orchard and the full width of the building would not be apparent. In my view, it would not be as prominent as the roof of Monks Orchard House to the west. The building would reinforce the impression of built development within the hospital grounds, but this change would not be prominent to passers-by.
30. Parts of the first floor of the new building would be seen from the dwellings on the southern side of Wickham Road and from the first floors of dwellings in Devonshire Way. These views would be over the wide and busy Wickham Road, parkland and the orchard and represent a small-scale change in a distant view. I attach little significance to the perception of change from these properties. The landscape witnesses agreed that the proposed MSU would be seen from a short section of Monks Orchard Road. From what I saw, I consider that such views would be so fleeting and filtered by trees as to have little impact on the public perception of the openness of MOL.

Mitigation

31. The Trust propose mitigation measures to reduce the visual impact of the building from Wickham Road. These include tree and shrub planting to filter existing open views and to strengthen the screening effect of the orchard In the medium to long term, the suggested new planting would considerably reduce the limited views of the buildings that I have identified from Wickham Road. Appropriate management of the orchard and developing scrub would ensure that the screening provided by these areas was maintained.

Compliance with the objective of national and local policy for MOL

32. Inappropriate development on MOL is harmful by definition. In addition, I consider that there would be harm as a result of the impact on openness seen from within a

relatively small part of the MOL and, in the short term seen by the public in views from Wickham Road. In the medium to long term I consider that the public views of the building would be significantly reduced so that there would be little public perception of change to the open character of this part of the MOL. Despite this particular favourable conclusion, there would be conflict with the advice in RPG 3, with Policy R.14 of the Croydon District Plan and Policy G2 of the emerging UDP.

Fear of Crime

48. Taking into account all the evidence, I come to following conclusions on this issue. The risk of a patient escaping from the premises of the MSU would be very remote. It is inevitable that absconsions whilst on leave would occur, probably at a similar rate (proportionately) to that which currently occurs. A patient who has absconded does not necessarily pose any risk to the public and the outcome of absconsions would most often be benign. Patients being treated at MSUs elsewhere have committed serious offences whilst on leave or absconding from leave, but there is no clear pattern of such offences occurring in the vicinity of their MSU. Such incidents highlight that clinical assessments can be wrong. There is the possibility of a patient granted leave or absconding on leave committing a serious offence in the vicinity of the site, but in my view such a possibility is very remote. I consider that there is a small risk inherent in the established pattern of treatment of patients in MSUs, but that is a risk which a civilised society has to bear if mentally disordered offenders are to be offered appropriate treatment and possible rehabilitation. There is no evidence to suggest that the location of the BRH within an extensive suburban residential area makes local people any more at risk than local people living near other MSUs. I consider that there is only a marginally greater risk of an absconding patient committing a serious offence locally than elsewhere and this possibility is extremely low. I therefore conclude that the widespread fear and anxiety of local people is not well founded and should be given little weight in the balancing of planning considerations.

Very Special Circumstances

74. (In relation to the need for an 89 bed MSU) I conclude that there is a need for an MSU of broadly the size proposed and that meeting this need is strongly in the public interest.
81. (Regarding the need for a hospital campus location) I conclude that the BRH has many advantages for accommodating an MSU. It would provide the circumstances for the best possible care and rehabilitation of patients and relate effectively and efficiently to the Trust's other work. These are clear benefits of considerable weight to be taken into account in the overall balancing exercise.
97. In relation to possible (alternative locations/different combinations of provision) I come to the following conclusions. At the Trust's existing psychiatric hospitals there is no available site for an 89 bed MSU, nor sufficient land to meet a realistic part of the need. There is no available land within the rest of the NHS estate within the Trust's area for a stand-alone MSU. Possible parcels of land are too small to be realistic alternatives. The Trust's site search of non-NHS land was limited to Lambeth and Southwark. Although this was regarded by the Trust as a theoretical exercise, it did not produce any possible sites within the parameters then suggested (which were below the size of the proposed MSU). No sites have been suggested by objectors within the 2 adjoining London Boroughs of Croydon and Bromley. This evidence indicates that it is very unlikely that the Trust would find a

suitable site which was closely related to its existing main hospitals or be within Southwark and thus particularly close to the friends and family of prospective patients (setting aside the potential difficulties of acquiring any such land and securing planning permission). I also recognise that the Trust's plans for new MSU provision for patients mainly from Lambeth is not yet resolved. Planning permission has not yet been granted for the 24-bed unit at Lambeth Hospital (although the signs are favourable) and no new planning application has yet been made at Cane Hill (where the previous proposal was strongly opposed). The Trust may yet need to find another site for at least part of this provision.

