

From: Cllrs Ruth Dombey, Marlene Heron and Steve Penneck

PLANNING APPLICATION NO: DM2019/00985 New school on Rosehill Park

APPEAL NO: APP/P5870/W/19/3241269

We wish to oppose this appeal on the grounds of poor quality design and road safety, and ask if Cllr Steve Penneck can address the hearing on our behalf. We refer to our letter of objection to the original planning application. In this submission we briefly summarise the case we made in that letter, and also comment on the additional material provided by the applicant since the application was submitted and their statement of the case.

There has been a significant amount of information provided by the applicant since the planning application was submitted in June 2019. We do not know whether this is usual practice: in some cases this information is helpful and has allowed the planning authority to reduce their concerns on some of the planning issues; however none of this information has been subject to public consultation, scrutiny or challenge (until the appeal hearing), and much of it is difficult for residents to access or assess. Clearly the original application was inadequate and submitted prematurely, and this had the effect of obfuscating the proposal.

It is particularly of concern that the discussions on road safety have solely been with TfL, not Sutton Council, and have not been transparent. Sutton is the Highways authority for Rose Hill, not TfL. Yet discussions with TfL have led to their removing their initial road safety concerns for reasons which are not at all clear. The Statement of the Case claims that all aspects except design have now been resolved, but it is not clear that this is the case for the transport/ safety aspects.

Our two main concerns remain: design and road safety.

The need for a new school

We accept the need for a second new school in the Borough, and accept that there is no alternative site to the All Weather pitch in Rosehill Park, which was secured following wide consultation on the Local Plan. But we are very concerned that the current proposal falls a long way short of what is required given the open nature of the site, the congested traffic already experienced in Rose Hill, and the use of Rose Hill by pupils accessing Greenshaw High School.

We understand that given the need for new schools, any refusal has had to be clearly justified. The National Planning Policy Framework says that: 'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions . . . ' and that 'In determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area.' The Framework also says that 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.' In our view the application:

- fails to take the opportunities for improving the character of the area;
- does not offer an outstanding or innovative design; and
- will result in an unacceptable impact on highway safety.

Design

Summary of our original case

The Council is providing extensive benefits in a parkland setting for the school, recognising that in doing so we forgo other possible community uses for the site. In return we need a development that the community will recognise as an inspirational community asset that will add value to the park. Instead of a design that will inspire students, teachers and the community we have a design that the applicant describe themselves as a '4-storey Superblock'.

The applicant considered seven options for the layout of the buildings. This options appraisal is not convincing: the impact on the park does not feature in them, and the failure to use the land to the north of the Sports Village restricts the options available.

The applicant benefitted from advice from a Design Review Panel (DRP). The DRP were concerned that creative solutions to articulate the buildings and reduce its footprint, which would reduce the massing of the building and give a better environment for school pupils and the local community, had not been explored. They were critical of:

- the lack of aspiration the plans presented; and
- the lack of high civic value.

The panel concluded that further work on the scheme was necessary to provide an 'exemplar learning environment that Sutton can be proud of'. This work has not been done.

Even without the extra land, more could be done by varying the roof line, and stepping back part of the building to provide a building of higher architectural merit. The school that is proposed is a rectangular block, lacking empathy with the parkland setting, with very few distinguishing features visible from the road that would set it apart from being an off the shelf design. Bearing in mind the long views of the school there will be across the park, and the significant location of the site at the northern gateway to Sutton town centre, this is a huge missed opportunity to provide a high quality building that will inspire the learning of young people, and in which the local community can take pride.

In our view, despite the need to give great weight to the need for new schools, we are concerned that this proposal does not meet London and Local planning policies which require it to be of the highest architectural quality and of exceptional design. A better school could be built on this site.

Our response to subsequent information provided by the applicant

On 19 August the applicant submitted a response to our design criticisms. They make the point that what makes poor or good design is very subjective. That is of course why we use a Design Review Panel, to introduce an element of objectivity and expertise from professionals who design buildings themselves and can suggest other ways of approaching design challenges. The applicant makes no comment on the need to ensure that the proposal pays regard to its setting in the park.

The applicant has published a letter from DfE saying that using the land to the north of the Sports Village would require additional work involving extra costs and delay (including a variation to the lease). Costs and timescales are not planning matters and we would urge that this consideration is not given any weight.

The other points made in the applicant's Statement of the Case do not present anything new, simply restating their existing case. They point out that the Design Review Panel says that '*of the options presented, the chosen footprint was the most satisfactory*' - failing to point out that the options were restricted by the failure to use the land to the north.

