

CHAPTER 9: ANNEX 1- PLANNING BRIEF FOR ATKINSON MORLEY HOSPITAL SITE

9.1 THE ATKINSON MORLEY HOSPITAL SITE

- 9.1.1 The Atkinson Morley Hospital site is included in Schedule 1 as Site Proposal 68P, where the uses intended are residential and community/employment, open space, nature conservation, recreation. The site extends to some 9.5 hectares and comprises the hospital buildings (the AMH site), the nurses' accommodation (known as The Firs) and the areas of open land and playing fields that extend down to Cottenham Park Road to the south; the Wolfson Rehabilitation Centre does not form part of Site Proposal 68P. The undeveloped areas of the site lie within the Copse Hill MOL and are designated as Green Chain. Much of the site also lies within the Copse Hill Conservation Area and a large part is designated a SINC. The main hospital building, dating from the mid-nineteenth century, is locally listed.
- 9.1.2 The AMH site and The Firs buildings are in separate ownership. With the exception of the Rehabilitation Centre, all other medical and health care related operations on the AMH sites are to transfer to the modern purpose-built St George's Hospital in Tooting. The Firs is surplus to the requirements of the charitable body that owns the buildings. There is, therefore, no doubt that the two parts of the site are available for development within the lifetime of the Plan. The Council has correctly recognised this position and identified the development opportunities through Site Proposal 68P.

The Objector

St George's Healthcare NHS Trust	181/0936
St. George's Healthcare NHS Trust	181/R412

Summary of Objections

(Numbers in brackets refer to paragraph numbers in the Planning Brief).

- (a) The Planning Brief (Annex 1) should not form part of the UDP.
- (b) Atkinson Morley Hospital and The Firs, Copse Hill should be identified in Schedule 1 as a site proposal for residential purposes, together with private open space/private recreation/nature conservation uses. Residential use on its own, and not mixed with commercial or employment uses, would be most likely to secure best value in relation to the hospital site. Mixed uses should not be imposed without proper analysis of the prospect of attracting other uses. (1.3.1, 2.1.1, 2.3, 2.1)
- (c) Annex 1 should indicate that the Atkinson Morley Hospital site and The Firs site are in separate ownership and are separate planning units. The two sites should not be considered as one. (1.1)
- (d) It is not appropriate for the local planning authority to insist that healthcare facilities be provided on the site. (2.1.3, 2.7, 3.4, 6(i))
- (e) It is inappropriate for the planning brief to require retention of the main hospital building, unless that requirement is based upon a detailed analysis of the conservation area. (2.1.3, 3.3, 4.5.3, 4.7)
- (f) Reference to retention of The Firs building should be omitted. (2.1.2, 4.7, 4.8)

- (g) The planning brief seeks to restrict private use of MOL, without providing reasoned justification and applying stricter criteria than those set out in Policy NE.1 and RPG3. Public access is not necessary to meet MOL objectives, provided the open character of the land is not compromised by development. The grant of a public right of way through the site may be acceptable but this should not be expressed as a requirement. (1.3.1, 2.1.3, 2.2.3, 2.4, 2.5.2, 2.6.2, 4.1, 4.2)
- (h) Appropriate development can be undertaken in MOL, in accordance with PPG2 and RPG3. (3.2)
- (i) It is wrong to assert that there will be a loss of employment as a consequence of relocation of the present operations from the hospital and The Firs site to St George's Hospital, Tooting. (2.3, 3.9).
- (j) To impose employment uses on the hospital site would be inconsistent with Policy C.11. The site is not particularly appropriate for commercial uses.
- (k) References to mixed uses in a retained hospital building should be deleted. (2.1.3).
- (l) The inclusion of affordable housing on the AMH site would diminish its development potential. The most appropriate location for affordable housing, if it were to be provided, would be the land south of Cottenham Park Road. (3.7)
- (m) The brief should be amended to reflect the following facts:
- Relocation will not be phased. (1.1)
 - Views from the south of the site are limited because of mature vegetation. (1.2)
 - The NHS and Special Trustees should be consulted on preparation of the detailed Design Brief. (1.3.2)
 - Reference to retention of The Firs building and requirement for health provision on that site should be removed. (2.1.2)
 - The Council should identify a historic core on a plan. (2.1.3)
 - The scale, precise equipment and location of play facilities should be matters of negotiation between the Council and developers. A financial contribution should be recognised as an acceptable alternative. (2.2.1, 3.8)
 - The Council has not presented any evidence or justification for designating the helicopter landing area as a SINC. (2.5.1, 4.3)
 - The MOL area is in private ownership of the NHS Trust and Special Trustees. Payments or other requirements in relation to the use or maintenance of the playing fields should be subject to the tests in Circular 1/97. (2.6.1)
 - The Firs site falls outside the conservation area. (4.5.1)
 - The Council needs to clarify the buildings to be retained in the conservation area. (4.5.2)
 - Any requirement for contributions to local transport infrastructure must be considered in accordance with Circular 1/97 and judged against specific development proposals. There is no proven need or reasoned justification for additional transport infrastructure. (4.11.1)

