

PD10532/PB/ARS/CS

email: Planning Policy
Wandsworth Council
The Town Hall
Wandsworth High Street
London
SW18 2PU

28 February 2022

Sent via email to:
planningpolicy@wandsworth.gov.uk

Dear Sir/Madam

**LONDON BOROUGH OF WANDSWORTH: LOCAL PLAN FULL REVIEW (JANUARY 2021)
PUBLICATION VERSION LOCAL PLAN – REGULATION 19 OF THE TOWN AND COUNTRY PLANNING (LOCAL
PLANNING) (ENGLAND) REGS 2012**

We write on behalf of our client, London Square, in response to the London Borough of Wandsworth's consultation on the proposed Wandsworth Publication Version Draft Local Plan.

These representations set out comments on the Publication Draft Local Plan, dated January 2021. Specifically in this letter we comment on the following matters in relation to the Local Plan:

- Springfield Hospital Draft Allocation;
- Designation of Metropolitan Open Land;
- Design-led approach;
- Delivery of Residential accommodation;
- Affordable Housing; and
- Energy and Sustainability.

Background

Before setting out our comments on the above matters, we set out a brief overview of Springfield Hospital and London Squares interest in the Site.

South West London and St Georges Mental Health NHS Trust (SWLSTG) "the Trust" provides local mental health services to approximately 1.2 million people in South West London. The Trust have embarked on a much needed programme for

the modernisation of mental health facilities serving south west London which includes the comprehensive redevelopment of the Springfield Hospital Site which falls within the administrative area of the LB Wandsworth.

In 2012 the Secretary of State granted planning permission and listed building consent for the comprehensive development of Springfield Hospital, which once completed, will provide a new state-of-the art mental health hospital alongside new homes, a new care home, school and a major new public park.

Following the 'original' permission a number of amendments have been made which have enabled the scheme to be brought forward.

The site benefits from allocation 89 within Wandsworth's Local Plan Site Specific Allocations Document March 2016. In September 2017 the South West London and St George's Mental Health NHS Trust selected its preferred developer, STEP, and works in relation to the new hospital facility and infrastructure began in early 2019. STEP were further officially appointed in December 2019 as Master Developer for the Site. The following phases of the Springfield Hospital development have or are in the process of being brought forward:

- Phase 1 – 26 dwellings (brought forward by Bellway– completed);
- Phase 2 – Park and Infrastructure (Implemented by STEP);
- Phase 3 – Hospital (Implemented by STEP);
- Phase 4 – Care Home (brought forward by STEP);
- Phase 5a – 227 dwellings (Implemented by Barratt);
- Phase 5b – 71 dwellings (Implemented by Barratt);
- Phase 6a – 72 conversion dwellings (Implemented by City and Country);
- Phase 6b – Reserved Matters and Listed Building consent for 110 units (Reserved Matters and Listed Building Consent approved and to be brought forward by City and Country);
- Phase 6c – Reserved Matters and Listed Building consent for 80 units (Reserved Matters and Listed Building Consent approved and to be brought forward by City and Country);
- Phase 6c – Full Application for the erection of 32 residential units (to be brought forward; and
- Phase 6d – Reserved Matters consent for the conversion of Glenburnie Lodge (Reserved Matters and Listed Building Consent approved and to be brought forward by City and Country).

London Square are the preferred bidder for the delivery of residential parcels P,Q, G, Eu2 and F of the approved Springfield masterplan and are currently proceeding forward with preparing Reserved Matter applications in relation to these parcels.

National Planning Policy Context

In preparing these representations significant weight has been given to national planning policy set by the National Planning Policy Framework (NPPF) (July 2021).

Paragraph 9 of the 2021 NPPF requires sustainable development objectives to be delivered through the preparation and implementation of plans. Paragraph 11 of the NPPF requires that during the plan-making process, plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change. Part b of paragraph 11 requires that strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses.

Section 3 of the NPPF deals with plan-making specifically and identifies under Paragraph 16 that the planning system should be genuinely plan-led. Paragraph 16 requires plans to achieve the following:

- a) be prepared with the objective of contributing to the achievement of sustainable development;
- b) be prepared positively, in a way that is aspirational but deliverable;
- c) be shaped by early, proportionate and effective, engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees;
- d) contain policies that are clearly written and unambiguous, so it is evidence how a decision maker should react to development proposals;
- e) be accessible through the use of digital tools to assist public involvement and policy presentation; and
- f) serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area.

