

ENVIRONMENTAL SERVICES DEPARTMENT

Development Control Committee on 14th June 2005

REPORT OF THE CHIEF PLANNER

1. Application No : 04/04047/OUT

**Ward:
Chislehurst**

Address : Ravensbourne College Of Design &
Communication Walden Road Chislehurst
Kent BR7 5SN

Conservation Area:NO

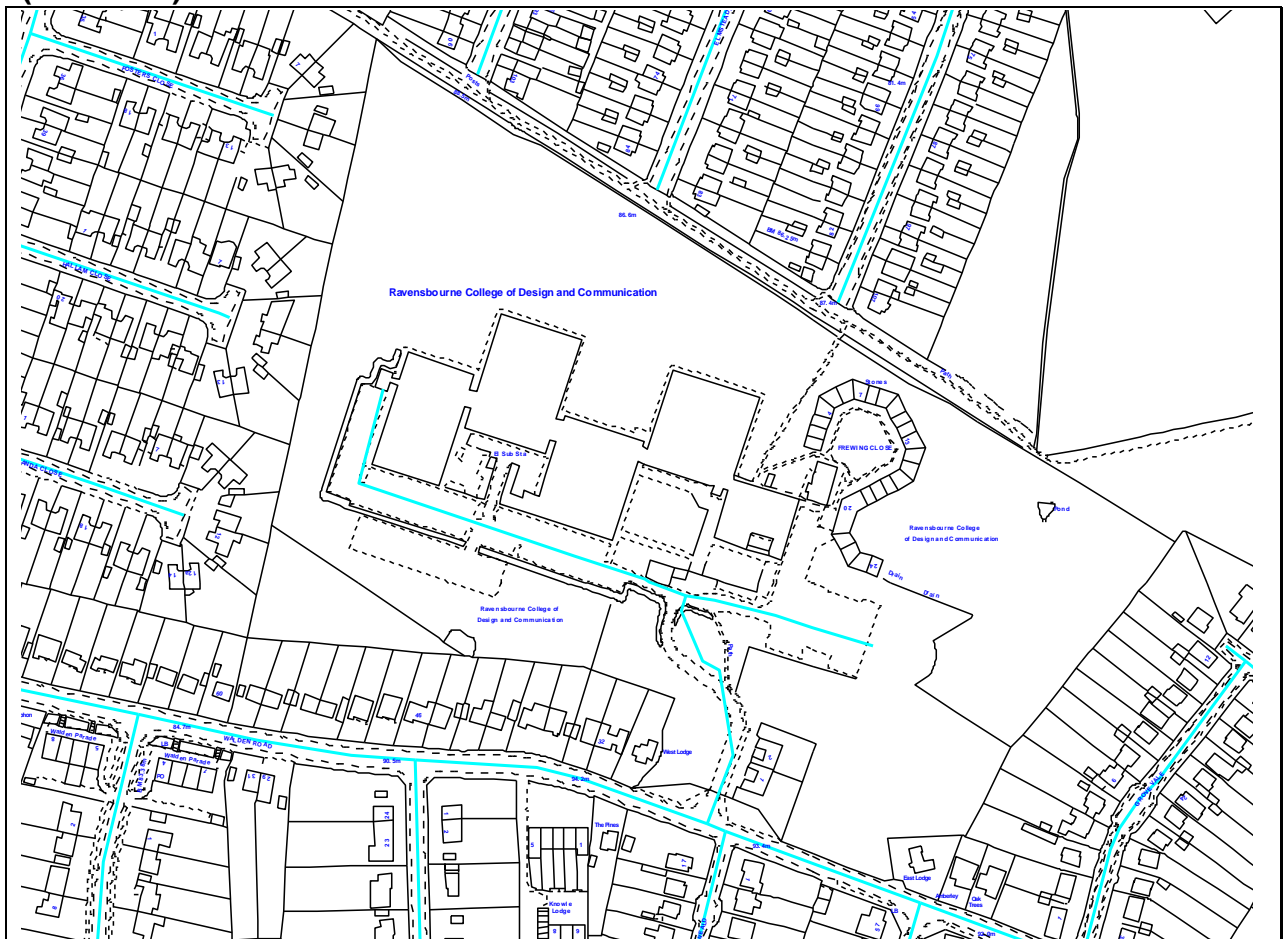
OS Grid Ref: E: 542902 N: 171055

Applicant : Ravensbourne College Of Design &
Communication

Objections : YES

Description of Development:

**Demolition of existing college building and students residential accomodation.
Erection of Residential Development (comprising approximately 251 dwellings)
with amended vehicular access, landscaping and open space
(OUTLINE)**



Proposal

The site and surroundings

The College occupies a spacious site of approximately 7.4 hectares (18.3 acres) within the built-up, suburban area of Chislehurst. The site itself forms part of a wider area of Metropolitan Open Land (MOL) in the immediate locality loosely forming a “stepping stone” between the larger Elmstead/Sundridge open spaces to the west and those of Camden Park, Chislehurst Village and beyond, to the south and east.

Although the site carries this open space designation it contains the substantial, centrally located buildings of the college itself and a more modern student residential block, clustered generally on an east-west axis. The site contains tree screens of varying depth to the southern, western and northern boundaries with more open shrub and grassed areas extending up to the buildings and to the car parking areas. The eastern part of the site beyond the student block comprises an area of dense and mature woodland that is protected by a Tree Preservation Order (TPO). It is also part of a larger area proposed to become a Site of Importance for Nature Conservation (SINC). This area comprises approximately 2.2 hectares (5.5 acres).

The college site is virtually surrounded by residential development, the character of which varies in that the development to the north of the site is of a higher density comprising mainly semi-detached and terraced dwellings, that to the west is of a lower density but still comprising mainly semi-detached properties, with the lowest densities to the south, mainly characterised by detached dwellings. The majority of dwellings are of two storey height and traditional construction.

The site has one vehicular access, through its southern boundary to Walden Road. Walden Road carries no designation within the road network hierarchy other than as a “local road”, although it is busy at peak times as it connects Elmstead Lane to Willow Grove (both local distributor roads). A section of the Green Chain Walk (footpath) runs along the northern boundary of the college grounds.

The planning application

The planning application was deposited with the Council at the end of October 2004. It was originally submitted in outline as described above with “access” only to be determined at this stage. Access will be via the existing entrance to/from Walden Road. Subsequently a revised layout for the front junction was submitted on 13th May since when the details of the access has also become a reserved matter.

Details of the siting of the development, its design /external appearance and of the landscaping scheme are reserved matters for future approval. It is indicated however that the development is to be in the order of 251 dwellings.

An illustrative layout has been submitted to indicate one possible form of layout which consists of a mix of dwellinghouses (predominantly in short terraces, a few semi-detached and a lesser number of detached) together with several blocks of flats, most of which are located along the woodland edge and entrance area. Three and four bedroom houses predominate as do two bedroom flats.

The application is accompanied by a Planning Statement which is supported by other specialist documents.

The Planning Statement describes the college, its local history and future proposals, for example:

- the College has been on its present site since 1976,
- the built form of development comprises a total footprint of 9,60s sq. metres (103,358 sq.ft.),
- there are currently the equivalent of 1,200 full time students and 96 bed spaces for student accommodation,
- the College aims to expand its activities and range of activities and student numbers to 3,000 and 600 bed spaces for student accommodation,
- for several reasons the College has decided that the only way to achieve its corporate goal is to move from Walden Road - a site has been identified on the Greenwich Peninsular,
- the statement summarises the local transport links, community facilities and their accessibility by means other than the car, including cycle and footpath routes.

The statement goes on to:

- describe the relevant national, regional and local planning policies that are relevant to the application and to itemize them,
- justify the application in terms of the requirement to prove the existence of “very special circumstances”, essentially relating to educational need (of the College) and housing need (of the borough) and to relate it back to the Council’s adopted Planning Brief for the site.

(These matters are discussed below in “Planning Considerations”)

The statement promotes the application, making the following points:

- the application comprises an outline application for 251 dwellings of which 30% will be “affordable”,
- the remainder of the site will be used for open space and nature conservation,
- the density is of the order of 50 dwellings per hectare (this matter is also discussed below),
- whilst respecting local character, it is possible for the development to create its own identity.

The Council’s Planning Brief is reproduced as a supporting document. This will be discussed below.

The Design statement identifies the elements of the site, its context and sets out the principles of design, the main points of which, relating to the proposed built development, are:

- a reduced visual impact when compared to the existing structures,
- to achieve a highly permeable scheme, opening up the site to the adjoining area,
- dwellings to be arranged to front public ways and open space areas, for good surveillance and crime minimisation, and to create a sense of place,

- to minimise the presence and use of the car and to maximise traffic calming and pedestrian permeability,
- to create a socially mixed and inclusive community,
- retention and augmentation of boundary vegetation especially to the Green Chain Walk and to existing residential properties with the creation of transitional buffers,
- the use of transitional forms and heights of buildings, from 2 storey housing around the existing college site and 3 to 4 storey flats along the woodland edge to a central area of 3 storey housing,
- to use a traditional finishing materials from a palette of local colours and textures,
- to recycle on site as much of the existing material as possible,
- to incorporate as much energy saving material and design as possible,

The Transport and Accessibility Appraisal, which is accompanied by a pre-application Transport Statement, indicates that the intended residential development would provide an equivalent traffic flow to the current situation where surveys of the peak daily flows to and from the College are of the order of 1.300 vehicle movements. Other main points from the appraisal are:

- that it was not anticipated that there was a requirement for off-site highway works
- the access to Walden Road would require modest widening,
- a looped road system would afford easier access for all vehicles including public service ones,
- parking supply is to achieve an average of 1.5 spaces per dwelling with a maximum of 2 per dwelling,
- accessibility to local public transport infrastructure (train, buses) is analysed,
- improvements to pedestrian and cycle routes are offered.

Following traffic and parking surveys and counts, the main prediction of the pre-application Transport Statement was that an initial appraisal indicated residential development in the range 200-300 units would create a similar level of traffic flows to the current college conditions.

Further work was undertaken and following a request from the Council for additional assessment particularly on the impact of the development on the local road network, a Supplementary Transport Report was submitted in January 2005. The report includes details of further survey work undertaken at junctions and assessments of their capacity. The conclusions are:

- the proposed development would generate lower traffic flows through a significant period of the day compared to existing college traffic but would result in modest increases at either end,
- traffic will remain well below the environmental capacity of Walden Road at all times,
- vehicle speeds near the college site conform to the legal limit,
- there will be substantial capacity at most of the tested local road junctions and all are within capacity for the 2011 design year test,
- the development will contribute to improve non-car access modes.

The Supplementary Transport report also addressed the combined impact of the proposed residential development (presently about 75 units) at SIRA, Southill Road

nearby. It concluded that the proposed level of residential development likely to generate less traffic than that seen at the time of the survey (June 2003) when the use was not fully operational. It was arguable that there would be a net benefit to the road network particularly when the removal of commercial vehicles is taken into account.

The view was expressed that the combined effect of both the Ravensbourne College and SIRA residential schemes would be minimal on the road network as both currently have existing uses which generate similar or higher flows.

A further illustrative plan was recently received indicating preferred sightlines from the site access road with Walden Road.