- A Green Transport Plan is not always necessary. In the case of a residential development, it may be inappropriate. (4.11.2)
- The Council's list of requirements is premature and could prejudice development. Benefits can only be required if they meet the tests of Circular 1/97. (6.1)

Background

9.1.3 The following pre-inquiry changes have been proposed by the Council:

- PIC33:** Third sentence of paragraph 2.2.3 to state that any new development will be expected to safeguard the extent and openness of MOL.
- PIC34** In paragraph 2.6.1 final sentence would commit the Council to seeking appropriate new ancillary facilities, available for Merton residents, if private sports or other uses were proposed.
- The second sentence of paragraph 2.6.2 to be changed to recognise that a new central facility providing for the playing fields would lead an overall improvement of the MOL.
- PIC37** Text to be changed (2.6.2) by removal of reference to the scout facilities from proposed central facility and the proposal plan to be changed to indicate location of the present scout hut.
- PIC41** Brief to be changed to acknowledge separate ownership of the AMH and The Firs site.
- PIC45** The word "outdoor" to precede recreational in paragraphs 2.1.3, 2.6.1 and 2.6.2.
- PIC47** Additional text in paragraph 2.2.3 to allow for a buffer zone in respect of the SINC part of MOL, which is likely to be required.
- PIC48** Paragraph 2.5.1 to recognise that the site is in an area deficient in local park provision and poorly served by accessible natural green space.
- PIC51** Correction of error in paragraph 2.6.2: Cottenham Park "Road" instead of "Drive".
- PIC52** In paragraph 3.2 reference to Policy NE.6 to be replaced with Policies ST.20 and ST.21.
- PIC54** Change to paragraph 4.2.4 will commit the Council to adoption of the north/south footpath.
- PIC55** In paragraph 5.2.2 the limited amount of car parking to be recognised.

9.1.4 The following further inquiry changes are proposed:

- FIC46** The first sentence of paragraph 2.7 to be deleted, as the Council cannot justify opposing the loss of health facilities on the site or the possible loss of the associated bus service.
- FIC49** The last sentence of paragraph 1.2.1 to recognise that there are two owners of the site and that two separate applications will be accepted.

- FIC50** At the end of paragraph 2.4 new text to recognise that the car park granted temporary permission is to be retained, if needed, for users of the sports field only.

Inspector's Reasoning and Conclusions

Objection (a)

- 9.1.5 I shall deal first with the fundamental issue of whether the Planning Brief for Site Proposal 68P should form part of the UDP, as Annex 1. The objector correctly points to the special treatment meted out to Site Proposal 68P. No other identified site in Schedule 1 is the subject of a detailed planning brief annexed to the UDP.
- 9.1.6 However, 68P happens to be one of the largest and also one of the most environmentally sensitive development sites identified in the UDP. A combination of factors such as potential scale of new development, concern for safeguarding of MOL, conservation of the built and natural environment and enhanced or potentially increased recreational facilities, all add weight to the Council's approach of incorporating the brief into the UDP. In this way, the intensity of interest that the Site Proposal has aroused can be considered in the sort of statutory platform afforded to policies in the development plan process.
- 9.1.7 On the other hand, the Council's evidence clearly indicates that the planning brief is intended to provide detailed informal guidance and to establish a planning framework for the site. Informal guidance does not provide the degree of certainty expected in development plans. The sort of prescriptive information provided in the brief cannot realistically be expected to carry the statutory weight expected under S54A. What is more, the planning framework for the Atkinson Morley site is already firmly established. Identification of the site in Schedule 1, its inclusion in the Proposals Map, which also indicates the range of designations in the area, combined with a plethora of MOL, housing, open space, nature conservation and built environment policies, provide the structure and context for development of the site. There is no need to underpin the S54A force of that framework in the form of Annex 1, or to burden the Plan with duplicated information.
- 9.1.8 While there is support for the use of development briefs to provide design or detailed guidance, there is also concern that detailed site-specific matters in a Plan can become outdated very quickly. The approach advised by Government is that preparation of briefs should go hand in hand with the plan-making process, but there is not the same level of support for such briefs to form part of the process itself. My recommendation flows from that advice and from a concern that the planning brief is far too detailed and intangible a document to carry the statutory weight of adopted policies or land use proposals. In my view, it should not form part of the Plan but ought to supplement its policies and proposals, as advised in PPG12.
- 9.1.9 The extensive consultation and consideration of objections so far undertaken should not be viewed as a wasted exercise. On the contrary, consultation and rigorous scrutiny of the Atkinson Morley planning brief will give it the appropriate weight, as a material consideration in assessing applications for development on the site. Equally, the weight of any future design brief, as anticipated in paragraph 1.3.2, would depend on the extent of the consultation process.
- 9.1.10 I therefore recommend that the Planning Brief should not form part of the UDP but form the subject of a Supplementary Planning Guidance that would complement Site