With regard to Strategic Policies, Paragraph 20 of the NPPF states that Strategic Policies should set an overall strategy for the pattern, scale and quality of development and make sufficient provision for housing, employment, retail, leisure and other commercial development, infrastructure for transport, community facilities and the conservation and enhancement of natural, built and historic environment.

Paragraph 23 goes on to identify Strategic policies should provide a clear strategy for bringing sufficient land forward, and at a sufficient rate, to address objectively assessed needs over the plan period, in line with the presumption in favour of sustainable development. This should include planning for and allocating sufficient sites to deliver the strategic priorities of the area (except insofar as these needs can be demonstrated to be met more appropriately through other mechanisms, such as brownfield registers or non-strategic policies). This reflects Paragraph 15 of the NPPF which states that a framework for addressing housing needs should be provided through a genuinely plan-led system.

Turning to producing new Local Plans specifically, Paragraph 31 states that the preparation and review of all policies should be underpinned by relevant and up-to-date evidence. Local Plans should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirement (Paragraph 32).

The London Plan

Consideration has also been given in the preparation of these representations to the London Plan. The London Plan was adopted in March 2021 and places emphasis on the need to build strong and inclusive communities (Policy GG1), making the best use of land (Policy GG2), creating a healthy city (Policy GG3), delivering the homes Londoners need (Policy GG4) and growing a good economy (Policy GG5).

Wandsworth Publication Version Draft Local Plan - January 2022

The following sections respond to specific policies outlined within the London Borough of Wandsworth (LBW) draft Publication Version Local Plan.

Springfield Hospital Allocation

It is acknowledged that the Site has been reallocated under the Publication Version of the Local Plan following representations made during the Regulation 18 stage of the Local Plan by South West London and St Georges Mental Health NHS Trust (SWLSTG). The proposed draft allocation OUT 3 (Springfield Hospital, Burntwood Lane/Glenburnie Road, SW17) identifies the Site for new and improved hospital facilities, residential and small scale commercial / retail

uses serving the hospital, residential and school facilities. The draft allocation also requires the retention of the Open Space for use as a public park with recreational use and the retention of the locally listed chapel for community facilities.

The draft allocation provides prescriptive requirements for how the layout of the Site is to be brought forward. The draft allocation requires the delivery of small urban blocks to create a distinctive neighbourhood. In line with Policy GG2 (Making the best use of land) of the London Plan, the most efficient use of the Site is required to be achieved. As such it is not considered appropriate therefore to attribute a development type, such as small urban blocks, within the allocation as any development brought forward on the Site of an appropriate density, scale and massing should be tested through a design-led approach.

As set out above London Square's interest falls within residential parcels P, Q, G, EU2 and F of the wider Springfield masterplan. London Square are proceeding forward with a Reserved Matters application which aligns with the parameters approved as part of the outline. However, in line with national, regional and local planning policy the proposals are seeking to optimise the delivery of residential across the parcels and therefore the site allocation policy should reflect this.

In summary, the re-introduction of the allocation is welcomed however the prescriptive condition around the delivery of small urban blocks attached to the allocation is likely to prohibit the optimisation of the whole masterplan. In order therefore for Policy GG2 of the London Plan to be achieved the proposed restrictive condition regarding the layout should be removed from the allocation and be design led.

Designation of MOL Land

Under the emerging Local Plan, part of the wider Springfield Hospital site continues to be designated as Metropolitan Open Land (MOL). Draft Policy LP53 (Protection and Enhancement of Green and Blue Infrastructure) of the emerging Local Plan states that areas identified as MOL will be protected, enhanced and made more accessible.

Chapter 13 of the NPPF concerns the protection of Green Belt Land, which is applied equally to MOL. Paragraph 138 identifies that the Green Belt serves the following five purposes:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Policy G3 (Metropolitan Open Land) of the London Plan states that MOL should be afforded the same protection as Green Belt and requires land designated as MOL to meet one of the following criteria:

- 1) it contributes to the physical structure of London by being clearly distinguishable from the built-up area
- 2) it includes open air facilities, especially for leisure, recreation, sport, the arts and cultural activities, which serve either the whole or significant parts of London
- 3) it contains features or landscapes (historic, recreational, biodiverse) of either national or metropolitan value
- 4) it forms part of a strategic corridor, node or a link in the network of green infrastructure and meets one of the above criteria.

The policy goes on to note that alterations to the boundary of MOL should be undertaken through the Local Plan process. Any alterations to the boundary should only be considered in exceptional circumstances when this is fully evidenced and justified, considering the purposes of including land in the MOL as set out above.