An archaeological appraisal was carried out to conform with the requirements of PPG 16 "Archaeology and Planning" comprising a desk based assessment followed, upon the approval and recommendation of English Heritage, by a series of excavations upon a part of the site.

The Archaeological Desk Based Assessment concluded that the site has a low archaeological potential for all periods of past human activity. It recommended a trial investigation of a part of the site seemingly unaffected by the erection of the present college and car park/access areas. The results of the excavations indicate that there are no deposits or features pre-dating the 20th century. Anecdotal information indicates that an anti-aircraft gun emplacement may have been erected and used during the 2nd world war on the site, probably close to, or on the site of the current buildings.

With regard to landscape and associated ecological and environmental issues, five reports were submitted:

- An Ecological Assessment
- A Protected Species Survey
- A Landscape Appraisal
- A Tree Survey
- An outline Landscape and Wildlife Management Plan

The Ecological Assessment identified, by survey, the different types of habitat within the site and, historically, the way they evolved. It investigated for the presence of wildlife including protected and endangered species. It examined the diversity of the woodland and "habitat mosaic". It identified a number of opportunities including the use of the woodland area as a nature conservation and limited access for informal recreation and education subject to an appropriate level of management. There is also potential to enhance the edges of the green Chain Walk.

The Protected Species Survey used records and survey methods to assess habitats (ranging from ornamental planting through types of grassland to broadleaf woodland – which is likely to be ancient in origin) and likely species present, including protected species such as certain reptiles, bats and badgers. Generally, the site appears to be of low value in terms of habitation use by wildlife (especially the highly protected species) although the wooded area and its fringes were considered the most useful habitat. The site had greater value for foraging. Recommendations did advise careful attention to demolition of the buildings including and care in the woodland management. A Breeding Bird Survey was not undertaken.

The Landscape Appraisal considers the site in the context of its surrounding, both topographical (including views into and from the site) and land use. It considers the proposed development and its visual impact locally. It concludes, amongst other things, that the proposal, based on the illustrative scheme, would be largely screened and enhanced by existing vegetation and trees within landscape buffer zones, that enhancement to the Green Chain Walk would take place and that the woodland and its edges would be retained.

The Tree Survey again analyses the site by zone and points to parts of the woodland being possibly of "veteran status". Conclusions reached with regard to the woodland are that there is no scope to develop within this woodland, any development within the clearer central zones would fragment and destroy its character and value as habitat. However greater public access can be achieved without this destruction. With regard to the "finger" of woodland toward the southern end of the main woodland block, it is suggested that this does not make a significant "landscape statement and as such would not be greatly missed", although the presence of some significant oaks here would suggest the area should be reduced rather than removed. Generally, the conclusion is that "there is potential to make greater use of the site without necessarily having an adverse impact on the existing tree stock".

The Outline Landscape and Wildlife Management Plan draws together the outcomes of the various reports referred to above within their legislative context and advises as to appropriate management objectives for each of the woodland and boundary areas, for recreational, ecology/wildlife habitat and visual enhancement.

A draft Infrastructure Report was submitted on 23rd May 2005 in which the supply of the various services to the site was assessed, the suppliers having been individually contacted.

There would appear to be no technical difficulties in the supply of water at adequate pressure; electricity subject to the provision of an on-site sub station and possible resiting of a main cable; gas supply would appear to be obtainable (based on existing usage on site) although no response has been received from the supplier; foul water disposal should be capable of being dealt with by the existing system wherein there is sufficient capacity; surface water disposal will require on-site storage and strict control of flows to improve the existing regime, to implement a sustainable system and to pose no flood risk impact within the Quaggy river system.

The developer is prepared to enter into a section 106 legal agreement to provide a number of community benefits or funding that would benefit both the scheme and the local area, arising from the impact of the proposal.

Draft Heads of Terms for the agreement are summarised in the "Conclusions" section.

Consultations

Pre-application discussions were held between the College, its agents and the Council Officers in line with government advice on major schemes. The result of this was the production, and adoption by Development Control Committee of a Planning Brief in September 2003 (see below under Planning Considerations).

Internal

From a Transport point of view it was accepted that the redevelopment would not generate significantly more traffic than the existing college use, it would be the case that it would generate a different pattern and different amounts at different times of the day, most likely in an opposite direction to the flows currently experienced, particularly at morning and evening peaks. It is expected that the scheme will generate an outflow of about 100 vehicles during the morning peak (8am to 9am) with an inflow of about 28 vehicles.

Further work has been required to assess the size of the expected peak hour traffic and examine its impact on the local road network and junction capacity. This includes assessing the new traffic flows together with known or expected flows (for example the prospective residential development at SIRA, Southill Road) or points of congestion (for example Clifford Avenue with the school located there). This also includes an offer to improve the pedestrian environment particularly in Elmstead Lane.

Sensitivity tests have been carried out and validated which show that the impact of the development will not have a detrimental impact on the road network.

Subject to finalising the detail of the access to Walden Road (to be considered at a later stage) the present situation is broadly acceptable. Discussions are continuing on the matter of off-site improvements that may be required, for example, to the footway in Elmstead Lane and clarification of final figures used in the traffic models and predictions is to come.

The train operators were contacted about the effect of a greater number of commuters possibly using Elmstead Woods Station, however no response has been received.

From an Education point of view it is advised that with regard to primary school places, the Council, as Local Education Authority, is currently undertaking another 3-year review of the need for primary school places. This takes account of known and projected housing data (this site is included) as well as population/live birth and migration information. Indications are that additional school places are unlikely to be needed in the Chislehurst/Mottingham area.

With regard to secondary school education, historically there has been a shortage of places in the Borough. Although the opening and gradual take up of places at the new Bishop Justus CE school at Bromley Common has reduced the pressure, all new development will continue to put pressure on such places. It is therefore requested that the developer enter into a legal agreement to make a contribution to future costs of building developments at secondary schools. The formula for the contribution to be based upon expected numbers of children of secondary age likely to be generated by the development.

From an Environment point of view the applicants' agent is working with the Council's Landscape/Ecology staff to draw up a management plan for the woodland area which, it is anticipated will be gifted to the Council together with funds for future care. Its future use, as an ecological/educational or recreational asset (ie., the amount of public access) remains under consideration, however, the possible relocation of the telecommunication masts, presently on and adjacent to the College building, into the woodland area, is also a matter being given consideration. This is particularly relevant as the woodland is subject to protection under a TPO and part of a proposed larger Site of Importance for Nature Conservation (SINC).

From a Housing point of view it is advised that this is a good location for affordable housing and the numbers involved would assist greatly the current shortfall of supply. The applicant should comply with the requirements of policy to provide 30% of the units or habitable rooms for affordable accommodation. These should be of a mix consistent with the mix of the development as a whole and indistinguishable from the rest. At least 10% should be to wheelchair standard and all should be wheelchair accessible. In fact the same should apply to the whole development.

From a Community Facility point of view I am informed that predicted local increases in population has been factored into the Primary Healthcare Trusts plans for the expansion of local health facilities. There are ongoing general demands for such facilities as day nursery provision and “hall” type accommodation. It is well known that the local Scouts group, for example, have been searching for permanent accommodation of their own for some time. However, although this facility could if provided with sufficient space, offer accommodation for these other uses, it does not arise directly as a consequence of the proposed development.

External

The Bromley NHS Primary Care Trust comments that it is in the process of planning a development of general practice and community health services on the current site of The Willows, Red Hill, Chislehurst, subject to planning and affordability. The scheme involves the replacement and enhancement of existing community clinic services on The Willows site together with the re-provision of the Chislehurst Medical Centre and the Woodlands Surgery. Both surgeries wish to expand and enhance services. In particular The Woodlands Surgery is seeking to increase its GP infrastructure to take account of the likely increases in the local population arising from redevelopment of the Ravensbourne College site. The Trust also wishes to provide a local one stop Diabetic service and an interactive educational resource for local people to access. It therefore would seek the maximum financial contributions towards these schemes.

An objection was lodged on behalf of the Green Chain Working Party. The Green Chain is a network of open spaces, providing public pathways and wildlife corridors. The site is on designated open space and it was considered that the scale of the housing development would remove the open space buffer to the Green Chain Walk. There would be perceived urbanisation of the Green Chain. The development would not be consistent with UDP Policy.

From a Drainage point of view the site lies within an area in which the Environment Agency – Thames Region requires restriction on the rate of discharge of surface water from new developments into the River Ravensbourne or its tributaries.

Thames Water commented with regard to waste water that surface water should not be discharged into the foul sewer but ideally disposed of on site (eg soakaways). Storm flows should be attenuated through on or off site storage. It was however not possible to determine the capacity of the waste water infrastructure needs of the application. It was suggested that an impact study be drawn up by the developers on both foul and surface water systems, depending upon their requirements. Agreement would then have to be reached otherwise TW would have no recourse but to object.

The Environment Agency initially called for more information on ecological and land appraisal issues. It later responded with two objections. The first is based on the

assessment that the development may present a significant flood risk from the generation of surface water run-off.

PPG25 requires that the proposal is accompanied by a Flood Risk Assessment. The second objection related to a possible detrimental effect on the water environment and ditch present on the site. Clarification as to how these features are to be protected is requested.

The application has been referred to the Mayor of London under Category 3E(b) of the Town and Country Planning (Mayor of London) Order 2000. The "Stage 1" consultation response is that the Mayor has concluded:

- that the proposal is broadly acceptable in strategic planning terms,
- the change of use for residential redevelopment is appropriate and would not detrimentally affect the openness of this portion of MOL,
- the level of housing is generally appropriate although an increase in density subject to high quality design would not be objected to,
- prior to referral for Direction the applicant to agree with GLA staff a design code to ensure the details meet high quality design standards,
- all homes should be built to Lifetime Home Standards,
- the s106 agreement and/or conditions should require an access statement,
- the s106 agreement and/or conditions should require a commitment to production and implementation of an energy assessment and renewable technology feasibility,
- further investigation of a need for a community facility should be undertaken,
- financial contributions are considered necessary to improve public transport accessibility and highway works. [Note: Transport for London input on this]
- the woodland and open space areas should be protected for MOL and biodiversity reasons within a s106 agreement and conditions,

The GLA case officer had reported that the level of affordable provision was acceptable although the lack of provision of 4 bed houses was disappointing. The density was in line with the requirements of the London Plan but an increased density would not be objected to if it resulted in an increased provision of affordable housing.

Local Residents

The Chislehurst Society supports local objections, arguing that the Development Brief failed to reflect several PPG guidelines on the use of MOL. The concern is with the density being close to the top of the specified range, taken together with the massive development recently commenced at Aquila, the environmental impact on will be all the greater in terms of: loss of visual amenity, traffic and parking problems, inadequacy of public transport, pressure on local services, education, healthcare and public utilities.

Additionally, there have been many letters and contacts from residents in the locality including more localised groups such as: The Representative Committee for Residents in Cranmore Park, SCOTRA Residents Association, Yester Park Residents Association and the newly formed Chislehurst Action Group. The Sundridge Residents' Association also objects.

