



Appeal Decision

Hearing held on 29 April 2026

Site visit made on 28 April 2026

by **R J Redford MTCP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 15 May 2026

Appeal Ref: APP/H5960/W/25/3377063

Main Hospital Building (Phase 6C), Springfield Hospital, 61 Glenburnie Road, London SW17 7DJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 (as amended) for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by City and Country Springfield Limited against the decision of the Council of the London Borough of Wandsworth.
 - The application Ref is 2024/3677.
 - The application sought planning permission for *Alterations, restoration and repair works in connection with the proposed conversion of Fir Tower, Oak Tower and Teak Tower within part of the Main Building to residential use (Class C3) to provide 32 flats, together with associated landscaping and servicing works* without complying with a condition attached to planning permission Ref 2021/4679, dated 7 August 2024.
 - The condition in dispute is No 2 which states that: *The development shall be carried out in accordance with the reports, specifications and drawings detailed [CC-345-P6c-101 rev. B; CC-345-P6c 105 rev. A; CC-345-P6c-109 rev. A; CC-345-P6c-112 rev. A; CC-345-P6c-118 rev. A; CC-0345-P6c-119; CC-345-P6c-206 rev. B; CC-345-P6c-207 rev. C; CC-345-P6c-208 rev. A; CC-345-P6c-209 rev. A; CC-345-P6c-302; CC-345 P6c-601; SPR LAND-OPE-6C-LP002 Rev P03; SPR LAND-OPE-6C-SL002 rev. P06; SPR LAND-OPE-6C-TR002 rev. P04; SPR LAND-OPE-6C-HL002 rev. P04].*
 - The reason given for the condition is: *To ensure a satisfactory standard of development and to allow the local planning authority to review any potential changes to the scheme.*
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. On 4 March 2026, the Wandsworth Local Plan Partial Review (LPR) was adopted and superseded 6 policies within the Wandsworth Local Plan (LP), including Policy LP23. This now forms the development plan and has been considered in this decision. The main parties have been given opportunity to comment.

Background and Main Issues

3. The appeal site is part of the original Springfield Hospital building, which is Grade II listed and known as 'Springfield Hospital (Main Building)' (reference 1065553). It is located within a Grade II listed Registered Park and Garden (RPG)¹ (reference 1001601). In combination and with other hospital buildings this forms part of a

¹ As this is also identified as Springfield Hospital on the National Heritage List, for clarity in this decision it will be referred to as the RPG

much larger redevelopment scheme, originally approved by planning permissions 2010/3703, 2014/6585, 2016/4760, and 2019/2495.

4. The proposal seeks to alter condition 2 of a standalone planning permission (2021/4679) which would create an additional 32 dwellings as a further phase of the larger redevelopment scheme. This condition sets out the approved plans for 2021/4679, and the proposal seeks to make a change to the internal layout of 4 flats (OA06, OS09, FR01 and FR04). These changes would increase the size of 2 flats from 2-bedrooms to 3-bedrooms, whilst maintaining the other 2 as 1-bedroom flats. It would not alter the number of dwellings proposed.
5. During the Hearing the appellant confirmed that, although development has started, the driving factor for this reasonably small-scale alteration is to increase the value of the proposal. So, they have also taken the opportunity to review the viability of the affordable housing obligation within the section 106² agreement (s106A) linked to 2021/4679.
6. As the appeal site forms part of a listed building, and although listed building consent has been granted for the proposed internal layout changes (2024/3662), I am required to have special regard to section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) (the Act).
7. Therefore, the main issues are the effect that varying the condition would have on a Grade II listed building and whether the proposed variation of the affordable housing obligation is justified.

Reasons

Listed building

8. The appeal site forms part of the one of the wings of the main building of Springfield Hospital which was built in the early 19th century as a corridor-plan asylum hospital and is of a grand symmetrical Tudor-style composition. Due to the continued and evolving use over the years only limited interior elements remain of the original form. As part of the asylum's layout the surrounding grounds that now form the RPG are important to its setting and historic use. Specifically, the enclosed airing courts, farmland, and kitchen gardens. Therefore, the significance of the listed building is based on its age, historical use, architectural style, and the specifics of its setting.
9. The proposal seeks to alter the layout of 4 already approved flats it would not alter the external elements of the building or its relationship with the RPG. The Council consider the alterations would retain more existing fabric than the already approved scheme, so the variation would have a positive impact on the significance of the listed building and no impact on its setting, including the RPG. From the evidence before me there is nothing to conclude otherwise.
10. Therefore, the proposed variation would have a positive effect on the grade II listed building. It would ensure the overall development would remain in accordance with the Act, the National Planning Policy Framework (the Framework) and Wandsworth Local Plan (LP) Policies LP1 and LP3 insofar as they require a design-led approach which sustains, preserves and, where possible, enhances the significance of any heritage asset.