Proposal 68P. In the interest of fairness, and in case the Council decides not to adopt my recommendation to detach the brief from the Plan, I shall consider the remaining objections to Annex 1.

Objection (b)

9.1.11 In Chapter 8 when considering Site Proposal 68P, I came to the view that the employment/community use intended should remain. I therefore recommend additional wording in paragraph 2.1.1 to recognise that community or employment floorspace up to 200m² be expected to contribute to the mixed use development intended.

Objection (c)

9.1.12 Under PIC45 and FIC49, the Council addresses the objections about ownership of site and that two separate applications would be acceptable. I see no reason to deviate from that position.

Objection (d)

9.1.13 The health care needs of a community are determined by the relevant NHS Trust and not the Council. Given the evidence that the specialised health care operations are no longer required to remain on the AMH site, it is unreasonable to expect the older hospital building to be retained for its present use. If that evidence is not accepted, then, the Council still has some control over the loss of health facilities on the site through application of Policy C.11. For these reasons I support the objector's call for modifications to paragraphs 2.1.3, 2.7, 3.4 and 6(i).

9.1.14 Under FIC46, the Council accepts that there is no justification for opposing loss of health facilities and bus services on the site and I support deletion of the first sentence of paragraph 2.7. The remaining text also needs to be modified, as community use need not be confined to health care facilities. Provision of public transport on the site is covered in the transport section of the brief.

Objection (e)

9.1.15 The Atkinson Morley Hospital building is not statutorily listed. The Council has conferred upon the building a local interest by inclusion in the Local List. The process of including buildings in the Local List falls outside the development plan procedure and I cannot comment on whether the intrinsic merits of the building justify such recognition. Equally, it is beyond my remit to question designation or the quality of the appraisal of the conservation area.

9.1.16 I accept that alleged shortcomings of the appraisal could wrongly focus on elements of a conservation area that are not as worthy of recognition as suggested by the appraisal. Nevertheless, from my inspection of the area, and having read all the evidence, it is clear to me that the Atkinson Morley Hospital is indeed a dominant and dominating structure within the northern part of the conservation area. The road facing façade of the building is pleasing though somewhat marred by the front setting. To my mind, it forms the focus of this part of the conservation area, by virtue of scale and age, if not architectural purity or local functional or historic connections. Its visual contribution to the area is positive.

9.1.17 Proposals for demolition or redevelopment of this and any other building would have to be assessed against the statutory duty under Section 72(1) of the Listed Building Act and in the context of national and local conservation area policies. The controlling

framework is already in place and against which demolition or retention of the building will need to be considered. Under these circumstances, it is unnecessary at this embryonic stage of site identification to make retention of the building a prerequisite of future redevelopment proposals. That is not to say that the Atkinson Morley Hospital should not be retained, but that its retention must be balanced against other factors or material considerations, as required in PPG15 and in the reworded Policy BE.2 I recommend, none of which can be fully explored within a planning brief.

- 9.1.18 I accept the objector's arguments that the planning brief should not require retention of the main hospital building but the option should not be discounted at this stage. In my view, the brief should draw attention to the stringent controls against which demolition of unlisted buildings in the conservation and locally listed buildings will be assessed. I recommend rewording of paragraphs 2.1.3, 4.5.2(a) and (c) and 4.5.3 accordingly.

Objection (f)

- 9.1.19 Paragraphs 2.1.2 and 4.7 do not require retention of The Firs buildings but generally offer support for using existing resources as a sustainable option. The possibility of reuse of existing buildings should not be discounted. The aim of achieving a mixed-use development is set out in paragraph 2.1.1 and need not be duplicated in paragraph 2.1.2. In any case, replacement health care facilities are not justified. Paragraph 4.8 is not listed in Annex 1 and I make no further observations.