On the question of harm to the character and appearance of the area, they say the baseline for comparison should be a built form of a similar scale and mass, given its designation in the Local Plan. In other words the proposal, for a four story 'superblock', with limited design features should simply be compared with a superblock without the design features.

None of this is in any way convincing, and we would urge that the appeal is dismissed on grounds of poor design.

Road safety, traffic and parking

There were a number of problems with the Transport Assessment (TA) that accompanied the original application, including inconsistencies in its numbers, unrealistic assumptions and omissions. These were highlighted in our comments on the planning application. In the light of these

deficiencies we didn't think the assessment provided a sound basis for considering the traffic aspects of this application and asked that a fuller assessment using more realistic assumptions should be undertaken.

This revised assessment has not been carried out. A further technical note (No 5) responding to our concerns was produced. In the main this does not add anything much. We had questioned many of the assumptions in the Transport Assessment and highlighted many of the risks that follow from its conclusions. Generally the applicant says that their assumptions are reasonable, and that the risks will be managed. We disagree with this.

We set out below the specifics of our concerns and responses to the further comments of the applicant.

Differences in travel mode by catchment area

The school will have two overlapping catchment areas: one centred on the school (the 'nearby' area) and the other centred on the town centre (the 'southern' area). Para 7.18 of the TA states the assumption that 40% of pupils will come from the nearby area, and 60% from the southern area. No evidence is given for this assumption, which is critical given the different assumptions made for mode of travel in each. Nor is it clear to which of the two catchment areas the overlap is allocated, which is critical given the different travel patterns assumed for each.

Table 7.4 implies that all pupils from the nearby area will walk to school, and none travel by car or bus; and that pupils from the southern area will mostly arrive by bus (53%), with only 20% walking and 16% travelling by car. The evidence for such diverse assumptions is not presented within the TA, yet they have a significant impact on how pupils approach the school.

Looking at the catchment area maps (Fig 7.1), the 'nearby' catchment area stretches across the Sutton by-pass in an arc from Collingwood Road, through Forest Road, to north of the Rose Hill roundabout. Many pupils from this area would walk to school, others would be dropped off by their parents by car, and others travel by bus. There is no evidence in the Transport Assessment on mode of travel that we can rely on, but their assumption that all pupils in this catchment area will walk clearly underestimates the traffic and public transport impacts from these areas. In particular there are good bus services from the north. The 'southern' catchment area stretches from just south of the school to south of Sutton station, and from the borders of Cheam in the west to those of Carshalton in the east. It covers the town centre and is heavily populated. There is a significant overlap between the two catchment areas, and the transport assessment does not say to which area the overlap is allocated – this is important given the different modal assumptions made about each. In practice, given their proximity to the school, pupils in the overlap area are quite likely to walk to school. The 'southern' area is well served by buses, especially on the north-south route, and pupils from the non-overlap 'southern' area are likely to use a mixture of buses, cars and walking. So, the Transport Assessment underestimates the numbers of pupils approaching by bus and car from the north and west, and the number of pupils walking up from the south.

In response to this the applicant states (Technical Note No 5) that the 'nearby' catchment area extends 1km from the site and this is an acceptable distance to walk. We agree with this, but it is an extreme assumption that all pupils will walk, and it does not explain why it is assumed that only 20% walk from the southern catchment area.

All of this is important when we look at the implications for the directions of travel for those walking and driving, near the site.

Staggering of the school day

Table 6.2 of the TA shows minimal staggering of the school day. Staggering is proposed between the main school (11 to 16 year olds), the sixth form and the SEN unit, with breakfast and after school clubs. But there is no staggering within the main school (i.e. between year groups 7 to 11),

with the result (table 7.5) that nearly 1,200 trips will enter the site for the 8.30am start and nearly 1,100 will leave soon after 3pm.

The school day is the same as for nearby Greenshaw High School, owned by the same academy trust. It would be possible for the Greenshaw Learning Trust to co-ordinate the school day times for the two schools, but no attempt has been made to do this.

At the end of the school day pupils from the two schools will converge from either side of Rose Hill at the same time, with many trying to reach bus stops by crossing this busy road in opposite directions. The TA does not take account of the combined effect of pupils crossing the road from the two schools at the same time. In their response the applicant says their analysis includes the impact of Greenshaw’s pupils, but we have not seen this. They also say the concurrent arrival of both sets of pupils will be a ‘worst case scenario’, when in fact it will be the usual case.

The number of car journeys

The total number of car journeys for pupils has been underestimated. It is assumed that 12.2% of pupils will travel to school by car, while for Greenshaw High School, under the same management the figure is 16.4%.