² A legal provision of the Town and Country Planning Act 1990 (as amended)

Affordable housing

11. In relation to affordable housing provision London Plan Policy H4 and LP Policy LP23 set the strategic target of 50%. Both policies clearly stating a preference for on-site provision and requiring exceptional circumstances for this provision to be commuted to a financial contribution or Payment in Lieu (PiL).
12. The financial viability discussions related to permission 2021/4679 led to an agreement of an affordable housing provision of 3 social rented units and 2 shared ownership units provided via the conversion of 5 previously approved open market units elsewhere in Springfield Hospital. This was secured by the s106A.
13. During the negotiations related to application 2024/3677, the main parties agreed that due to the unique nature of the listed building the provision of affordable housing on site was no longer suitable and that the exceptional circumstances were met to allow a PiL. There is nothing before me to conclude otherwise.
14. That the appellant maintains they did not agree with the viability figures used to reach the 5 dwelling provision is noted but does not alter the fact the s106A was signed, that this does not meet the development plan requirements and there is nothing to suggest the development plan is out of date.
15. Accordingly, the starting position of considerations is that of an equivalent PiL for the secured 5 affordable dwellings. The Council's PiL calculations equate this to £1,268,6263.
16. Initially the appellant proposed a £700,000 PiL. During the Hearing it was clarified this amount reflected the cost of a delay in permission and not the viability of the scheme. It is the appellant's view the development has now been further delayed, so they no longer wish to propose any affordable housing contribution. They maintain that even without an affordable housing contribution the scheme is not viable.
17. This represents a significant difference in the main parties' positions in relation to the financial viability of the scheme, with the key factors of dispute relating to construction/building costs, car parking costs, and financial costs all which effect the Residual Land Value (RLV), and the Building Land Value (BLV).

Construction / building costs

18. It is recognised that the appellant has relied on real-world values from their works undertaken on other phases of the Springfield Hospital redevelopment. However, with only an indicative Build Cost Plan submitted, the evidential bases for the real-world values and which costs have been counted as such is not transparent. Further it has not been clearly identified if actual costs of the build so far have been included.
19. Without such evidence the Council has relied on BCIS⁴ cost data, an industrial standard. This is an appropriate start point, but due to the exceptional circumstances already agreed by the main parties, it would be more accurate to consider, where appropriate, real-world values. At the Hearing the Council's

³ Paragraph 5.107 of the Council's Statement of Case but specified within the Payment in Lieu Calculations report by BPS Dated 11 August 2025.

⁴ Build Cost Information Service

consultant from Concord Consult⁵ confirmed that were such data used it may alter the construction / building costs.

20. The Council has queried the multi-layering of percentage allowances for preliminaries, as well as overall contingency allowances verse specific abnormalities and the potential they cover the same thing. However, without the evidence to support the construction / build costs applied to the scheme, no conclusion can be drawn on this matter.
21. Accordingly, it is found that the appellant's position on construction / building costs has not been substantively justified.

Car parking costs

22. The appellant confirmed that 16 parking spaces were secured from the shared parking block that forms part of the wider Springfield Hospital redevelopment and this cost would need to be accounted for in the sale of the approved dwellings, hence its inclusion in their costings.
23. Notwithstanding that the Planning Policy Guidance: Viability (PPG) states that the price paid for land is not relevant justification for failing to accord with relevant policies, there is no condition or obligation which requires the provision of car parking for the dwellings approved by planning permission 2021/4679. Further it is noted that the cost of providing parking was factored into the construction costs of the whole Springfield Hospital redevelopment (attached to the Council's rebuttal statement).
24. In the financial viability assessment (FVA) initially submitted with 2021/4679⁶ the cost of car parking was included, and this was not obviously contested in the Council's review⁷ of that document. Nevertheless, it valued the cost for car parking as £320,000 based on the actual cost to the appellant. Whilst in the FVA submitted with this appeal (hereon FVA1)⁸ the car parking cost increased to £345,000. This was based on the notional cost of building the spaces using BCIS cost data, which although the appellant is not liable for the building of the parking has then been included when calculating the various contingency and preliminary figures.
25. This represents a lack of transparency in how the car parking cost has been calculated and how it refers back to the viability assessment that informed the Springfield Hospital redevelopment as a whole. Especially as 2021/4679 constitutes a further phase of development beyond that originally approved, including parking provision. Without such justification the inclusion of parking at all within the costs of the development can only be given very limited weight in terms of the viability of affordable housing provision.

Financial Costs

26. Although the Council's Whole Plan Viability Assessment (2024) sets a finance rate of 6.5%, the Council's review⁹ of the FVA¹⁰ submitted at application stage, used 7% in a bid to reflect the unique circumstances of that proposed. However, the reliance

⁵ Third party consultant requested to independently review the building and construction costs on behalf of BPS Chartered Surveyors,

⁶ by BNP Paribas Real Estate, dated December 2021

⁷ by Carter Jonas, dated February 2022 and updated October 2022

⁸ by Turner Morum, dated December 2025

⁹ by BPS Chartered Surveyors dated 4 February 2025

¹⁰ by City and Country, dated 4 October 2024

on generalised assumptions in this situation, does not wholly take account of the specific nuances of the scheme.