Objection (g)

- 9.1.20 The objectors argue against increased public access to MOL and nature conservation areas within the site. They regard such an approach to be contrary to RPG3 and Policy NE.1 of the UDP, which do not preclude private use of MOL but seek to resist development that would compromise its open character and value. The present position is that part of the open land is used as hospital grounds for visitors and patients and the playing fields are unused. It is said that increased public access to these areas can only occur as part of a package of benefits related to development of the site.
- 9.1.21 My view on the matter is based on a desire to reconcile appropriate and optimum development of Site Proposal 68P with the Council's wish to provide public access to open space and nature conservation interests in an area where a deficiency of green open spaces is recognised. It may be that public access to the grounds and playing fields have been to date restricted. However, the nature and use of the site is likely to alter considerably and the opportunity for community benefits that development could bring should not be ignored. On the other hand, I agree that benefits should be related to the scale and nature of the development proposed, as advised in Circular 1/97.
- 9.1.22 To my mind, the planning brief is, in the main, worded to express the Council's desire to seek increased public access but does not expressly exclude private use of MOL. The only change I recommend is to modify the penultimate sentence of paragraph 1.3.1 and the first sentence of paragraph 2.2.3, as these unequivocally reject the notion of private use of MOL land. The impact of incorporating MOL within private developments would have to be judged against MOL policies and the aim of maintaining its openness. The situation is little different to other developments adjacent to areas of open MOL and nature conservation land. Sensitive planning and design control has to be exercised.

Objection (h)

9.1.23 I agree with the objector that there is a presumption against inappropriate development in MOL and not against all development. I recommend modification to paragraph 3.2 accordingly.

Objection (i)

9.1.24 Given the largely specialist nature of the medical operations at Atkinson Morley, it is not true to say that the imminent relocation of the facility to St George's at Tooting would mean loss of employment. Staff members will relocate to the new hospital and are, in any case, drawn from areas beyond the immediate locality. What is more, the local NHS Trust has not identified a health-related need for the site. For those reasons I accept that paragraph 2.3 should be modified to encourage some employment uses on the site, but for reasons of achieving a mixed-use development rather than as compensation for loss of employment. Given these views, paragraph 3.9 would be unnecessary and should be deleted.

Objection (j)

9.1.25 My views on creating employment opportunities on the site are well documented above and in Chapter 8, in consideration of Site Proposal 68P.

Objection (k)

9.1.26 Earlier I addressed the objection regarding retention of the hospital building and have recommended rewording of paragraph 2.1.3 below.

Objection (l)

9.1.27 I do not accept the argument that affordable housing cannot be accommodated on the AMH and The Firs site. National and local policy place considerable emphasis on the need to provide affordable homes and to promote mix of dwelling types and sizes. Irrespective of location, all sites in the Borough able to accommodate 15 dwellings or more are expected to yield a level of affordable homes. The site is well served by bus services; shops, schools and other facilities are fairly accessible. The undoubtedly high value of the land is no argument for denying homes for those in need but unable to purchase at market value. There is no justification for excluding the AMH or The Firs site from the scope of Policy HN.1. I recommend no modification to the planning brief along the lines suggested.

Objection (m)

9.1.28 My views on the bulleted points are as follows:

- If relocation of operations is not phased, as the objectors suggest, then that factual position should be recognised in paragraph 1.1.
- My site inspection revealed that vegetation does restrict views to and from the south but not all views are so restricted. Deletion of the word "many" in paragraph 1.2 should address the objector's concern.
- Although the comments of the owners of the sites should be considered, they are no more or no less valid than the views of other parties. Full consultation would allow all observations to be considered.

- A clear indication of what is meant by the historic core of the hospital building should be included in the brief. This could be done by way of a plan annexed to the brief.
- A development proposal would need to comply with the provisions of Policy L.10, in that children's play facilities would be required as part of new housing developments, as appropriate. I accept that the amount and nature of the facility should not be specified in the brief and that has not been done. However, if there is a particular reason why the facilities are to be located at the southern end of the site, then the brief should state those reasons. Also, in the interest of flexibility, the Council should be prepared to consider alternative locations as part of development proposals.
- The nature conservation value of the lawn is recognised through two studies, one of which has been used by the Council in identifying the value and interests of sites across the Borough. It appears from the Merton Ecology Handbook (CD/MS2) that regular mowing has suppressed the wildlife and nature conservation interests of the lawn but that the habitats could be enhanced, if managed properly. Such opportunities could come forward as part of new development proposals. I see no reason to provide further justification for the SINC designation.
- The Council can seek future maintenance funding for playing fields. It cannot impose such a requirement if use of the playing fields is not related to or necessary for the proposed development to proceed. Accordingly, I recommend some rewording to paragraph 2.6.1.
- I accept that in paragraph 4.5.1 it should be clear that The Firs part of the site does not fall within the conservation area.
- Paragraph 4.11.1 draws attention to the low level public transport accessibility of the site, as identified in Figure 6.5, chapter 6. While that may be disputed by the objectors in relation to Annex 1, no such objection was made to the information in chapter 6. Paragraph 4.11.1 also outlines the requirements of Policy LU.5, the principle of which I support in chapter 6.
- PPG13 advises the submission of travel plans alongside planning applications likely to have significant transport implications. Policy LU.3 reflects that approach and such plans would be forthcoming where there would be a significant impact on the transport network. However, paragraph 4.11.2 places that requirement on all major developments. To my mind, Annex 1 should not prejudge the transport impact of the AMH site redevelopment but should draw attention to the possibility of a transport impact assessment and green travel plan accompanying a planning application. I recommend rewording accordingly.
- With the exception of healthcare facility on the site, which in any case may be forthcoming as part of the employment/community use, I recognise that development of the site may bring forth a need for all or most of the other items listed in Section 6.1. However, I agree that the planning obligations should list only those benefits that remedy genuine planning problems, enhance the quality of the development or are necessary as a result of the development. It is necessary to clarify this position in paragraph 6.1.