As set out above, the wider Springfield Site benefits from outline permission which approved the comprehensive redevelopment of Springfield Hospital in 2012 and had been lawfully implemented. The wider outline includes the provision

of a publically accessible park within the MOL which in line with London Plan Policy G3 will contribute to the physical structure of London and contain leisure and culture activities.

It is noted that residential parcels P, Q, part of G, X, Y and Z are currently designated within the MOL, albeit only parcels P, Q, part of G fall within London Squares interest and therefore only these parcels are discussed within these representations.

Under the outline the approved parameter plans (as amended) the residential accommodation within the land currently designated within MOL is upto 11.5m above external ground level, with associated landscaping, access and car parking.

The emerging Local Plan and its subsequent designation has not been revised to reflect the development which has been permitted on the existing designated MOL under the 2021 outline planning and for which the detailed design is currently being progressed with. It is considered that the part of the MOL which falls within parcels P, Q, part of G, no longer achieves the functions / purposes as set out within the NPPF and the London Plan.

It is therefore considered in line with Policy G3 (Metropolitan Open Land) of the London Plan the current Local Plan review process provides an appropriate opportunity to refine the MOL boundary on the Site to exclude residential parcels P, Q and Part of G from the MOL allocation.

Design-Led Approach

Draft Policy LP1 (The Design-led Approach) requires development proposals to reflect and demonstrate that a design led approach has been adopted to optimise the potential of sites is welcomed to ensure that the delivery of residential accommodation is optimised on brownfield sites. The requirement to ensure the most efficient use of land is achieved and Site optimisation accords with the NPPF and Policy GG2 (Making best use of Land) of the London Plan.

Delivery of Residential Accommodation

Draft Strategic Policy SDS1 (Spatial Development Strategy 2023-2038) of the emerging Local Plan states that over the plan period of 2023-2038 the Local Plan will provide for a minimum of 20,311 new homes. The provision of 'minimum' in the draft strategic policy is welcomed as it should be reminded that housing targets set are minimum targets and should not be considered maximums. Within the Tooting area, of which the Springfield Hospital Site is located within, the capacity for new homes has been identified as 206 during the plan period.

Part C of the draft Policy sets out how the identified target will be achieved which includes making the best use of land whilst ensuring that development densities are appropriate to the location and size of the site. The encouragement of ensuring the best use of land to deliver much needed residential accommodation is welcomed. It should also be noted that this aligns with both London Plan Policy GG2 and the NPPF which places emphasis on optimisation of sites including brownfield land to deliver residential accommodation. The Springfield Hospital Site presents an opportunity to ensure the most efficient use of this brownfield Site is achieved which would contribute to ensuring that the LBW can achieve their minimum housing targets set out above.

Affordable Housing

Draft Policy LP23 (Affordable Housing) seeks to maximise the delivery of affordable housing in accordance with the London Plan. Part E of the draft Plan states that '*site-specific viability information will only be accepted in exceptional cases, as set out in Policy H5 of the London Plan*'. Part F of London Plan Policy H5 (Threshold Approach to Applications) states that where an application does not meet the criteria set out in Policy H5 it must follow the Viability Tested Route, which requires detailed supporting viability evidence to be submitted. Policy H5 of the London Plan does not make any reference to or

provide clarification on 'exceptional' circumstances where viability testing would be allowed. In line with the London Plan, proposals which do not meet policy compliant thresholds should be subject to viability.

Energy and Sustainability

It is noted, under draft Policy LP10 (Responding to the Climate Crisis), development proposals will be required to achieve net zero carbon standards in line with the London Plan with a minimum onsite reduction of 35%. A consistent approach with the London Plan is welcomed. Whilst the encouragement of high quality sustainable buildings is welcomed, the provision of *unless it can be demonstrated that this would not be technically or viability feasible* is further welcomed. Developers should seek to deliver the most sustainable development possible whilst balancing other social, environmental and economic benefits.

Closing

We trust that these observations are useful at this consultation stage. We wish to maintain an active role in the engagement process moving forward and look forward to receiving an update as LBW proceed through to publishing their new Local Plan.

If you have any comment / queries please do not hesitate to contact Anna Russell-Smith [REDACTED]
[REDACTED] or Chloe Saunter [REDACTED] of this office in
this first instance.

Yours sincerely

[REDACTED]

Montagu Evans LLP



Local Plan Review

Consultation on the Publication Draft Local Plan

10 January to 28 February 2022

RESPONSE FORM

The Council is inviting comments over a seven-week period on the Publication version of the Local Plan.

The Draft Local Plan sets out a vision and spatial strategy to guide the development of the borough from 2023, when the Plan is anticipated to be adopted, to 2038. It sets out key objectives for the borough, which are supported by planning policies, area strategies, and – at the smallest scale – detailed guidance for the development of specific sites. Collectively, these identify where development should be targeted and set out how the borough's neighbourhoods and places will change over the next 15 years.