The main points made are summarised as follows:

- Land should be returned to use as open space, before the College was built the land was used for horse grazing. It is wrong for the College to gain financial benefit from the sale of the land
- The buildings should be offered to local organisations before residential is contemplated or retained for an L B Bromley educational establishment
- Redevelopment should comprise a mixed use scheme, to include retention of education but also commercial uses as well as residential
- “Major Developed Site” as defined in PPG2 should not be confused with “major development site” which this seems to be
- Overdevelopment, out of character in the area, far too many dwellings and people than can be adequately accommodated. Contrary to the spirit of “Building a better Bromley” Too much high density development has taken place or is proposed (to include the former Coolings Nursery, now Aquila and SIRA sites) that will degrade Chislehurst as an attractive place to live
- Density is too high and many properties will not have in-curtilage parking and/or garages. Family housing of good quality is required here. The proposal contradicts the prediction of the Planning Brief which states “*it is anticipated that any redevelopment schemes will largely comprise family dwellings, thereby suggesting a density towards the lower end of the PPG3 range*” (para 5.12)
- Residential buildings in the locality are mostly 2 storey in height. Flats are inappropriate. Development too dense on east side of site
- Flats will be visible against the woodland which is not evergreen in winter
- 100-150 dwellings would be more appropriate
- Affordable housing mix is inappropriate as it is not in keeping with the area
- Proposed dwellings too close to boundaries which will detrimentally affect the privacy and general amenity of surrounding residents
- The design incorporates access around the periphery of the site so that rear gardens of surrounding residents are accessible which would afford unacceptably poor security. Additional fencing and planting would help to address the matter
- No buffer strip between development (flats) and woodland
- Land would provide a useful site for many Travellers
- “Gridlock” can happen in Walden Road even for the most minor of reasons
- The traffic from 251 dwellings will add to already bad congestion in the area. This already happens in High Street, Elmstead Lane, Yester Road and Willow Grove and particularly at junctions (and Sainsburys). Tailbacks from High Street and Willow Grove can reach Walden Road during the afternoon peak. Also tailbacks from the Sundridge Avenue roundabout can reach Walden Road in the morning peak. A high amount of family housing will also result in additional peak hour school runs. There would also be many more trips to and from the site than at present during the day.
- Over a year it is estimated (from figures given in the information accompanying the application) that there would be a virtual doubling of the total of trips from the new development as compared with the College. The College mainly operates on weekdays for 40 weeks per year (32 week also reported as total) whereas the proposal would be “24/7”.
- The traffic studies anticipate a 40% increase in daily traffic which, in contrast to the report is significant
- Could mean an extra 400-500 vehicles generated
- Other major schemes need to be taken into account when determining if the road network can cope with the extra traffic

- Other roads currently experiencing congestion include Cranmore park, Grange Drive, Clifford Avenue, Sylvester Avenue and Southill Road
- Walden Road narrows and already carries high volumes of peak hour and school trip traffic. It is also used as a “cut through”. There is also an issue of safety, not only for cars but cyclists and pedestrians, especially young children
- Pedestrian safety in Elmstead Lane is an issue. Parts lack proper footways.
- The analysis of the current traffic situation is wrong in that the amount of student traffic and its pattern of movement does not equate to a peak time events and would not equate to a residential scheme pattern of movement and therefore should not be used in that regard to argue similarity
- Traffic surveys carried out at inappropriate times and speeds measured at inappropriate locations
- The provision of bus routes is overstated. A number of routes are impractical for travelling to employment areas for example. There is only one “local” bus that connects directly with Bromley Town Centre, but its capacity is limited by the low bridge and tight road sections and is often full at peak hours (route 314)
- Often there is standing room only on peak hour trains from Elmstead Woods
- Parking already hazardous and indiscriminate in Walden Road, large vehicles including emergency services and refuse lorries have been known to be unable to pass on occasions. Student parking would disappear but commuter parking for Elmstead Woods Railway Station may replace it
- Parking problems have already occurred recently due to events at the nearby sports ground in Elmstead Lane
- Construction with HGV traffic will take place over a long period which will be disruptive and potentially damaging to highways, property and amenity
- Additional pollution, noise and disturbance
- Only one access point would be insufficient especially as that is located opposite an existing road. It would be necessary to open up vehicular access to the north through widening the green Chain Walk into Elmstead Lane to avoid congested areas and to dilute the traffic flows. This could be done by extending the adjacent cul-de-sacs
- Problems within Sundridge Avenue and the Plaistow Lane junction could be aggravated by the additional traffic
- Could be a security problem due to design of layout., especially if a public right of way is established across the site
- Green Chain Walk is poorly surfaced and lit, frequently fouled, unsafe at night and unable to be effectively policed
- Extra pressure on already stretched essential services, for example, doctors’ lists which are understood to be full. So many extra people will create severe problems
- Local schools are already under great pressure
- Surface water problems in local areas in periods of heavy rain. Local drainage pattern needs investigating
- Mains water pressure to existing development already low in summer months
- Will be an undesirable loss of trees, habitat and wildlife
- Adapt the present student accommodation block for affordable housing rather than demolish it. This would be a sustainable option
- No need for a community centre on the site but local facilities required, especially for the young
- Area poorly served by shopping facilities therefore the development would encourage more vehicular trips
- Archaeological survey/site investigation inadequate

- Where are telecommunication masts to go?

Should permission be granted construction traffic should be restricted to Elmstead Lane/Walden Road/Willow Grove; care must be taken close to schools and this traffic should be limited to movement between 8am and 5pm weekdays only. Parking restrictions should be made to Walden Road to allow access for emergency vehicles at all times.

The London Green Belt Council comments that the site should not be used for residential purposes but if anything, retained for further educational need, likely to be brought about by existing residential permissions and development. Future development should be “sustainable” which includes the requirement for the preservation of open spaces in the Green Belt (and MOL which performs a similar function within the urban area). Development should proceed in a balanced manner with no one use or service outstripping the others which might then lead to the need for “very special circumstances” to redress any imbalance.

A letter of support has been received along the following grounds -

- the difficulty in negotiating Walden Road derives from student parking;
- the site is not an open green space but a brownfield site;
- we need more houses and the site will relieve pressure on the countryside;
- doubts that traffic will be worse;
- the College cannot expand on site and needs to move;
- doubts that the area will be culturally diminished.

The application has, as can be seen, raised very strong local opposition and two meetings have been held with the public specifically on this application. A pre-meeting with local representatives on 9th March at Ravensbourne College followed by an open meeting at Red Hill Primary School on 24th May. This meeting was attended by representatives of the College, the Applicants, the Chief Planner, the Chislehurst Action Group and Chislehurst Society who all gave presentations together with a few hundred residents.

Planning Considerations

The Policy Context

In view of the size of the site the Council was required to make a Screening Opinion under the provisions of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999. The site gross area amounts to 7.4 hectares and therefore falls within the description of paragraph 10(b) of Schedule 2 to the Regulations and exceeds the threshold in column 2 of the table in Schedule 2 of the Regulations. Taking into account the selection criteria in Schedule 3 of the regulations and the terms of the European Directive, it was the opinion of the Local Planning Authority that the proposed development would not be likely to have significant effects on the environment and accordingly it was determined that the proposal is not an “EIA development” within the meaning of the Regulations.

With regard to the determination of this planning application, the planning system is very much in a state of transition. The Planning and Compensation Act 2004 has

updated the policy position. Section 38 states that for Greater London the development plan is:

the spatial development strategy (The London Plan – approved in February 2004) and the development plan documents (taken as a whole) which have been adopted or approved in relation to that area (the Local Development Framework)

The local development documents for the borough are in the early stages of preparation and so the adopted Unitary Development Plan (1994) remains the statutory local plan. The second deposit draft UDP has been subject to a local examination in public with the Inspector's recommendations to be reported to Members later this year. This document with its updated policies therefore is a material consideration. The UDP system will be superseded by the LDF system in any event.

The Act also states that where policies within the development plan conflict, this conflict must be resolved in favour of that which is contained in the last document to be adopted. Which for L.B. Bromley means that if a UDP or draft UDP policy conflicts with one in the London Plan, that within the London Plan should prevail.

The Act repeats the requirement that if regard is to be had to the development plan in the determination of the application, that determination must be made in accordance with the plan unless material considerations indicate otherwise.

There are a number of strands of central government planning policies which are "material considerations" and therefore relevant to the consideration of this application.

Planning Policy Statement 1: Delivering Sustainable Development (PPS1) was recently published (2005), and its broad aims are to promote social cohesion and inclusion, the protection and enhancement of the environment, the prudent use of natural resources and sustainable economic development. Ways of achieving these goals, and particularly relevant to this application, include:

- bringing forward sufficient land of a suitable quality in appropriate locations to meet expected needs for housing and other key land uses
- promoting the more efficient use of land through higher density, mixed use development, etc, and the use of suitably located previously developed land and buildings
- reducing the need to travel and to encourage accessible public transport provision to secure more sustainable patterns of transport development
- promoting socially inclusive, healthy, safe and crime-free communities whilst respecting diversity and special needs
- enhancing and protecting biodiversity, natural habitats, the historic environment and landscape and townscape character
- the promotion of efficient use, management and safeguarding of resources in the interests of minimising impact on climate change and to minimize pollution and natural hazards.

The statement also goes to some length to stress the importance of community involvement in both influencing policy formulation and through consultation on specific proposals. It also advises that the impact of development on the social fabric of communities is taken into account.

Earlier, Planning Policy Guidance Note 3: Housing, the latest version of which was published in 2000, emphasised the process of forward planning for, and providing for:

- the creation of sustainable residential environments,
- the maintenance of a supply of housing,
- the widening of housing opportunity and choice

Key ways of achieving these objectives include;

- assessing local need including the provision of affordable housing
- making more efficient use of land
- prioritising the re-use of previously developed land,
- promoting quality of design

Paragraph 58 specifically requires local planning authorities to encourage housing development which makes more efficient use of land, indicated as between 30 and 50 dwellings per hectare net) with higher densities the more accessible the site is to public transport and town centres.

This has more recently been reinforced in that any planning application for residential development on sites of 1 hectare or more and which proposes a density of less than 30 dwellings per hectare net, or is not specified, cannot be determined favourably by a local planning authority without submitting it for Direction by the First Secretary of State under the Town and Country Planning (Residential Density)(London and South East England) Direction 2002.

Paragraphs 59-62 advise that car parking standards were considered excessive and often applied as minimum standards. These should be revised to allow for significantly lower levels of off-street parking provision and a figure of 1.5 spaces per dwelling is cited as an average figure that, if exceeded, is unlikely to reflect government's emphasis on securing sustainable residential environments.

Planning Policy Guidance Note 2: Green Belts contains well established policy for controlling and setting guidelines for both appropriate and inappropriate development. In terms of the re-development of major sites, this guidance applies equally to both Green Belts and their urban equivalents, Metropolitan Open Land (MOL). Of relevance is Annex C which sets out how redevelopment should be undertaken within a "Major Developed Site" (MDS). These require specific designation and incorporation within the statutory planning process with the intention that they remain within the open space designation and, essentially, do not undermine the reason for its designation.

However, the site is designated at the present time as falling within MOL. The proposed residential development is therefore, by definition, "inappropriate" development and as such and in order that such development may be capable of being permitted, the test of "very special circumstances" must be addressed.