RECOMMENDATION

9.1.29 See recommendations following my consideration of other objections.

9.2 OTHER OBJECTORS

North West Wimbledon Residents Association	153/R361
Residents Association of West Wimbledon	168/R367
Residents Association of West Wimbledon	168/R341
Residents Association of West Wimbledon	168/R340
Residents Association of West Wimbledon	168/R499
Residents Association of West Wimbledon	168/R471
Residents Association of West Wimbledon	168/R500
L M Webber	307/R037
Y A Crompton	311/R044
M R Crompton	312/R045
D J Fecci	318/R054
C Fecci	319/R055
R F J Cooke	322/R062
A Rees	327/R072
H M Bate	328/R073
D H G Bate	329/R074
O Collins	345/R472
J M A Wood	314/R047
Residents Association of West Wimbledon	168/R304
15th Wimbledon Scout Group	330/R136
15th Wimbledon Scout Group	330/R135
15th Wimbledon Scout Group	330/R134
15th Wimbledon Scout Group	330/R133
15th Wimbledon Scout Group	330/R144
15th Wimbledon Scout Group	330/R166
15th Wimbledon Scout Group	330/R172
15th Wimbledon Scout Group	330/R194
15th Wimbledon Scout Group	330/R164
15th Wimbledon Scout Group	330/R195
15th Wimbledon Scout Group	330/R140
15th Wimbledon Scout Group	330/R142
15th Wimbledon Scout Group	330/R170
15th Wimbledon Scout Group	330/R192
15th Wimbledon Scout Group	330/R152
15th Wimbledon Scout Group	330/R315
15th Wimbledon Scout Group	330/R180
15th Wimbledon Scout Group	330/R160
15th Wimbledon Scout Group	330/R158
15th Wimbledon Scout Group	330/R156
15th Wimbledon Scout Group	330/R176
15th Wimbledon Scout Group	330/R137
15th Wimbledon Scout Group	330/R190
15th Wimbledon Scout Group	330/R174

15th Wimbledon Scout Group	330/R154
15th Wimbledon Scout Group	330/R162
15th Wimbledon Scout Group	330/R150
15th Wimbledon Scout Group	330/R182
15th Wimbledon Scout Group	330/R148
15th Wimbledon Scout Group	330/R146
15th Wimbledon Scout Group	330/R184
15th Wimbledon Scout Group	330/R186
15th Wimbledon Scout Group	330/R178
15th Wimbledon Scout Group	330/R188
15th Wimbledon Scout Group	330/R168
M James	306/R034
L Marrett	309/R039
M P Farley	320/R056
Residents Association of West Wimbledon	168/R299
Wimbledon Society	208/R225
H M Wright	317/R052
P J Voyt	316/R051
S E Kapila	310/R042
North West Wimbledon Residents Association.	153/R362
North West Wimbledon Residents Association	153/R363
C F L Jones	315/R049
L Barnett	334/R332
L Barnett	334/R331
Residents Association of West Wimbledon	168/R334
R Cake	340/R344
P J Mitchell	346/R477
J Ward	341/R391
Residents Association of West Wimbledon	168/R295
Wimbledon Society	208/R221
P M Beckwith	321/R058
Residents Association of West Wimbledon	168/R297
Wimbledon Society	208/R223
D K Birley	332/R396
Residents Association of West Wimbledon	168/R300
Wimbledon Society	208/R226
Residents Association of West Wimbledon	282/R369
15th Wimbledon Scout Group	330/R316
D K Birley	332/R394
Residents Association of West Wimbledon	168/R296
Residents Association of West Wimbledon	168/R301
Wimbledon Society	208/R222
Wimbledon Society	208/R227
Residents Association of West Wimbledon	168/R302
Wimbledon Society	208/R228
D K Birley	332/R395
Wimbledon Society	208/R224
Wimbledon Society	208/R229
Dr E M Hunt	282/R368