The applicant’s assumption of a modal share of 12.2% is the average for Sutton schools. Table 3 of Appendix N in the TA give these data. There is a high degree of variation, between 2.3% (Cheam) and 21.0% (St Philomena’s). Greenshaw is above the Borough average used as the assumption for the new school at Rosehill. The assumption used here is critical in estimating the number of pupil car trips, which could vary tenfold:

Assumed % of pupils using a car	Resulting number of car trips
2.3	36
12.2	189
16.4	254
21.0	325

In their response the appellant implies (para 18 of Appendix 7 to the Statement of the Case) that the variation by school is minor, compared with the variation for pupils traveling by bus or walking so that ‘car usage would remain low by comparison’. However, the fact that car usage will be less than buses or walking does not mean it will not be a problem. The appellant makes a comparison with Overton Grange, which is similarly in a park with a free park car park and has low car use, to make the point that the availability of free car parking does not necessarily lead to high car usage. However the cases are not similar. Overton Grange School does not have a pedestrian access from Overton Park, and to walk from one to the other would require a six minute detour through the streets.

In response to our point about the comparison with Greenshaw, the applicant points out that the Rosehill school is in a more accessible location than Greenshaw and has a higher PTAL. This is true. However, there is not a simple correlation between PTAL and modal share, as the following table shows:

School	PTAL	% pupils using a car
Greenshaw	1a/b	16.4
Cheam	1b	2.3
Overton Grange	1b/2	5.0

St Philomena's	2/3	21.0
----------------	-----	------

Some of our schools with the lowest PTAL achieve a low percentage of car journeys, while St Philomena's for example, with good public transport, does not. Clearly there are other factors in Sutton that determine whether pupils travel to school by car. We would contend that school leadership and effective strategies are key and repeat our concern that a second school managed by the Greenshaw Learning Trust is unlikely to achieve the 12.2% Sutton average.

So the total volume of car traffic for the school is underestimated, particularly from the north and along Sutton Common Road, and this will have implications for the road network, highway safety, the public car park and residential parking.

Impact on the road network and highway safety

The Transport Assessment assumes that all car users will originate from the south of the site. It is assumed that car journeys will approach the site either directly up Angel Hill and Rose Hill and then turn left into the site, or by travelling north up the by-pass to the Rose Hill roundabout and then south down Rose Hill. In fact, traffic driving up the by-pass is more likely to turn right and cut through Sutton Common Road to Angel Hill, as this will enable them to make a left turn from Rose Hill into the site.

Para 8.17 summarises the number of vehicle trips along Rose Hill/ Angel Hill. It says the figures are taken from table 8.1, but the figures from these two sources disagree.

The study on the traffic lights at the Sutton Common Road by-pass junction looks at additional traffic along the by-pass, but not that along Sutton Common Road. There is no pedestrian flow analysis for this junction as requested by TfL. The TA does not consider the congestion there will be from the Angel Hill slip road heading north into Rose Hill.

In response the applicant says that the number of pupils using the Sutton Common Road/ by-pass junction is assumed to be low, so no pedestrian assessment has been required. This follows from the applicants' faulty assumptions about vehicle movements, so the junction remains a concern. In addition, Glenthorne High School has just consulted on changes to its own catchment area, which would take more pupils from Merton. The impact of this would be for the new Rosehill school to take more from the Sutton Common Road area.

The additional traffic travelling down Sutton Common Road and on to Angel Hill together with the additional pupils walking up from the town centre will create safety problems at the Sutton Common Road/ Angel Hill junction, by the footbridge. Here the traffic sight lines are restricted, and the road is narrow. The applicant has not provided a response to this concern, other than to say they do not consider it to be an issue.

Parking

The TA states (para 7.13) that the 93 staff are anticipated to drive to the site. The applicant will provide 68 car parking spaces within the development site. So, 25 cars will be competing for what the applicant has calculated is likely to be between 12 to 28 spare places in the public car park in the park, or in residential roads.

The public car park is currently used by residents visiting the park, users of the community centre and café, staff working in the Sports Village and users of the Sports Village. Given school staff are likely to arrive early in the day, they are likely to crowd out other users, especially users of the park and the Sports Village, leading to potential conflict, and further parking on residential roads.

The heavier parking in the car park could lead to safety issues given this is also a pedestrian entrance for pupils for the school. The main pedestrian entrance for the school will be further south by the bowling green, but a significant number will enter through the car park. These will be the

pupils entering the park from the north west, through the gate to the park from the by-pass by the pylon, and along the footpath in the park; and those walking south from the northern part of the catchment area. We have not seen an effective way that pupils walking through the car park will be separated from cars which are parking.