The Planning Brief drawn up by the Council and approved in September 2003, was to "establish the parameters for the future redevelopment of the site for an alternative use were the College to depart...In this event, the Council seeks to ensure residential development on the site (to assist in meeting its overall housing target), possibly with an element of community use." The advice would take account of the proximity of adjoining

established housing and the open space designation of the land as MOL and as a proposed Major Developed Site.

The Brief envisaged a sustainable development that could set its own identity respectful of its surroundings, sit screened within landscaped grounds, retain and enhance the value of the woodland, provide a high quality and safe living space for its residents whilst complying with planning policy. In that regard it was advised that to accord with government policy advice, the required density would equate to between 157 and 262 dwelling units. The Council's standards for this location would equate to a maximum of 145 habitable rooms per hectare. There would be a requirement for an element of affordable housing currently 30% of habitable rooms. An analysis of traffic generation indicated that a development of between 200 and 250 units would appear to yield approximately the same level of traffic a currently observed for the College. Items that might be subject to a s106 legal agreement would include: affordable housing, habitat/open space management, contribution to any community facilities, transport improvements, educational contribution.

With regard to the development plan, the major strategic policies within the London Plan relevant to the application would appear to be as follows:

- 2A.6 Spatial strategy for suburbs
- 3A.1 Increasing London's supply of housing
- 3A.2 Borough housing targets
- 3A.4 Housing choice
- 3A.7 Affordable Housing targets
- 3A.8 Negotiating affordable housing in private residential schemes
- 3C.1 Integrating transport and development
- 3C.22 Parking Strategy
- 3D.9 Metropolitan Open Land
- 3D.12 Biodiversity and nature conservation
- 4A.7 Energy efficiency and renewable energy
- 4B.1 Design principles for a compact city
- 4B.3 Maximising the potential of sites (include Table 4B.1 Density & parking matrix)

The relevant major policies within the adopted L B Bromley Unitary Development Plan are as follows:

- H.2 Design of Housing Development
- H.7 Residential Density
- T.3 Traffic generation
- T.5 Improvements to local roads
- T.15 Parking standards
- T.21 Cycling
- G.6 Metropolitan Open Land: preferred uses
- G.7 Metropolitan Open Land: open character
- G.9 Green Chain: protection
- G.10 Green Chain: enhancement
- G.24 Nature conservation
- G.25 Protected nature sites
- G.26 Tree retention
- G.27 Woodland protection
- G.28 Woodland as habitat
- E.1 Design of new development
- E.10 High buildings and skyline

- C.1 Community needs arising from new development
- C.6 Provision of utilities

Specific policies now proposed in the draft UDP, the subjects of which were not previously covered in the adopted UDP include:

- H2 Affordable housing requirement
- H4 Accessible housing requirement
- BE4 Public art provision

As referred to above the draft UDP was subject, last year, to an Examination in Public by an Inspector appointed by the First Secretary of State. Objections were examined and the Inspector's recommendations have been published.

Of relevance is the view the Inspector took on the provision of Affordable Housing. The Borough's target of 30% of habitable rooms of private developments over 15 units is criticised as restrictive and not in accordance with the London Plan requirement to be flexible (the London Plan has a strategic target of 50%). A higher target figure of 35% is suggested with greater flexibility built in to the policy to respond to individual circumstances. Equally, the Inspector considered that the draft policy on housing density would not enable the most efficient use of land to be achieved and recommended that the density matrix contained in the London Plan be adopted as the borough wide approach.

The Inspector also considered the various objections and proposals, including the Council's pre-inquiry change – to designate the application site as an MDS. She concluded that due to the pressing housing need of the borough, the designation of the site as an MDS would not allow for the full potential of the site to be realised and that if the site was not to be used for another educational purpose, that there was sufficient justification for releasing the site from MOL.

Parking provision should be in accordance with the objectives of the London Plan, namely to adopt firm maximum standards and LB Bromley should apply these reduced standards to new developments in an effort to promote sustainable travel choices with developers having to justify higher ones. The standards that the Inspector examined were 1 space per private dwelling in areas of high accessibility to public transport through medium accessibility (1.5 spaces per dwelling) to 2 spaces per dwelling in areas of low accessibility. It would appear that the application site is in an area of low accessibility.

Of relevance within the planning history of the site is the appeal determination by the then Secretary of State in July 1994 in granting permission for the halls of residence. The Inspector commented, and the SoS accepted the argument, that the site did not fall within any category that defined MOL. He saw the site as essentially a developed one:

"...it is my opinion that this site, centrally occupied by a substantial building which is surrounded by car parks, does not present an attractive break in the built up area, and contributes little, if anything, to the physical structure of London. I see its sole value as Metropolitan Open Land to be limited to the nominal contribution it makes to extending the open character of the adjoining recreation ground, which I consider to be properly designated as Metropolitan Open Land."

An interim report was made to Development Control Committee on 7th December 2004, following the receipt of the application in late October. Members of the committee carried out site visits to the College site on Friday 14th and Saturday 15th January 2005.

Conclusions

The application for 251 dwellings is in outline and it is the principle of development that is before Members for consideration. The development is of strategic significance involving both the GLA/Mayor of London and the First Secretary of State in the decision making process. The Mayor requires such development to accord with the provisions of the adopted London Plan which itself complies with central government policy objectives. Central government objectives clearly point to more efficient (higher density) use of developable land. The Council's adopted local plan (the UDP) predates by several years the London Plan and recent government advice and does not comply in certain parts, particularly with respect to housing policy and sustainability. This is required to be addressed through the (ongoing) process of updating the UDP and through the new system of Local Development frameworks to be introduced shortly. As a mandatory part of this process a government-appointed Inspector has commented on the revised UDP with suggested changes for the Council to carefully consider, bearing in mind the need for conformity with the (Mayor's) strategic plan.

Of material significance to the determination of this application, were recommendations recently made by the UDP Inquiry Inspector to remove the site from MOL designation on the basis that it did not contribute to openness and other MOL functions, and for the site to assist in meeting housing targets. In her view the proposed designation as an MDS becomes superfluous. These recommendations were supported by the Mayor of London but with the safeguarding of the woodland and open land around the proposed development.

However, the site remains lawfully within MOL at present and by the terms of PPG2 (and also Policy 3D.9 of the London Plan) "very special circumstances" must be advanced to justify inappropriate development on such land. The Mayor agreed with the Inspector's view that the major part of the site did not contribute to the openness of the land and that the development would equally not have an impact on its openness. It was considered that this amounted to the existence of a "very special circumstance".

From the Council's point of view it was proposed to retain the site within MOL and to designate it as an MDS in the revised UDP, which would enable redevelopment, providing certain limiting constraints regarding such matters as size and spread were achieved, thereby retaining the existing openness of the site and thus the reasons for including the land as MOL. It was on that basis that the Planning brief was drawn up. However Members are asked to agree the presence of very special circumstances which are considered to be present.

The Planning Brief indicates the way in which the Council expects the site to be developed. It states the policy context at the time, the constraints and opportunities, preferred land use mix, transport issues, design considerations including density. It indicates a range of number of dwelling units that could conform with government guidelines to achieve the most efficient use of land (30-50 dwellings per hectare) and also achieve the Council's proposed maximum for the area – 145 habitable rooms per hectare. Crucially however, as mentioned by objectors, paragraph 5.12 goes on to say; *"Given the character of the surrounding area it is anticipated that any redevelopment*

scheme will largely comprise family dwellings, thereby suggesting a density towards the lower end of the PPG3 range”.

It appears that the figure for the developable land is approximately 5.2 hectares. Density under the present proposal would equate to approximately 48 dwellings per hectare which, given the likely number of habitable rooms per dwelling based on the illustrative schedule of dwelling types, would result in a density of about 200 habitable rooms per hectare. Both of these figures appear to exceed the expectation of the Council’s Planning Brief but are at the top of the range within the relevant part of the density matrix in the London Plan. However, even the London Plan acknowledges, in Policy 4B.3 that whilst striving for the “*highest possible intensity of use*”, boroughs should ensure that development proposals are “*compatible with local context*”.

Members will be aware that the matter of density (scale of the development) is of serious concern to residents. From the report above it can be seen that the Mayor considers the scheme to be acceptable and would not object to an increase in density subject to high quality design. Members will also be aware of the Inspector’s recommendation that density ranges in local policy be raised to accord with those of the London Plan, and that central government is looking for the most efficient use of land that can be reasonably be achieved. Set against this is the issue of the extent to which the proposals accord with or are out of character with the local context.

Also of serious concern to residents is the matter of the additional traffic generation, its different characteristics and its impact on the local road network, particularly at peak periods. Advice is that the road network including junctions will be capable of absorbing the new traffic without detriment.

Again, the provision of sufficient infrastructure, both social and physical are of great concern to residents.

Physical Infrastructure provision (for example, water, gas, electricity supply) would not appear to be compromised by the development subject to some additional works.

There is an issue as to whether there is a need for the provision of local community facilities that remains unresolved.

There is a request from the Primary Care Trust for a financial contribution towards the planned future provision of enhanced local health facilities.

Whilst the provision of primary school places is reported as adequate, there will be a financial contribution towards secondary school provision; 30% of the development will be provided as Affordable Housing and the woodland will be dedicated to the Council with a maintenance fund and agreed management plan. In terms of transport sustainability, TfL, through the Mayor are requesting a contribution to improve the local bus network.

Responding to these requests, the developer is suggesting that the section 106 agreement (Planning Obligation agreement) covers the following matters, and I quote:

“Provision of 30% of dwellings as affordable housing with 70% being ‘social housing’ and 30% being ‘intermediate housing’

Contribution to off-site public transport improvements comprising:

*Bus stop at Elmstead Lane/Walden Road
Footway improvements on east side of Elmstead Lane*

Note: The Mayor is seeking a contribution of £225,000 for the provision of an Additional bus on the 314 service and this will need to be incorporated into the Planning obligation if required.

Transfer of the woodland to the Council with appropriate rights of access and subject to a management plan.

Preparation and implementation (with appropriate funding for a defined period of time) of a woodland management plan based on the principles contained in the 'Outline Landscape and Wild-Life Management Plan' prepared by Catherine Bickmore Associates (October 2004) and subsequent discussions with Bromley Council. There is an expectation that the remaining open space will not be adopted by the Council and will not therefore feature as part of the Planning Obligation.

4. Contribution to Secondary Education improvements based on an agreed amount per dwelling and payment phased to the number of occupied dwellings.

5. Creation of a community fund to provide finance for improvements to local social and community facilities which will be directly affected by the proposed development including, for example, up grading medical facilities.

Local training and employment initiatives. “

Background papers referred to during production of this report comprise all correspondence on file ref(s). DC/04/04047, excluding exempt information, the adopted and draft Unitary Development Plans, the Inspector's Report, the London Plan and relevant government publications.