Summary of Objections

- (a) A 20m buffer zone should be maintained between built development and the adjacent MOL open land. Without the buffer zone, open views across the site and sense of openness cannot be maintained. Additional text should make it clear that development should be set back from MOL so as to avoid overlooking it or compromising its open and natural aspect. (1.3.1, 2.2.3)
- (b) Object to removal of MOL status (2.6.1).
- (c) The MOL should be protected from encroachment by buildings and perhaps extended car parking, if the playground were sited at the southern end, adjacent to Cottenham Park Road. More public use of MOL should not be encouraged. (2.1.3)
- (d) Object to erection of additional sports or leisure facilities. New sports facilities should be confined to small buildings that support outdoor recreational activities. Indoor sports buildings should not be considered. That would mean large obtrusive sheds and increased traffic and crowds attracted to the area. Suggest that the word "outdoor" be used to qualify recreation, leisure and sports facilities. (2.6.1, 2.6.2)
- (e) There should be no high tech research facilities or science park on the site.
- (f) Object to loss of health facility on site.
- (g) Object to possible loss of bus service. The brief should state that no development should take place within 13m of the Copse Hill boundary, so as to maintain the bus turnaround. (2.7)
- (h) Object to enhancement of the footpath/cycleway that links Copse Hill with Cottenham Park Road. This could lead to increased traffic and add to road safety concerns.
- (i) Paragraph 4.2.4 should state that the Council will expect to formally adopt the footpath/cycleway linking Copse Hill with Cottenham Park Road
- (j) Developers should be asked to take account of lack of car parking spaces on adjacent roads. (5.2.2)
- (k) The existing footpath along the western boundary is narrow. Paragraph 2.6.3 should ensure that new development is set back to allow for widening of the footpath. The Proposals Map should indicate widening of the footpath. At paragraph 6.1(iv)(a), the S106 mechanism should be invoked to ensure that the widening forms part of a development proposal.
- (l) In paragraph 2.5.1 the deficiency of natural green space in the area should be recognised.
- (m) Development of the scale proposed would conflict with policies that seek to protect wildlife and protected trees, particularly around the helicopter landing site. There are badger sets within the site. The Council should be prepared to state that a buffer zone may be required to protect a SINC, if that is recommended by the Conservation Protection and Management Plan. (2.5.1)
- (n) Housing on the sites would be entirely out of keeping with the Council's determination to keep the land open for public use. The development intended would crowd new houses into an area that is already densely built-up and would deprive local residents the benefits of open space.

- (o) Object to the provision of affordable homes. This is an inappropriate location for such housing, given the poor public transport provision and the housing would be out of keeping with the area. The land is the most expensive in the Borough and land of such high value should not be used for affordable homes.
- (p) Object to the high density of housing proposed in paragraph 2.2. Density should not exceed 150 habitable rooms per hectare.
- (q) Improvements to the Scouts facility are welcomed but they could not be achieved if the buildings and land are to be combined or shared with other recreational activities. Dedicated facilities for use by the Scouts is essential in the interest of security. (2.6.2)
- (r) The Firs buildings are out of place but should be supplanted only with developments of a lower density.
- (s) Text should be amended to reflect that Policy NE.6 has been deleted and to include reference to Policies ST.20 and ST.21. (3.2)

Inspector's Reasoning and conclusions

Objection (a)

9.2.1 The strong call for the 20m buffer zone arises from a genuine concern for the openness and appearance of land where new development is built close to the boundaries of MOL. I understand these concerns, but do not support the express provision of a 20m buffer or transition zone. It would be an unreasonable constraint on development close to areas where there are already sufficient controls under MOL policies. Correct application of such policies would allow for control over development that would unfavourably impact on adjacent MOL, yet without the sort of prescriptive containment advocated by objectors. PIC33 would go some way to addressing the concerns expressed.

Objection (b)

9.2.2 Annex 1 does not propose loss of MOL. The objection is unfounded.

Objection (c)

9.2.3 Paragraph 2.1.3 emphasises retention of MOL and there is no suggestion that additional car parking is proposed. Public use of MOL is not necessarily more damaging than private use. I support wider use of the open spaces for the outdoor recreational, educational or leisure uses intended, provided that the uses do not impinge upon the open character of the land. In the interest of clarity, I endorse insertion of the word "outdoor" to precede recreational, as proposed under PIC45.