This consultation is the final opportunity to comment on the Local Plan before it is submitted to the Secretary of State for independent 'examination in public'. At this stage in the plan-making process, in accordance with the national guidance, consultation responses should focus on whether the Local Plan has been developed in compliance with the relevant legal and procedural requirements, including the duty to cooperate, and with the 'soundness' of the Plan. Further detail on these concepts is provided in the accompanying guidance notes provided at the end of the form.

How to respond

Please read the consultation documents and other background information made available on the Local Plan website: <http://www.wandsworth.gov.uk/draft-local-plan-publication>

You can respond by completing this form, either electronically using Word or as a print out, and sending it to the Council by:

- Email to planningpolicy@wandsworth.gov.uk
- Post to Planning Policy and Design, Environment and Community Services, Town Hall, Wandsworth High Street, Wandsworth, SW18 2PU.

Alternatively, you can also make comments on the draft Local Plan online via our Consultation Portal, which is accessible at the website listed above.

All responses must be received by **11.59pm on Monday 28 February 2022**. The consultation is open to everyone; however please note that responses will not be treated as confidential and those submitted anonymously will not be accepted.

Part A: Personal Details		
	1. Personal details*	2. Agent's details (if applicable)
Title		Miss
First name		Anna
Last name		Russell-Smith
Job title (where relevant)		Partner
Organisation (where relevant)	London Square	Montagu Evans
Address		70 St Marys Axe London
Postcode		EC3A 8BE
Telephone		██████████
E-mail address		████████████████████

*If an agent is appointed, please complete only the title, name and organisation boxes for the respondent and complete the full contact details for the agent.

Part B: About You...		
3. Please tell us about yourself or who you are responding on behalf of.		
Do you live in the borough?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Do you work in the borough?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Do you run a business in the borough?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Are you a student in the borough?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Are you a visitor to the borough?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

Data protection

Information provided in this form will be used fairly and lawfully and the Council will not knowingly do anything which may lead to a breach of the General Data Protection Regulation (GDPR) (2018).

All responses will be held by the London Borough of Wandsworth. They will be handled in accordance with the General Data Protection Regulation (GDPR) (2018). Responses will not be treated as confidential and will be published on our website and in any subsequent statements; however, personal details like address, phone number or email address will be removed.

For further details regarding your privacy please see the Council's information published at:

www.wandsworth.gov.uk/privacy

Part C: Your Response		
4. Do you consider the Local Plan is:		
4.1 Legally compliant	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2 Sound	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
4.3 Complies with the duty to co-operate	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Further information on these terms is included within the accompanying guidance note, which can be found at the end of the response form.		
If you have entered 'No' to 4.2, please continue with Q5. Otherwise, please go to Q6.		
5. Do you think the Local Plan is <u>unsound</u> because it is <u>not</u>: <i>(Please tick all that apply)</i>		
5.1 Positively prepared	<input type="checkbox"/>	
5.2 Justified	<input type="checkbox"/>	
5.3 Effective	<input type="checkbox"/>	
5.4 Consistent with national policy	<input checked="" type="checkbox"/>	
6. Please give details of why you think the Local Plan is not legally compliant and/or is unsound and/or fails to comply with the duty to co-operate.		
<p>Please make it clear which consultation document your comments relate to and, where applicable, please include the relevant policy name/number, the site allocation name/reference, the Policies Map change, and/or the paragraph number. Please be as precise as possible.</p> <p>If you wish to provide comments in support of the legal compliance and/or soundness of the Local Plan, or its compliance with the duty to co-operate, please use this box to set out your comments.</p> <p><i>Please note your response should provide succinctly all the information, evidence and supporting information necessary to support / justify the response. After this stage, further submission will only be at the request of the Inspector, based on the matters and issues they identify for examination.</i></p>		
See attached covering letter		

Please continue on a separate sheet / expand the box if necessary.

7. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, when considering any legal compliance or soundness matter you have identified at 5 above.

Please note that non-compliance with the duty to co-operate is incapable of modification at examination.

You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please note your response should provide succinctly all the information, evidence and supporting information necessary to support / justify the suggested change. After this stage, further submission will only be at the request of the Inspector, based on the matters and issues they identify for examination.

See attached covering letter

Please continue on a separate sheet / expand the box if necessary.

8. If you are seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)? (Please tick box as appropriate)

No, I do not wish to participate in hearing session(s)

Yes, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

9. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

See attached covering letter

Please continue on a separate sheet / expand the box if necessary.