In their response the applicant says that the parking provision is adequate, and that additional provision could lead to more car trips. However, this would only be the case if there were no alternative parking available. The availability of parking within the public car park and in residential streets would ensure that limited parking in the school car park would not be a deterrent.

In their Statement of the Case, the applicant denies that the Transport Assessment etc. is deficient. They restate that the public car park will not be used and that dropping off will be managed through a robust Travel Plan and Car Park Management Strategy, with the aim of containing all staff parking within the site. We doubt the effectiveness of these plans.

Parents' dropping off pupils by car

There are two concerns here: parents turning in to the public car park and dropping off their children; and parents dropping off their children in neighbouring roads.

Dropping off pupils in the car park will create additional congestion at the entrance to the car park, and within the car park as cars stop, probably not in parking bays, and turn round to leave. This will be compounded by pupils leaving the cars and walking through the car park, causing safety issues. There will also be congestion and safety issues in Rose Hill itself, as parents stop to drop off on the main road. The applicant proposes to manage these risks by stationing school staff in the car park and on the main road.

In an agenda prepared for a meeting with TfL on 8 October, the applicant suggests charging for parking in the public car park and using automatic number plate recognition technology as further deterrents. However, this will not be effective given the wide range of residents who use the park.

Residents in the area are well aware of the impact of teacher and sixth form parking from Greenshaw High School on residential roads. We have worked closely with the school on this issue but with little effect and this is one reason why a Permit Parking Area (residents' parking scheme) is being introduced this spring into Aultone Way, Woodend and Greenhill. This will stop staff parking in these roads. But this scheme only covers three roads, and other streets will be affected.

The applicant says that during the peak afternoon time, parent parking will take up two thirds of available parking capacity in residential streets. This is on their own assumptions of modal share. In fact it could be much higher. The applicant says that the implementation of the residents' only PPA would reduce the parking pressure in those roads, freeing up parking spaces for short-stay pick up and drop off. This is correct – parking pressures in these roads will reduce. Also it is true that people who wait in their cars are not technically 'parking'. Dropping off might not be too much of a problem, but our experience of Greenshaw School is that picking up often leads to parents waiting in their cars for up to 20 minutes, often with their engines running, and over dropped kerbs blocking access, or on corners blocking sight lines. If this development is to go ahead the Council would need to consider whether additional waiting restrictions are needed in these roads. In particular a No Waiting restriction would be needed on the west side of Rose Hill.

Walking and pedestrian safety

The analysis of pedestrian flows (Fig 9.5 etc) is simplistic and unrealistic; it assumes that nearly all flows come from the south along the west side of Rose Hill, and few cross Rose Hill from the east.

We agree that large numbers of pupils will walk up from the town centre, where there are additional bus routes which do not all travel past the site. We would expect pupils from the south east to cross to the west side, either using the controlled crossing at Sutton Green, or using the

pedestrian bridge at Angel Hill. We have already highlighted our concern about the Sutton Common Road/ Angel Hill junction. We also have concerns about pupils crossing Rose Hill itself.

There are six traffic islands along Rose Hill between the controlled pedestrian crossing at the northern-most park entrance and that by Cranleigh Gardens (referred to as crossing 'C'). The number of islands reflects the busy nature of the road (and the speed of traffic at times), and the need to provide safe crossing for residents on the east side across to the park and the bus stops on the west. The traffic islands are:

1. half way down Rosehill Park (east)
2. to the north of Rosehill Park West
3. to the north of Hove Gardens
4. to the north of Gloucester Gardens

The vehicle entrance to the public car park is between the Gloucester Gardens and Rosehill Gardens traffic islands

5. to the north of Rosehill Gardens (traffic island A identified in Appendix A of the TA)

The pedestrian access to the site is between traffic islands A and B.

6. to the north of Aultone Way (traffic island B)

These islands have been designed to improve pedestrian safety at locations near to road junctions, and are not particularly close to the proposed pedestrian or vehicle entrances to the site. None of them are wide, being constrained by the road width, and we are concerned whether these crossings will have sufficient capacity, especially at peak times. The applicant states that their analysis shows the impact on crossing C will be 'non-material'. However, this does not take account of pupils travelling south by bus and alighting at bus stop Q (the applicant assumes that no bus travellers come from the north).