RECOMMENDATION: MEMBERS' VIEWS ARE REQUESTED

Kelsey And Eden Park

Address : Bethlem Royal Hospital Monks Orchard
Road Beckenham Kent BR3 3BY

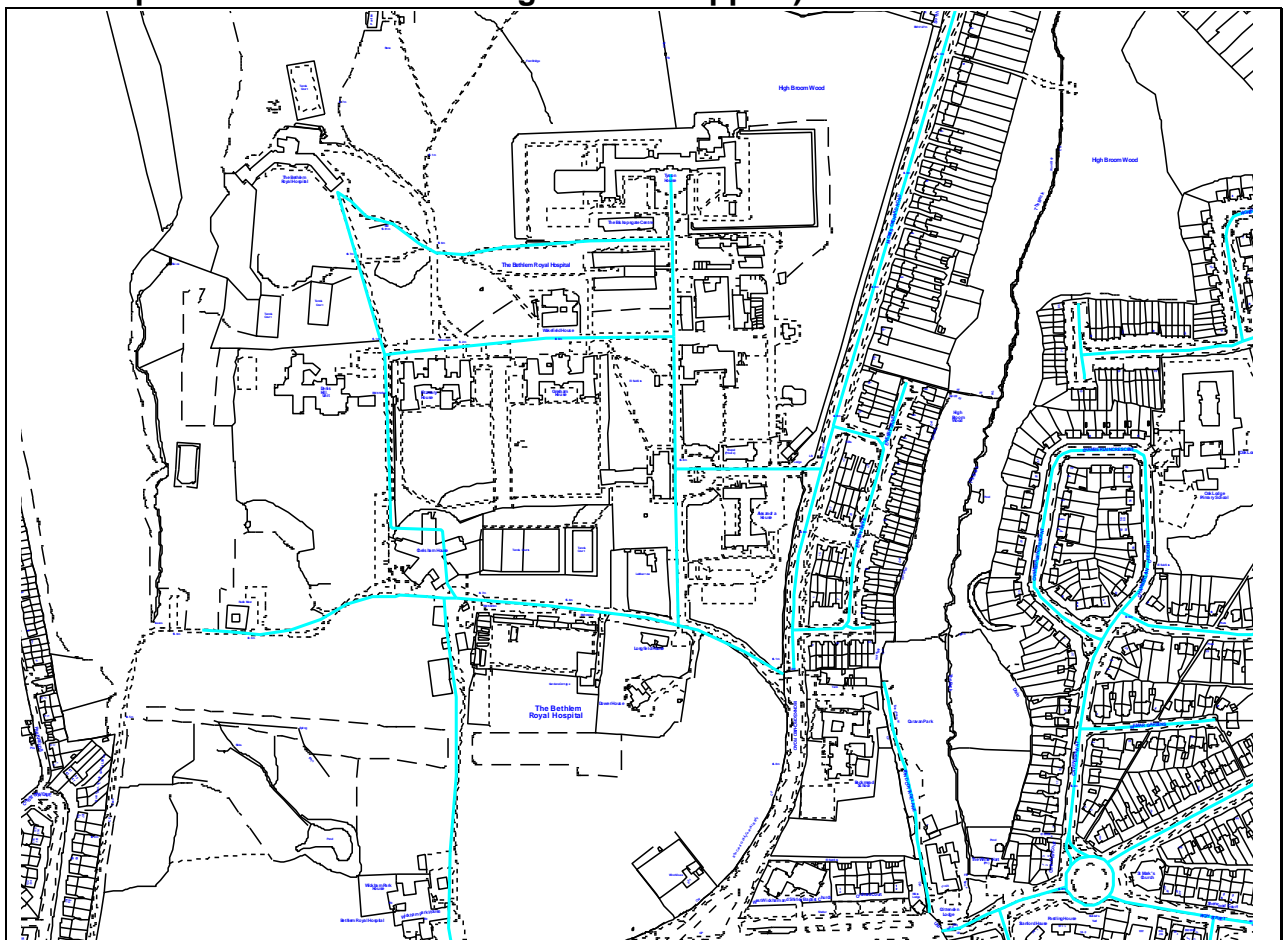
Conservation Area: NO

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 surface water drainage systems includes a storage tank under part of the car park to attenuate outfall from the site at times of heavy rainfall.

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, in view of the large impermeable area proposed on-site attenuation measures have been proposed on revised plans to limit outfall of surface water towards watercourses at times of heavy rainfall. Any 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 ion files refs. 02/00288 and 04/04846, excluding exempt information.

as amended by documents received on 26.01.2005 11.02.2005 20.05.2005

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
-

Kelsey And Eden Park

Address : Bethlem Royal Hospital Monks Orchard
Road Beckenham Kent BR3 3BY

Conservation Area: NO

OS Grid Ref: E: 537210 N: 166494

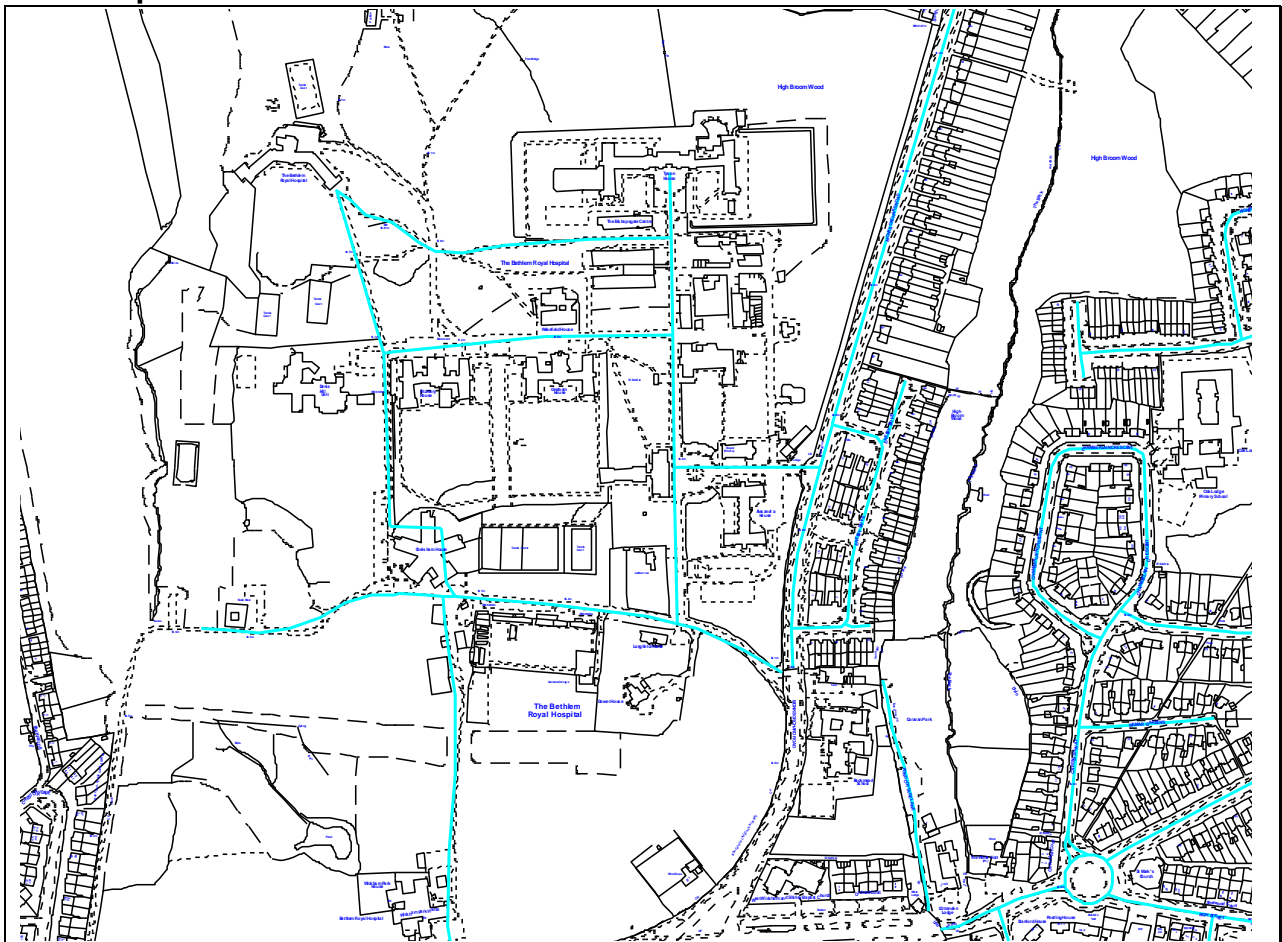
Applicant : Chief Executive - SLAM - Stuart Bell

Objections : NO

Description of Development:

Detached building comprising maintenance workshop, storage and staff facilities, and extension of existing hardstanding and 3.5m high palisade fencing/gates to provide waste management compound, for garden/grounds maintenance facilities for the hospital.

Joint report with 05/01015



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Proposal

These applications concern the relocation of facilities on the site of the proposed Medium Secure Unit (MSU) of the Hospital, as follows –

- the Gardener's Department (storage, offices and mess), which is in buildings attached to and close to the wall of the enclosed garden
- the therapy garden within the enclosed garden.

Application ref. 05/00771 concerns land in the north-west part of the built-up area of the Hospital's (BRH) facilities, though part is to the east of/just outside the "envelope" of buildings in this part of the site. The proposed occupational therapy garden will be immediately to the north of the MSU and to the east of the Chelsham Unit.

The architect's statements explain the 2 proposals.

Gardens/grounds maintenance facilities.

The MSU is to be built on the site of the former Victorian walled garden where the main bulk of the garden maintenance facilities are presently based, hence the need for it to be relocated. This project is to run in tandem with the reallocation of the organic kitchen garden which is being moved for the same reason. The aim is to provide a secure compound to enclose the entire maintenance facility which should improve working conditions for staff and bring their working practices into the 21st century.

The Gardener's Department consists of 8 employees. They tend the 240 acres of the grounds at the Hospital site plus weekly visits to 9 other outlying sites within the Croydon area. There is a large amount of equipment needed due to the varying jobs carried out in these areas. This equipment needs to be stored safely and securely in appropriate areas.

The facilities currently used by the Gardener's Department are old and dilapidated, they do not meet many of the current health and safety requirements which are in force for this specific building type or employment requirements. Currently the gardeners have available to them a 24sq.m. cabin, half of which is used for office space, the rest is used for storage, there is also a 36 sq.m. mess facility, which is not used to its full capacity. Storage space is mainly taken up by a tractor shed (168 sq.m.) and a mower shed (106 sq.m.) with other storage for salt, soil and general storage of tools amounting to 262 sq.m. The total existing storage space totals 536 sq.m. Greenhouses comprise much of the floorspace within the existing Gardener's Department facilities, totalling about 900 sq.m.

3 areas have been chosen to relocate the current facilities towards the north of the Hospital site. These areas have been chosen to amalgamate the current facilities into a more cohesive and appropriately functioning Gardener's Maintenance Unit, which will comply with current health & safety requirements and other current statutory regulations. The design of these areas will improve the way the unit is currently run and improve the working conditions of staff and their facilities.