Objection (d)

9.2.4 The planning brief does not advocate expansion of sporting facilities within MOL to the extent of damaging its open character, as feared by objectors. Indeed, the brief emphatically supports MOL characteristics and expects all new developments to comply with Policy NE.1. Within the terms of that policy only essential facilities for outdoor sport, recreation or leisure would be categorised as appropriate development. Indeed, RPG3 also recognises that limited development to serve the needs of the visiting public may not be considered inappropriate, if clearly ancillary to the identified purposes of MOL. All new buildings in MOL would be considered on that restrictive basis. The changes to paragraph 2.6.1 proposed under PIC34 and PIC45 would address some of the concerns, and I support those changes.

Objection (e)

9.2.5 It is clear from the planning brief that the intention is not to create a business park or employment centre at the site. Business or commercial use would form only a small part of the overall redevelopment. In any case, Policy E.10 restricts the size of business to a maximum of 200m², if it is to be located outside a town centre. A business or commercial building of that size would not amount to the sort of "business park" feared by objectors. The rewording of Paragraph 3.9 I recommend would clarify the position and should go some way to assuaging the concerns raised.

Objection (f)

9.2.6 I understand the genuine concern about loss of health facilities on the site and the Council is seeking to compensate that loss through contributions for alternative provision. However, the present facilities do not provide the general medical care but comprise a specialist operation that is relocating to a new site at Tooting. The current operations at AMH serve a wide area of London; this is not merely a local facility. The health trust and not the Council determine the adequacy of local provision. Nevertheless, in the interest of creating a mixed use development, the planning brief requires the provision of a community facility, which could comprise a doctor or dental surgery. While there is not the justification for replacement health facilities, as part of development proposals, community uses would meet the policy call for creating mixed use developments.

Objection (g)

9.2.7 The planning brief cannot enforce bus companies to provide a service to and from the hospital. I also consider that the requirement to retain a bus turning area, as suggested, could restrict effective development of the site.

Objections (h) and (i)

9.2.8 Upgrading or enhancement of a footpath/cycleway through the site is intended for pedestrian and cycling uses and not for use by vehicles. There are good opportunities, as part of development proposals for the site, to improve the cycling and walking access to the new development and to the recreational areas. Given the national emphasis on such modes of transport, I support the Council's desire to provide a pedestrian/cycling route linking Copse Hill with Cottenham Park Road. Under PIC54 the Council proposes to add text to paragraph 4.2.4, in an effort to commit the Council to adoption of the footpath. I support the proposed change.

Objection (j)

9.2.9 Under PIC55 modified text in paragraph 5.2.2 would recognise the limited amount of car parking in adjacent roads. This would meet objection (j) and I support the change.

Objection (k)

9.2.10 I do not endorse the need for an enhanced footpath on the western boundary of the site. The footpath referred to in objections (h) and (i) would serve the needs of the new development and there is no requirement for further provision on the site.

Objection (l)

9.2.11 Earlier I endorsed the proposed change to paragraph 2.5.1 under PIC48. The change would meet the particular objection.

Objection (m)

9.2.12 New text proposed in paragraph 2.2.3, under PIC47, would meet this particular objection. Given the SINC designation of that part of the MOL, I support the change.

Objection (n)

9.2.13 The areas intended for development lie outside the MOL boundary and are currently occupied by buildings. It is a brownfield site in an urban area and is a good location in terms of access to local facilities. There is no justification for rejecting housing development on the site. Residents will continue to enjoy the open aspects of the MOL areas of the site and there are opportunities for increased access to those areas.

Objection (o)

9.2.14 My views on the provision of affordable housing on the site are expressed in paragraph 9.1.27. I do not support the objectors' call for excluding affordable housing on the site.

Objection (p)

9.2.15 Given the PPG3 emphasis on making efficient use of land, the opportunities for high density housing on brownfield land should not be passed up. Policy HP.6, as recommended for rewording, allows for a departure from the minimum density of 150 habitable rooms per hectare where there is demonstrable harm to the character and appearance of the area. An assessment would have to be made at the time an application is submitted, but the aim must be to achieve effective and efficient use of land. To that extent, I support the density range cited in paragraph 2.2.2.

Objection (q)

9.2.16 PIC37 proposes a change to paragraph 2.6.2. The change would recognise the concerns about sharing scout facilities with other recreational uses. Accordingly, reference to the scouts facility is to be removed and the present building indicated on the plan. I accept that the change would meet what is a valid objection.

Objection (r)

9.2.17 The Firs building may appear out of place but its presence cannot be denied. The planning brief seeks only to encourage the use of existing resources and retention of the building is recognised as a sustainable option. It is not a condition of development of the site.