The pavement along the western side of Rosehill is especially narrow. The number of pupils using bus stop P will require the pavement to be widened, but there is not enough space to widen it to the extent required. Table 2.4 of Appendix A shows that an additional widening of 2.7m is required, but only 1.4m can be achieved leaving pupils 'at risk'.

The applicant recognises (para 9.29) that crossing B may present a safety concern. This is due to the fact that it is the closest traffic island to the pedestrian access to the site, and so relatively high usage by pupils is anticipated. The solution to this safety issue (paras 10.5 to 10.9), as with the others on Rose Hill, is to station school staff to manage pupils (and parents):

1. at crossing B to discourage pupils from trying to cross at this point
2. at controlled crossing C to ensure pupils only cross when the lights are green
3. by bus stop P in the morning and Q in the afternoon, to prevent bunching of the pupils on the pavements

These staff would also discourage parents from dropping off/ picking up from the public car park.

We doubt whether these measures will be sufficiently effective to allay the safety concerns. In response the applicant says that the provision of school staff at the school gates is common practice in many schools. Indeed it is, but the situation at Rose Hill will be especially challenging – the number of pupils; the narrow footway; the busy traffic on the road; the distance of the road from the school; and the need to also manage pupils from Greenshaw approaching from the opposite direction at the same time.

In response to our concerns, a range of mitigation measures that were included in the original Transport Assessment are repeated in the Statement of the Case, including: staggered hours (in fact not very staggered at all); promotion of after school activities to spread the school day further; staff

on the street to observe and manage behaviour and move on parents trying to drop-off. We have already criticised these measures as inadequate.

The Statement of the Case (at its appendix 2) includes a commitment in its appendix 2 to a s278 agreement to secure improvements to the access at Rose Hill, and to highway improvements in the form of the central island refuge in Rose Hill and bus stop P, but there are no details of this.

Appendix 7 of the applicant's Statement of the Case is a note dated 17 October addressing TfL's 'remaining concerns' 'prior to the Committee hearing'. In their letter of 8 August TfL made the following points:

- The applicant significantly underestimates the number of vehicle trips at peak hours and TfL question the assumptions about pupil vehicle trips
- The applicant has suggested resurfacing the cycle path through Rosehill Park, and TfL say this is for the Council to agree
- The pavement at Bus Stop P is insufficient for comfortable movement – TfL requests the applicant mitigates this
- Requests the applicant provides a suitable pathway through the public car park
- And also implements measure to improve highway safety in the vicinity
- And with Sutton Council consider a 20mph limit along Rose Hill
- They are consequently concerned that the impact on the Rosehill roundabout (the nearest TfL road) could be underestimated
- They 'strongly recommend' that Sutton Council implement a CPZ in the surrounding area to restrict possible overspill parking
- Unrestricted use of the public car park would undermine travel by more sustainable modes, so further measures to discourage drop offs and pick ups are needed

The Technical Note 5 and Appendix 7 of the Statement of the Case are inadequate responses to the concerns we have raised. They do not correct the errors within the original Transport Assessment, nor answer the questions about assumptions about modal share for each of the two catchments areas and the routes that pupils will use to walk and drive to school. The applicant's work with TfL since the Planning Committee has focused on the Rosehill roundabout rather than on road safety concerns in the vicinity of the proposed school. A new traffic island has been proposed but it is not clear where.

In conclusion we contend that the Transport Assessment does not provide a sound basis for assessing the traffic and road safety impact: it contains errors, invalid assumptions, omissions and reveals risks which have not been sufficiently mitigated or managed. We argue that this is sufficient, together with the poor design for you to refuse this planning appeal.

Conclusion

We would request that the appeal be rejected on grounds of poor design, safety and parking. Without prejudice to our position, if the appeal were to be upheld we would ask for the following measures to be imposed in order to seek to limit the adverse impact on the community:

- The start and end of the school day should be staggered more aggressively, and offset with that of Greenshaw High School.
- There should be a 20 mph limit and 'No Stopping' restrictions along the west side of Rose Hill.

- The footpath/cycle route through the park from the public car park to the pedestrian gate on the by-pass should be widened and surfaced
- Improved pedestrian crossing facilities across Rose Hill at crossings A, B and C, and at the Sutton Common Road/ Angel Hill junction
- A review of the traffic and pedestrian impact at the Sutton Common Road/ by-pass junction
- Pavement widening at bus stop P
- Improved vehicle access to the public car park, with a wider pedestrian path and greater separation from vehicles within the car park.
- Waiting restrictions for the Aultone Way PPA
- Repainting the park railings along Rose Hill

Ruth Dombey
Marlene Heron
Steve Penneck

January 2020