Area A is used at present as a storage yard for redundant hospital goods, the area is a half open and half covered space enclosed by a brick wall with a 4m swing gate as an

access point. At present the existing Gardener's Department does not have its own space for the storage of hand tools and small hand held machinery. These tools are currently located within the tractor and mower sheds. The relocation of the Department will provide new tools requiring separate and new accommodation. This is to be located in Area A which has a total existing floorspace of 145 sq.m. This is to be used for secure

storage of hand tools (forks, spades, rakes etc) and also small hand held machinery (strimmers, hedge cutters, blowers, wheel barrows and trolleys). It may also be possible to incorporate the storage of bagged material (fertilisers, top dressing etc) into this area. New works proposed for Area A are for a new sliding gate which will reduce the impact of the current swing gate on to the maintenance road. Repositioning the gate to a more central position will improve the use of the current yards space with regards to vehicular access. None of these works require planning permission.

Area B is approximately 450 sq.m. The site consists of a concrete surface, surrounded by a concrete wall on 3 sides, with workshop buildings on the fourth. The site has a corner gate access, which is used to gain access to the compactor and skip for waste management purposes. The current space available for storage and maintenance of the Gardener's Department equates to 536 sq.m. Half of this area is used for the storage of mowers and tractors, the other half is used for the storage of bagged materials. The proposal to move these spaces to a combined space reduces the overall size of the area required to 450 sq.m. This will be the main area for development with the erection of a 5.5m high steel portal frame building to cover the whole site. This will be used for the storage of high value machinery (mowers, etc) and some tractor mounted equipment. It will also serve as the workshop for the maintenance, adjustment and repair of machinery, equipment and storage for machinery parts and consumables. In addition this facility will include office space, staff kitchen, staff changing facilities, sign writers workshop, storage for tools and equipment and finally a large open space for storage and workshop for the maintenance of the tools and equipment e.g. mowers and tractors, with allowance for DDA and Part M required access and facilities.

Area C-D is used at present to station 4 large refrigerated storage units on tarmac surface. The area surrounding the site is mainly overgrown scrub, with extensive woodland beyond. At present the waste management is situated within the existing Area B site. Currently there is no space available for the wash down of vehicles. Moving the waste management and adding a wash down area to Area C-D, not only allows the Trust to update the waste management system, but also allows rationalisation of the layout required for the area. The proposed scheme for Area C-D equates to an area of 445 sq.m. for the maintenance staff on an area that is presently being used for bulk storage. The refrigerator storage units will be relocated off site. The tarmac area is to be extended to the east by approx. 3m and to the south by 7.5m creating a boundary with the existing storage building adjacent to the south. The site is to be secured with a 3.5m high palisade fence with a mechanical sliding gate off the access road. It is the intention to plant a native hedgerow at the east/rear of the site to achieve as little visual and noise impact on the residential housing to the east of the site.

Occupational Therapy Garden

The proposed Occupational Therapy Garden for the hospital will provide an essential occupational therapy rehabilitation programme to help patients develop a variety of

skills in a safe and secure environment. The garden will enable patients to develop organic principle skills in gardening within a work environment.

The garden will be attractive and feel spacious, safe and secure. The eastern boundary of the garden will be enclosed by the re-provision of a pierced brick wall, 2.4m high, incorporating an arched gateway, echoing the original Victorian walled garden. The wall

will provide the essential micro-climate for the horticultural project. The other boundaries will be comprised of 2.4m close board timber fence, which will allow the planting of climbers.

The garden will be laid out in a basic four quartered area layout with a variety of beds designed to sustain a crop rotational system within the garden. The central paths will be surfaced using porous bound gravel which will enable the paths to be used by elderly patients from the adjacent Chelsham House allowing inclusive access to the therapy garden. At the junction of the paths there will be a central herb garden. As part of the therapy process the patients are to assist in the construction of raised beds for disabled access, these will be constructed using bricks reclaimed from the original garden.

A vehicle access path to the south of the site will allow deliveries and emergency access to the garden, the access path will be linked to the new road at the north of the MSU.

All patients using the occupational therapy garden will be escorted to and from the main hospital units and will be supervised at all times within the garden. Patients involved in the project will normally be long stay patients nearing the end of their stay who need to face a level of responsibility, prior to discharge.

The polytunnel will be relocated from the original site at the hospital to within the new kitchen garden. The greenhouse is proposed as an unequal span that backs onto the proposed brick wall. The greenhouse will be located in the north-east corner which is the warmest area of the kitchen garden.

The greenhouse and the polytunnel will allow staff and patients to work throughout the year, whilst allowing the kitchen garden staff to propagate seeds and grow fruit and vegetables in a warmer environment.

The outbuilding is proposed to include an office space, tool shed, kitchen area, and toilet, and will be located in the south-west corner as this area is in shade due to the existing tree cover. Compost bins will also be located in this area so as not to compromise the overall image of the kitchen garden.

An office space within the outbuilding will provide storage space for the staff to securely hold records of the patients, as well as planting and seed schedules, and also provide a private haven for staff, for patient interviews and private phone calls.

The tool shed will hold all gardening tools in a lockable facility. A toilet is proposed in the outbuilding so staff will not have to escort patients back to the main hospital to use the facilities, and the kitchen will provide basic amenities allowing the staff and patients to make a cup of tea, without having to leave the garden.

Consultations

The application for the garden/grounds maintenance facilities has been treated as a departure from the Development Plan. The Environment Agency has no objections to the proposal provided surface water run-off is limited by condition. The Environmental Health Officer has no objections to the application. There have been no public objections.

Planning Considerations

The policy background is as set out in the report on the details of the MSU, also on this agenda. Areas B and C-D of application ref. 05/00771 are within the pre-1994 Bromley boundary. Area C-D is not within the MDS boundary, but adjoins it.

The main issue in both cases is the location of the proposals on MOL. The proposals are inappropriate development on the basis that institutions in large grounds are appropriate in adopted Policy G.2, but this has been overtaken by more recent Central Government advice in PPG2 "Green Belts", the London Plan (Policy 3D.9) and draft UDP policies.

As such Members will need to consider whether there are very special circumstances to set aside the normal strong presumption against inappropriate development in MOL or any other harm.

Though the proposals are inappropriate, their scale and nature would not conflict with the purposes of including the land within MOL. The garden/grounds maintenance facilities are on previously developed land and though the occupational therapy garden is not agricultural as such, it is an open use appropriate to the BRH itself and the character of the site. On this basis it is necessary to consider whether there are very special circumstances to justify granting permission, and Members may agree that they do exist on the basis of –

- the minimal impact on openness
- the proposals essentially being ancillary to the operation of the health facilities at the site, and their benefits to healthcare generally
- the relationship with the permitted MSU.

These matters are now examined in more detail.

Area B of application ref. 05/00771 is within part of the BRH site that comprises functional buildings and uses e.g. waste management, boiler house etc. and though the proposed workshop etc. building is of a functional industrial appearance it should not adversely affect the character of the MOL at the BRH.

Area C-D is outside the general built envelope and MDS, but this area is partly hardstanding at present and occupied by 4 portable buildings. Approx 220 sq.m. additional hardstanding is proposed, which will be enclosed by the palisade fence. This area will be open except for a relocated oil tank, waste compactors and recycling containers. 1 lime tree and scrub will be removed. The relocation of the waste management facility at the BRH to Area C-D is acceptable and raises no environmental or pollution issues.

Regarding application ref. 05/01015 the proposed walled/fenced garden with horticultural buildings and ancillary store/office is quite appropriate to the character of the open land at the BRH, the Hospital comprising as it does a number of units providing mental health care each with space around them to provide an open environment for patients. A number of conifers will need to be removed to make way for the access but it is not considered that this will have an impact on public amenity or the generally treed character of the BRH site. The site mainly comprises existing hard paved tennis courts.

Policies C.1 of the adopted UDP and C1/C5 of the draft UDP concerning community and health facilities are relevant in that the 2 proposals concern or are related to facilities/uses that meet identified health needs.

Conclusions

The proposals have been necessitated by the MSU scheme in that the garden/grounds maintenance facilities and therapy garden within the existing walled garden need to be relocated because of that scheme. However, both are operating within buildings that provide substandard accommodation and need upgrading in any case, and the proposals will provide an improved operating base for the maintenance of the grounds and an improved occupational therapy garden for patients. Neither proposals will have an adverse effect on the openness of MOL, and as such Members may agree that very special circumstances do exist to justify granting planning permission.

Background papers referred to during production of this report comprise all correspondence on files refs. 05/00771 and 05/01015, excluding exempt information.

RECOMMENDATION: PERMISSION SUBJECT TO ANY DIRECTION BY THE FIRST SECRETARY OF STATE

and the following conditions:

- | | | |
|---|--------|--|
| 1 | DCA01 | Commencement of Development |
| | DCA01R | A01 reason |
| 2 | DCA04 | Landscaping scheme full app no details |
| | DCA04R | A04 reason |
| 3 | DCB01 | Trees to be retained during blg ops |
| | DCB01R | B01 reason |
| 4 | DCA08 | Boundary enclosures - implementation |
| | DCA08R | A08 reason |
| 5 | DCC01 | Satisfactory materials |
| | DCC01R | C01 reason |
| 6 | DCD02 | Surface water drainage - no details |
| | DCD02R | D02 reason |
| 7 | AJ02 | Justification UNIQUE reason OTHER apps |

Policies (AUDP)

C.1 General Policies for Community Services

C.18 Environmental Protection

E.1 Design of New Development

G.6 and G.7 Metropolitan Open Land

G.28 Trees

Policies (2DDUDP)

BE1 Design of New Development

C1 Community Facilities

C5 Health Facilities

ER1 and ER2 Waste Management Facilities

G3 Buildings in the Green Belt and on Metropolitan Open Land

NE7 Development and Trees

The London Plan

3D.9 Metropolitan Open Land

4. Application No : 05/01015/FULL1 Ward: Kelsey And Eden Park

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

OS Grid Ref: E: 537210 N: 166494

Applicant : **Stuart Bell (Chief Executive: South London & Maudsley Trust)** **Objections : YES**

Description of Development:

Occupational therapy garden enclosed by 2.4m high wall/fence with gates, including greenhouse/coldframes, polytunnel and single storey building comprising office, kitchen, toilet and storage and with access drive and hardstanding for deliveries/turning area

Joint report with 05/00771

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 DCA01 Commencement of Development
DCA01R A01 reason
- 2 DCB01 Trees to be retained during blg ops
DCB01R B01 reason
- 3 DCC01 Satisfactory materials
DCC01R C01 reason
- 4 Details of the materials of the vehicle access and turning area shall be submitted to and approved in writing by the Local Planning Authority before the development hereby permitted is commenced. The materials shall be laid out in accordance with the approved details before the development is first used.
DCA04R A04 reason
- 5 AJ02 Justification UNIQUE reason OTHER apps

- 5 Policies (AUDP)
C.1 General Policies for Community Services
E.1 Design of New Development
G.6 and G.7 Metropolitan Open Land
G.28 Trees

- Policies (2DDUDP)
BE1 Design of New Development
C1 Community Facilities
C5 Health Facilities
G3 Buildings in the Green Belt and on Metropolitan Open Land
NE7 Development and Trees
The London Plan
3D.9 Metropolitan Open Land