Objection (s)

9.2.18 PIC52 would reflect the proper policy position and overcome the objection. I support the change.

RECOMMENDATIONS

9.2.19 Remove Annex 1 from the UDP and identify the Planning Brief for Atkinson Morley Hospital Site as a Supplementary Planning Guidance.

9.2.20 Modify the Planning Brief in accordance with PIC45 and FIC49. Further modify the Planning Brief along the following lines:

- **Paragraph 1.1** Delete the word "*phased*" in the first sentence.
- **Paragraph 1.2** Delete the word "*many*" in line 11. Delete last two sentences.
- **Paragraph 1.3.1** Modify penultimate sentence as follows:

The suggested restriction on private access to MOL is not an approach the Council wishes to adopt. It will seek, as part of new development, increased public access to the open spaces in an effort to address the shortfall of green open space in the area.

- Paragraph 1.3.2 No modification.
- Paragraph 2.1.1 Add the following sentence to the end :

Much of the built development is expected to deliver housing, but complemented by employment uses up to 200m² floorspace or some community use.
- Paragraph 2.1.2 Delete last sentence.
- Paragraph 2.1.3 Reword first five sentences as follows:

The main hospital building site is approximately 1.6ha. The building is included in the Council's Local List and it falls within the Copse Hill Conservation Area. The building is of local historic interest and because of its scale, domination and functional contributions it could be said to make a positive contribution to the conservation area. Retention or refurbishment of the core of the building, as indicated on Plan XX, should be considered but any proposal for development or redevelopment that would lead to its total or substantial demolition will have to be assessed in terms of the tests in conservation area and local listing policies.
- Paragraph 2.1.3 Further modify in accordance with PIC45.
- Paragraph 2.2.1 Add text along the following lines to the end of paragraph:

Such facilities are best located towards the southern end of the site as shown on Appendix 3, because..... The Council will be prepared to consider alternative locations within the site, if that better serves the needs of residents.
- Paragraph 2.2.3 In the first sentence delete the words "...as private amenity space...". Modify third sentence in accordance with PIC33 and add text in accordance with PIC47.
- Paragraph 2.3 Second sentence delete the words ".....to ameliorate employment loss from the relocation of the hospital.." and substitute with the following:

...in accordance with Policy E.10.
- Paragraph 2.5.1 Modify in accordance with PIC48.
- Paragraph 2.6.1. Reword second sentence as follows:

To ensure a viable use of open space on the site for the foreseeable future, the Council will seek sufficient resources from the developer should responsibility be transferred to the public or voluntary sector.
- Paragraph 2.6.1 Further modify in accordance with PIC34 and PIC45.
- Paragraph 2.6.2 Modify in accordance with PIC37 and PIC51.
- Paragraph 2.7 Delete text and substitute with the following:

Community provision on the site would further the aims of achieving mixed use developments. Such provision could include health facilities, such as doctor or dentist surgeries.

- Paragraph 3.2 In the first sentence add the word "*inappropriate*" before "development" also modify in accordance PIC52.
- Paragraph 3.4 Reword as follows:

Developers will need to demonstrate that health facilities on the site are no longer required to meet the needs of the existing and potential residents, as expected under Policy C.11.
- Paragraph 3.7 No modification.
- Paragraph 3.9 Delete text and replace with reference to Policy E.10 and that the Council will seek either employment use to a limit of 200m² floorspace or community uses to serve the new development.
- Paragraph 4.2.4 Modify in accordance with PIC54.
- Paragraph 4.3 No modification.
- Paragraph 4.5.1 Reword first sentence as follows:

With the exception of The Firs buildings and grounds, the site falls within the Cope Hill Conservation Area, designated in 1990 (see Appendix 2).
- Paragraph 4.5.2(a) In the last sentence replace the words "...and should be retained" with the following:

....and its retention should be considered in terms of Policy BE.2 and advice in PPG15.
- Paragraph 4.5.2 (C) Reword last sentence as follows:

Consideration should be given to retention of remnants of this landscape, including the lawn and avenue.
- Paragraph 4.5.3 Second sentence replace the word "*should*" with "*could*".
- Paragraph 4.7 No modification.
- Paragraph 4.11.2 Reword last sentence as follows:

Should the development have a significant impact on the transport network, a transport impact assessment and possibly even a green travel plan should accompany planning applications for redevelopment of the site.
- Paragraph 5.2.2 Modify in accordance with PIC55.
- Paragraph 6.1 Add to end of the paragraph the following:

The financial contributions or facilities sought are intended to remedy existing deficiencies, enhance the quality of the development and meet needs that may arise from development of the site.
- Paragraph 6.1(i) Delete provision of financial contributions towards a health care facility on the site.
- Include a plan to identify the historic core of the hospital building.