If you are not on our consultation database and you respond to this consultation, your details will be added to the database. This allows us to contact you with updates on the progression of the Local Plan and other planning policy documents.

If you do not wish to be added to our database or you would like your details to be removed, then please tick this box.

Signature:

Montagu Evans

Date:

28 Feb 2022

For electronic responses a typed signature is acceptable.

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Local Plan Publication Consultation

Guidance Notes to accompany the Representation Form

Introduction

1. The plan has been published by the Local Planning Authority [LPA] in order for representations to be made on it before it is submitted for examination by a Planning Inspector. The Planning and Compulsory Purchase Act 2004, as amended [PCPA] states that the purpose of the examination is to consider whether the plan complies with the relevant legal requirements, including the duty to co-operate, and is sound. The Inspector will consider all representations on the plan that are made within the period set by the LPA.

2. To ensure an effective and fair examination, it is important that the Inspector and all other participants in the examination process are able to know who has made representations on the plan. The LPA will therefore ensure that the names of those making representations can be made available (including publication on the LPA's website) and taken into account by the Inspector.

Legal Compliance

3. You should consider the following before making a representation on legal compliance:

- The plan should be included in the LPA's current Local Development Scheme [LDS] and the key stages set out in the LDS should have been followed. The LDS is effectively a programme of work prepared by the LPA, setting out the plans it proposes to produce. It will set out the key stages in the production of any plans which the LPA proposes to bring forward for examination.
- The process of community involvement for the plan in question should be in general accordance with the LPA's Statement of Community Involvement [SCI] (where one exists). The SCI sets out the LPA's strategy for involving the community in the preparation and revision of plans and the consideration of planning applications.
- The LPA is required to provide a Sustainability Appraisal [SA] report when it publishes a plan. This should identify the process by which SA has been carried out, and the baseline information used to inform the process and the outcomes of that process. SA is a tool for assessing the extent to which the plan, when judged against reasonable alternatives, will help to achieve relevant environmental, economic and social objectives.
- The plan should be in general conformity with the London Plan.
- The plan should comply with all other relevant requirements of the PCPA and the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended [the Regulations].

Duty to Co-operate

4. You should consider the following before making a representation on compliance with the duty to co-operate:

- Section 33A of the PCPA requires the LPA to engage constructively, actively and on an ongoing basis with neighbouring authorities and certain other bodies over strategic matters during the preparation of the plan. The LPA will be expected to provide evidence of how they have complied with the duty.
- Non-compliance with the duty to co-operate cannot be rectified after the submission of the plan. Therefore, the Inspector has no power to recommend modifications in this regard. Where the duty has not been complied with, the Inspector cannot recommend adoption of the plan.

Soundness

5. The tests of soundness are set out in paragraph 35 of the National Planning Policy Framework (NPPF). Plans are sound if they are:

- Positively prepared – providing a strategy which, as a minimum seeks to meet the area's objectively assessed needs, and is informed by agreements with other authorities, so that unmet need from neighbouring authorities is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- Effective - deliverable over the plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in the NPPF.

6. If you think the content of the plan is not sound because it does not include a policy on a particular issue, you should go through the following steps before making representations:

- Is the issue with which you are concerned already covered specifically by national planning policy (or the London Plan)? If so, does not need to be included?
- Is the issue with which you are concerned already covered by another policy in this plan?
- If the policy is not covered elsewhere, in what way is the plan unsound without the policy?
- If the plan is unsound without the policy, what should the policy say?

General advice

7. If you wish to make a representation seeking a modification to the plan or part of the plan you should set out clearly in what way you consider the plan or part of the plan is legally non-compliant or unsound, having regard as appropriate to the soundness criteria in paragraph 5 above. Your representation should be supported by evidence wherever possible. It will be helpful if you also say precisely how you think the plan should be modified.

8. You should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification. You should not assume that you will have a further opportunity to make submissions. Any further submissions after the plan has been submitted for examination may only be made if invited by the Inspector, based on the matters and issues he or she identifies.

9. Where groups or individuals share a common view on the plan, it would be helpful if they would make a single representation which represents that view, rather a large number of separate representations repeating the same points. In such cases the group should indicate how many people it is representing and how the representation has been authorised.

10. Please consider carefully how you would like your representation to be dealt with in the examination: whether you are content to rely on your written representation, or whether you wish to take part in hearing session(s). Only representors who are seeking a change to the plan have a right to be heard at the hearing session(s), if they so request. In considering this, please note that written and oral representations carry the same weight and will be given equal consideration in the examination process.