5. Application No : 05/01547/OUT Ward: Cray Valley West

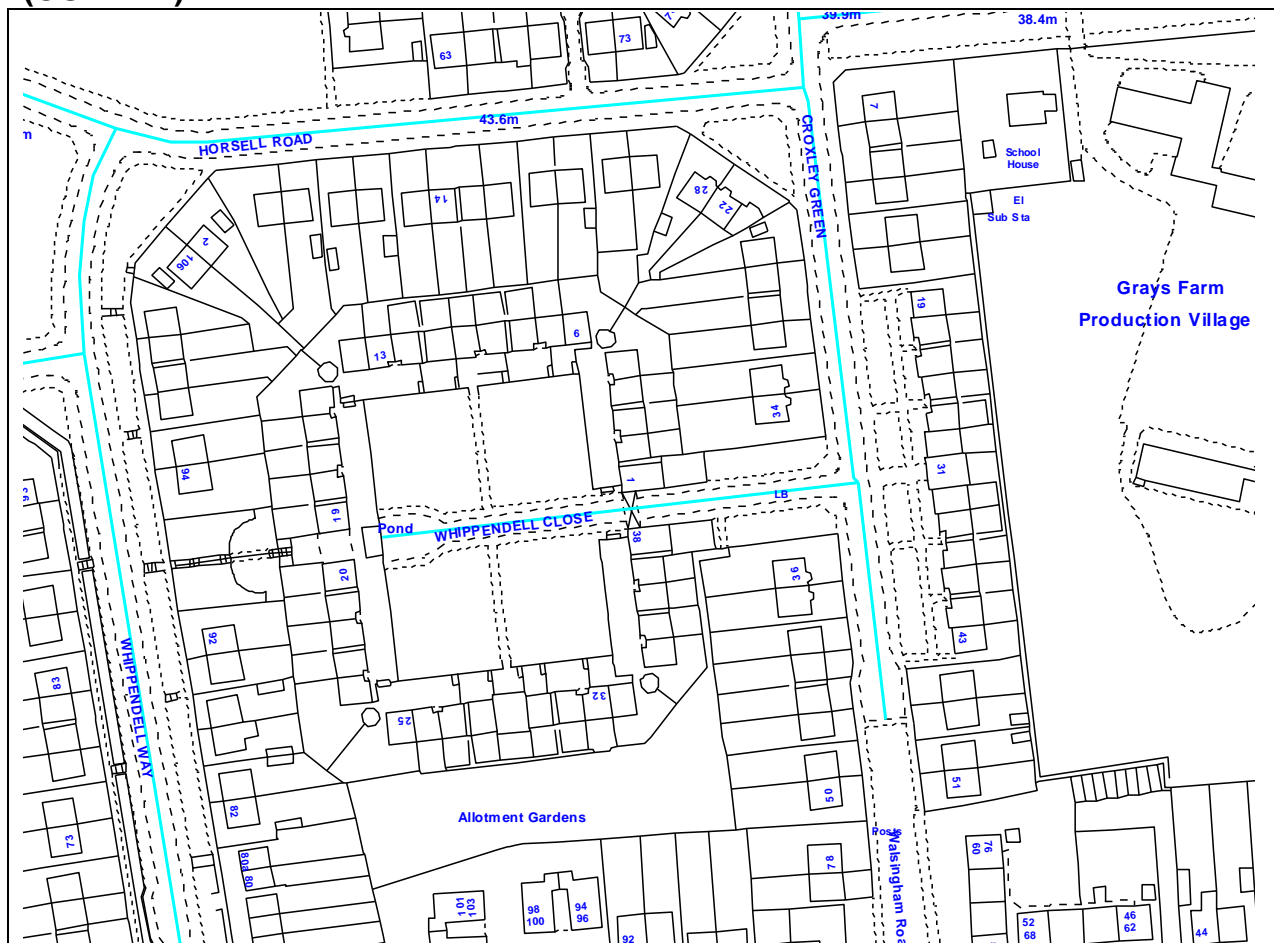
Address : 1 Whippendell Close Orpington Kent BR5 3BL Conservation Area:NO

OS Grid Ref: E: 546745 N: 169671

Applicant : Broomleigh Housing Association
Description of Development:

Objections : YES

**Demolition of existing single storey dwellings and erection of 5 two storey blocks comprising 16 one bedroom and 2 two bedroom flats for sheltered accommodation for the elderly, 12 two bedroom flats, 11 three bedroom houses, 4 four bedroom houses with access road, 50 car parking spaces, relocation/rearrangement of Urban Open Space for associated gardens and residential curtilage (at 1 - 38 Whippendell Close)
(OUTLINE)**



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Proposal

This application site is approx. 8,891sq.m. in area. It comprises a courtyard development of 38 predominantly single storey buildings, which provides sheltered housing for the elderly and a community meeting room. The terraced layout of buildings are interspersed by two storey buildings which flank the archway leading into the site from Whippendell Close and the day centre building on the southern side of the courtyard which have steep front gable pitches. The properties front a rectangular area of Urban Open Space (UOS), designated in the adopted UDP, which is mainly laid to lawn. The existing dwellings have private rear gardens of approx. 5-6m in depth which adjoin the rear gardens of residential properties of Horsell Road, Croxley Green and Whippendell Way to the north, east and west respectively. To the south of the site is an area of redundant allotment land, which

has been designated as UOS in the second deposit draft UDP. This area of land is excluded from the redevelopment proposals and will remain as existing.

Vehicular access to the site is obtained via Whippendell Close, which is an adopted road and extends only halfway into the courtyard site. There is limited parking available on site, and generally cars are parked in single file due to the restriction in the width of the road.

Pedestrian access into the site can also be obtained via Whippendell Way although gates are locked to restrict access during the night.

Outline planning permission is sought for the siting and means of access only with all other matters reserved for the demolition of the existing buildings and erection of a mixed tenure development of social rented and shared ownership comprising 15 two storey 3 and 4 bedroom family houses, 12 two bedroom flats and a block of self-contained 18 one and two bedroom flats for the elderly. The design of the development will maintain a 'courtyard' feel centred around an area of open space, fronting the sheltered block, in the form of a landscaped garden. The remaining area of open space will effectively be redistributed around the site to provide each house with private rear gardens and the flatted blocks with communal amenity space.

Alterations and extension of the access road will now form a cul-de-sac with three turning heads proposed to the north-east, south-east and west of the site. Parking is proposed at a rate of 1:1 for all houses, flats and sheltered accommodation on site (total of 45 spaces) with 5 additional visitor spaces located to the front of the some buildings, around the central green and on the approach to Whippendell Close.

A planning statement accompanies the application, which sets out the design ethos behind the scheme in respect of the revised proposal. Essentially, the existing accommodation is too small and requires upgrading in order to meet current Government standards, yet because of the limitations of the site it is difficult to extend the buildings. The proposed housing will be of mixed tenure and is estimated to be as follows:

- 18 x one and two bedroom flats for retirement housing for rent
- 12 x two bedroom flats for shared ownership
- 11 x three bedroom houses for rent
- 4 x four bedroom houses for rent

Whilst the figures are yet to be confirmed, the nominations for shared ownership properties is to be agreed with the borough and it is likely that key workers and existing

Broomleigh tenants will have the initial opportunity to purchase the properties. Likewise, the amount of provision for general needs rented accommodation will be in response to the housing need of the Borough. The nominations arrangements for these will be in accordance with the Bromley and Broomleigh nomination agreement. In any case the scheme overall is 100% affordable housing and it is intended that the development be funded by the Housing Corporation, a section of the ODPM.

Consultations

Drainage: There are public and foul sewers crossing the site, but the proposed buildings have been sited to avoid them. Thames Water do not raise objections to the principle of

development subject to conditions relating to the need for oil/petrol interceptors to parking areas.

Highways: At the time of writing this report highway comments were not available and therefore will be reported verbally at the meeting.

English Heritage: No objections were raised with regard to the original application submitted under ref.04/02110, however comments in respect of this application have not been received to date.

Environment Agency: No technical objections were raised under ref. 04/04689, however comments in respect of this application have not been received to date.

Housing: At the time of writing this report comments from housing had not been received, however support for the scheme was given under ref. 04/04689 as the current sheltered housing is outdated, difficult to let and so provide little to meeting need. The new scheme plus the houses will provide greatly needed accommodation, particularly the larger houses. This will assist in meeting the Council's statutory housing duties and in addressing the significant and growing mis-match of supply against housing need.

Investigations have taken place between the Council and the West Kent Badger Group following reports that badgers may be on site. It is concluded that there is no evidence of any badger activity either on the allotment land or existing area of UOS.

In addition, at the time of writing this report no comments were available from the local Crime Prevention Officer with regard to the design of the scheme and will be reported verbally at the meeting.

A letter of local objection and a petition has been submitted in respect of the proposal and a summary of the concerns are listed below:

- the proposal would result in an overdevelopment in the number of units on the site
 - the increase in height of the buildings in close proximity to adjacent residential properties would significantly alter the skyline and be detrimental to amenity in terms of overshadowing, loss of prospect and privacy
 - inadequate car parking provision particularly for the sheltered block which would result in increased demand for on-street parking in adjacent roads
 - unsatisfactory arrangement of Urban Open Space which would incorporate private rear gardens
-
- the sheltered housing proposed is significantly less than the existing arrangement
 - a mixed development with family housing and flats will destroy the peace and tranquillity of the Close which provides a safe environment for its elderly residents
 - the increased density will place a further strain on restricted local resources such as local schools and medical facilities.

A joint statement of objection to the scheme has been received from a Ward Councillor, which is repeated below for Members information:

“Both Councillor Gibbens and I (Councillor Willetts) fully support the 118 signatures of the petitioners who strongly object to the demolition/loss of 37 single storey dwellings and 1 community hall, purpose built for the provision of sheltered housing for the elderly in

Whippendell Close, further the departure from the Unitary Development Plan regarding the loss of existing Urban Open Space therein, the failure to 'secure by design' crime prevention to the flank of No.20 (western perimeter), the rear of No.25 (southern perimeter) and the rear of No.38 (eastern perimeter) and the further failure to address the design of the junction with Croxley Green to be sub-substandard and not suitable for intensification of vehicular use. The proposal constitutes an overdevelopment of the site and would have a detrimental effect on the amenity of residents in the vicinity and an inconsistent approach to crime prevention measures within a single development indicating failure to comply with Policies BE1(ix) and H6(x) in the draft UDP. We would also draw the Committee's attention to the motion for Council housing targets for London of 30,000 new homes per year as the London Plan suggests. In particular, this Council does not accept that there is a 'need' for so many additional homes in Bromley and notes with concern the 'sustainability' of the new development without the necessary and additional infrastructure etc. Bearing that in mind and the hastily 'lashed up' non-descriptive outline plan presented before you, we would respectfully request that the Committee refuse this application".

Planning Considerations

The relevant policies are H.2 and E.1 of the adopted Unitary Development Plan, which require new development to be in keeping with the surrounding area and to respect the amenities of adjoining properties. Policy H.7 regarding residential density, T.15 – parking standards and G.11 relates to Urban Open Space are also applicable. In the second deposit draft of the Unitary Development Plan those policies are updated as H6, BE1, H7, T3 and G10 respectively. National guidance in PPG3 Housing encourages local planning authorities to maximise the potential of sites such as this while at the same time producing good design compatible with adjoining development.

Policy H2 of the second deposit draft UDP and Circular 6/98 relating to affordable housing is also relevant.