98-104. Regarding the possible alternative sites at BRH, 4 were discussed at the Inquiry, though the acceptability of them was not for the Inspector to determine. 1 was seen as being unrealistic for the Trust as buildings on it would need to be replaced elsewhere on the site. The other sites were not considered to be more favourable than the appeal proposal, and might be problematic for reasons of loss of openness or trees, or because of archaeological interest.

The Inspector agreed that there were no substantive highway/parking, nature conservation or heritage issues sufficient to warrant dismissal of the appeal).

Overall balance of considerations

119. I have found that there is a need for an 89 bed MSU and that meeting this need is in the public interest, endorsed as it is by all tiers of the NHS and other bodies concerned with mental health care. I have found that the BRH is well suited for this type of unit and would provide the best medical back-up and facilities for the efficient and effective treatment and rehabilitation of patients. I have recognised that MSUs are particularly challenging clinical environments and consider that there are clear benefits for both patients and staff for such facilities to be in the most advantageous locations. In my view, these are weighty matters in favour of the development.
120. I have found that there are no alternative sites which would have the same benefits and advantages. There are no alternative sites on the Trust's other psychiatric hospitals for even part of the necessary provision to be made, nor any available land within the NHS estate for an MSU of any reasonable size. Any alternative arrangements for this provision would inevitably be significantly less advantageous, as well as having a high degree of uncertainty.
121. From all the evidence, I consider that there is considerable merit in the public interest in ensuring that the public investment planned for this new facility results in a unit which is as efficient and as effective as possible, in the interests of both patients and staff, and is able to accommodate a wide range of patients. Taking all relevant matters into consideration, I conclude, on balance, that the need for the proposed MSU, the unrivalled advantages of the location at BRH and the lack of any comparable alternative sites are sufficient to outweigh the harm from inappropriate development, the loss of openness and the fear of crime and thus provide the necessary very special circumstances to allow the development".

In the draft UDP a Major Developed Site is proposed for part of the BRH site. Objections to this were considered by UDP Inspector's Report. She recommends in her interim draft report that the MDS be retained in the Plan, but with a modified boundary to accurately reflect the built up extent of the site, and to accord with the boundary in the Further Inquiry Changes (which includes the MSU site within the MDS).

Conclusions

Members will be aware that where an adopted development plan contains relevant policies, Section 54A of the Act requires that a planning application be determined in accordance with the plan, unless material considerations indicate otherwise. This approach to decision-making applies equally to the consideration of details pursuant to an outline permission.

All material considerations relevant to the outline application were referred to by the Inspector in his decision letter, as quoted extensively above. He considered matters of principle, and this application deals with some of the reserved matters and certain of the details pursuant to conditions. It is not open to Members to “revisit” the principle of the development when determining this application. Members can only deal with the details as submitted. There is clearly still strong public concern about the principle and details of the development.

The main issue to be assessed is that of the impact of the building on the openness of MOL, in relation to whether this is materially different from/worse than that associated with the illustrative material submitted with the outline application, and taking into account the Inspector’s comments, as quoted above in paras. 28-31 of his decision letter.

Though the footprint of the building has changed, siting was reserved for subsequent approval and as such can be different from the illustrative outline layout, subject to consideration of the impact of the particular siting proposed. The reduction of the floorspace of the building and in the east-west extent, together with the fact that the height is less than previously indicated means that the reserved matters compare favourably with the previous plans. The relocation of the car parking and the positioning of the administrative block to the north of the original footprint do not appear to have any adverse impact on the openness of this part of the BRH site, in the context of the proposal as a whole.

To present the details, the architects have submitted extensive material including sections and computer-generated aerial views, along with the floor plans and elevations.

The details so far submitted comply with the conditions of the outline permission and it is recommended that they be approved.

Background papers referred to during production of this report comprise all correspondence in files refs. 02/00288 and 04/04846, excluding exempt information.

as amended by documents received on 26.01.2005 11.02.2005

RECOMMENDATION: APPROVAL

subject to the following conditions:

- 1 DCC01 Satisfactory materials
 DCC01R C01 reason
- 2 The lighting shall be self-certified by the contractor as complying with BS5489 - 1:2003.
 DCH23R H23 reason
- 3 AJ03 Justification RES'VE MATTERS APPROVAL

3 Policies (AUDP)

E.1 Design of new development

G.28 Trees, woodlands and landscaping

Policies (2DDUDP)

BE1 Design of new development

G3 Buildings on Metropolitan Open Land

NE7 Development and trees