Under planning ref. 01/03430 permission was granted for the change of use from allotments to residential curtilage.

Under ref. 04/02110 – an application was withdrawn to pursue an alternative scheme for the demolition of existing single storey dwellings and erection of 5 two storey blocks and 1 two/three storey block comprising 17 one bedroom and 2 two bedroom flats for sheltered accommodation for the elderly, 15 two bedroom flats, 17 three bedroom

houses, 3 four bedroom houses with access road, 43 parking spaces, relocation/rearrangement of Urban Open Space including use of allotment land for associated gardens and residential curtilage (at 1 - 38 Whippendell Close and former allotment gardens to the rear of Nos. 25-33 Whippendell Close)

Under ref. 04/04689 – permission was refused for the demolition of existing single storey dwellings and erection of 5 two storey blocks comprising 18 one bedroom and 2 two bedroom flats for sheltered accommodation for the elderly, 19 two bedroom flats, 4 four bedroom houses, 15 three bedroom houses with access road, 53 car parking spaces, relocation/rearrangement of Urban Open Space including use of allotment land for associated gardens and residential curtilage on the following grounds:

The proposal constitutes an overdevelopment of the site and would have a detrimental effect on the amenity of residents in the vicinity contrary to Policies H.2, H.7 and E.1 of

the adopted Unitary Development Plan and Policies H2, H7 and BE1 of the second deposit draft Unitary Development Plan (September 2002).

The proposed provision of parking spaces is insufficient to meet the needs of the new development and will give rise to an undesirable increase of on-street parking in nearby roads, contrary to Policy T.15 of the adopted Unitary Development Plan and Policy T3 of the second deposit draft Unitary Development Plan (September 2002).

Members may be aware that an appeal has been lodged against the refusal of 04/04689, which will be the subject of a Local Public Inquiry.

Conclusions

This application is a revision to 04/04689, which was refused on the grounds of overdevelopment by reason of the number of units and inadequate number of parking spaces, which would be detrimental to the amenities of neighbouring residential properties.

In this case, the revised proposal differs from the scheme refused under ref. 04/04689 as follows:

- site boundary – reduced from 11,807sq.m. to 8,891 sq.m. as a result of the removal of the allotment area from the proposed development site
- overall number of homes reduced from 58 to 45
- number of parking spaces increased proportionately to the number of homes from 91% (53 spaces) originally proposed to 111% (50 spaces) now proposed
- central square (open space) retained and enlarged by approx. ,
- 50.6 dwellings per hectare and 173hrha (current) compared to 48 dwellings per hectare and 155hrha (previous scheme)
- retention of pedestrian right of way from Whippendell Way into Whippendell Close

The site layout incorporates the designated area of UOS and rather than maintain it solely as one large area of central space, the remainder will be redistributed around the site, to be used as private amenity space. With regard to local concerns regarding the loss of the inner courtyard area of UOS, the largest area of land will be retained as amenity space in the form of a central green fronting sheltered block of which the existing UOS currently serves. Despite there being public access through the site, the

existing arrangement of UOS is not considered to provide a wider public benefit given its location within a courtyard development which projects a sense of restrictive entry to the passer by. The re-organisation of this space will allow for an increase in the amount of private amenity space whilst providing a greater degree of separation between the new development and existing neighbouring properties. The redistribution of the UOS is a departure from the adopted UDP and therefore if the principle is deemed acceptable by the Council, the application will be referred to the Government Office for London for consideration.

In addition, the current scheme no longer includes the former allotment land, which runs parallel to the site and to the rear of Nos. 25 – 33 Walsingham Road. At present this site is overgrown and is completely land-locked and therefore has no public access. The layout of the proposed scheme is such that it would not prevent future development of the former allotments should this be pursued at a later date.

With regard to issues of density, Policy H.7 of the adopted UDP states that where sites exceed 0.4hectare (1 acre) in size, the density of new development is limited to a maximum of 145 habitable rooms per hectare (hrha). Policy H7 in the second deposit draft UDP states that for areas of moderate accessibility, 175 hrha may be acceptable providing the scheme is in accordance with the provisions of policy H6 regarding new housing development. In this case, the site area is approx. 0.9 hectare and at present the 37 single storey one bedroom dwellings will be replaced by 45 dwellings of one/two bedroom flats and 3-4 bedroom houses. A total of 154 habitable rooms are proposed which equates to a density figure of 173 hrha. However, when calculating density, both the adopted and draft UDP's state that the density is calculated by dividing the number of habitable rooms by the site area, including dwellings and gardens, any incidental open space and half the width of surrounding roads. In this case, the density standard has taken into account the central area of UOS, but it is questionable as to whether this area of UOS can be considered incidental to the site area.

Whilst the proposed density of development may exceed the criteria of Policy H.7 in the adopted UDP but accord with Policy H7 in the second deposit draft, the Inspectors interim report following the UDP Inquiry, in referring to Housing policies, states that Policy H7 be deleted. Instead the Inspector recommends that "new housing development should accord with PPG3 on densities and car parking, by the use of densities appropriate to location, as recommended in the London Plan, but without loss of robustness in relation to design quality".

National guidance in PPG3 Housing encourages local planning authorities to maximise the potential of sites such as this while at the same time producing good design compatible with adjoining development. To avoid the profligate use of land and encourage sustainable environments, PPG3 requires local planning authorities to examine critically the standards applied to new residential development, particularly with regard to roads, layouts and car parking. They are expected to avoid housing developments, which make inefficient use of land (those of less than 30 dwellings per hectare net); encourage developments, which make more efficient use of land (between 30 and 50 dwellings per hectare net) and seek greater intensity of development at places with good public transport accessibility.

In this case, the proposal would equate to approx. 50.6 dwellings per hectare, as determined from the information contained in the planning statement accompanying the application, which compared to the previous refusal, resulted in approx. 48 dwellings

per hectare. Although the density of the proposal would slightly exceed the higher end of the band recommended by PPG3, 16 of the dwellings are small one-bedroom sheltered housing units raise the density relative to larger, more 'standardised' homes and therefore the density range may not be considered excessive for this context and layout.

Turning to issues of siting and design, the proposed development is similar to the previous scheme in that it maintains the courtyard feel and sense of enclosure focused around a central green. The design and external appearance of the buildings do not accompany this application and should Members be minded to grant permission in principle, design and external appearance would be reserved matters requiring approval by the Council.

The applicant confirms that all buildings on the site are to be two storeys in height. This would thus alter the character of this unique single storey residential area particularly when viewed from the surrounding residential properties, which back onto the site.

However, the two storey height of buildings would be in keeping with the general pattern of surrounding development.

Turning to the issue of siting, the general layout is satisfactory with houses having rear garden depths between approx. 10m – 13m in line with the Council's guidelines and the back to back distance exceeds the minimum required standard of 25m. The siting of the built development particularly to the corners of the site, allows a reasonable degree of separation from the neighbouring boundaries and despite the increase in height of the buildings, it not considered that the amenities of local residents in Whippendell Way, Horsell Road and Croxley Green will be significantly affected.

With regard to parking issues, Policy T3 of the second draft UDP states that parking standards should be adopted more flexibly where affordable housing is proposed and no technical objections from a highway point of view are raised to the number of spaces provided in this area of moderate accessibility. In response, to the previous grounds of refusal, this scheme provides an increase in parking available to each unit on site with 5 additional spaces for visitors, which Members may now find acceptable.

In addition, Whippendell Close is a highway maintainable at the public expense and therefore any alterations to the layout which removes part of the street would require a stopping up order under the provision, should permission be granted.

In conclusion, Members will be aware that the Council seeks to achieve mixed housing development in accordance with advice from the Government in PPG3 in promoting higher density development where appropriate to provide sustainable mixed communities for the future. The application site can be seen as an idyllic tranquil environment, unique in form compared with the general pattern of surrounding development, however in line with current Government policy, its future is not sustainable, and as such, could provide an ideal location for a higher density development to meet the housing shortages of the area. This revised application seeks to address the previous reasons for refusal under ref. 04/04689 by reducing the number of units on site and proportionately increasing the parking provision to 111%. Whilst the density marginally exceeds the higher range of PPG3's requirements for the number of dwellings per hectare, Members may consider that on balance, the proposal is acceptable for this context and layout without significant detriment to local visual or residential amenity.

Background papers referred to during production of this report comprise all correspondence (excluding exempt information) on files ref. 01/03430, 04/02110, 04/04689 and 05/01547.

RECOMMENDATION: OUTLINE PERMISSION BE GRANTED SUBJECT TO ANY DIRECTION MADE BY THE GOVERNMENT OFFICE FOR LONDON

and the following conditions:

- | | | | |
|---|-----------------|---|---|
| 1 | DCA02
DCA02R | Details required design, external appearance, landscaping
A02 reason | |
| 2 | DCA03
DCA03R | Comply landscaping details (1 insert)
A03 reason | 1 |
| 3 | DCA07
DCA07R | Boundary enclosures no details submitted
A07 reason | |
| 4 | DCB01 | Trees to be retained during blg ops | |

	DCB01R	B01 reason
5	DCB02	Trees - protective fencing
	DCB02R	B02 reason
6	DCB03	Trees - no bonfires
	DCB03R	B03 reason
7	DCB04	Trees - no trenches, pipelines or drains
	DCB04R	B04 reason
8	DCC01	Satisfactory materials
	DCC01R	C01 reason
9	DCD02	Surface water drainage - no details
	DCD02R	D02 reason
10	DCD04	Foul water drainage - no details
	DCD04R	D04 reason
11	DCH02	Satisfactory parking, no details
	DCH02R	H02 reason
12	DCH04	Parking bays/garages
	DCH04R	H04 reason
13	DCH17	Materials for estate road
	DCH17R	H17 reason
14	DCH18	Refuse storage - no details submitted
	DCH18R	H18 reason
15	DCH22	Bicycle parking
	DCH22R	H22 reason
16	DCH23	Lighting scheme for access/parking
	DCH23R	H23 reason
17	DCI01	Restriction of pd rights
	DCI03R	I03 reason
18	DCK03	No equipment on roof
	DCK03R	K03 reason
19	DCK05	Slab levels, no details submitted
	DCK05R	K05 reason

20 The details to be submitted pursuant to this outline permission shall show the siting and size of footprint of the buildings to accord with drawing no. P201 received 6 May 2005 hereby permitted and no building on site shall exceed two storeys in height.
Reason: In order to limit the size and location of buildings on site and in the interest of local visual and residential amenity.

21 AJ02 Justification UNIQUE reason OTHER apps

Policies (AUDP)

E.1 Design of new development

H.2 Housing design

H.7 Residential density

H.11 Improvements to the housing stock

G.11 Urban open space

T.3 Assessment of transport effects

T.15 Parking standards

Policies (2DDUDP)

BE1 Design of new development

H1 Housing supply

H2 Affordable housing

H6 Housing design

H7 Residential density
G10 Urban open space
T2 Assessment of transport effects
T3 Parking standards
T16 Residential roads
C7 Residential proposals for people with particular accommodation requirements

INFORMATIVE(S)

1 That a report be submitted to the Portfolio holder for authority to make an application for the Stopping Up Order pursuant to Section 247 of the Town and Country Planning Act 1990.