27. Nevertheless, the evidence to support the appellant's 9.5% figure in FVA1 is limited to a cost indication from a single financier¹¹ which would only provide up to 65% loan ratio of the projected Gross Development Value. This is very limited, and the appeal referenced by the appellant (APP/R5510/W/25/3360212) simply serves to prove that the level of evidence should be greater for a higher finance rate to be considered acceptable. In it multiple bodies provided financial cost forecasts and information was provided in relation to additional funding, which is considerably more than that provided for the case before me.
28. Nevertheless, although a development of this nature could potentially attract higher financial costs than other residential developments, I am unconvinced by either party's financial cost figures.

BLV

29. According to the PPG, the BLV should be established on the basis of the existing use value (EUV) with relevant costs considered, and an alternative use value (AUV) may be informative to this process. Importantly the EUV and AUV should relate to developments which are fully compliant with emerging or up to date plan policies, including affordable housing requirements at the relevant levels set out in the plan.
30. The Council considers the existing use of the site as unoccupiable therefore the BLV would be zero if using the EUV. However, during 2021/4679 an office use AUV was put forward, and this established a BLV of £3,960,000 which was enshrined in the subsequently signed s106A.
31. Nevertheless, the appellant has sought to further a second AUV relating to a C2 use which would significantly increase the BLV to £6,400,000. This relies on an informal indication that the South West London and St Georges Mental Health Trust might be interested in taking up more space within the Springfield Hospital redevelopment (paragraph 9.29 of FVA1). Without any further evidence of this intention nor whether it would be policy compliant, I do not find this a realistic basis for an AUV.
32. Therefore, from the evidence presented the only potentially viable AUV would continue to be the refurbishment of the site for offices. Using this as a basis the appellant has recalculated the BLV to be £3,549,000, whilst the Council, through its cost plan analysis¹², has recalculated the BLV to be £2,629,492.
33. The main discrepancy between these figures relate to the BCIS rating used. Namely that the Council have used a later edition to the appellant. However, notwithstanding this discrepancy it is clear the appellant has reasonably evidenced their BLV calculation and therefore taking account of any updates required due to the passage of time, their position is more compelling than that of the Council.

¹¹ within Appendix 7 of FVA1

¹² by Concord Consult, dated 23 April 2026

Affordable housing conclusion

34. On reflection, although I am persuaded by the appellant's BLV case, the figures used to find the RLV have not been fully justified and in some cases lack the clarity required to demonstrate that the particulars of the costs make the proposed development non-viable.
35. Viability should be assessed against the backdrop of up-to-date policies, and in this instance the scheme is already not policy compliant in terms of the provision of affordable housing. Nevertheless, by relying on general cost data and not real-world figures, in this specific instance, the Council's assessment may be overly conservative. However, this does not negate the fact the appellant's costs have not been substantially evidenced in a transparent manner which clearly identifies the areas of deficit.
36. Therefore, from the evidence provided the proposal would fail to ensure the development would retain, comparatively, the level of affordable housing provision previously agreed, and this variation has not been soundly justified. The proposal would therefore fail to retain or improve the development position in accordance with the provisions of London Plan Policy H4, and LP Policy LP23.

Obligations

37. The original s106A not only secures an affordable housing obligation but also a 'Be Seen Energy Monitoring' obligation (BSEM). It does not include any clauses which could tie it to a variation of the extant permission.
38. A draft variation of deed has been submitted which refers to a £700,000 PiL. However, as the appellant no longer wishes to pursue this amount, endorsement has not been sought.
39. There is nothing before me to suggest the BSEM is no longer in line with the development plan, nor that it would be fair or reasonable to approve the decision without it. However, even if the affordable housing obligation was considered unnecessary, no mechanism has been submitted to secure the BSEM.

Balance and Conclusion

40. Although I have found for the appellant in terms of impact on the listed building, this does not negate or outweigh the unjustified lack of affordable housing provision or the lack of mechanism to secure the BSEM.
41. It is also recognised the main parties agree the proposed variation would not harm living conditions, highways safety, parking, housing mix, sustainability, or effect environmental and fire risk. Nevertheless, a lack of harm, by definition, is neutral in the planning balance.
42. Therefore, for the reasons given above the appeal should be dismissed.

RJ Redford

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Nick Bignall	Partner Turner Moram
Simon Marner	Director City and Country
Ben Pewter	Commercial Associate Director City and Country
Jack Taylor	Planning Manager City and Country

FOR THE LOCAL PLANNING AUTHORITY:

Ms Julia Kelly BA(Hons)	Principal Planner London Borough of Wandsworth
Dr Deivi Norberg BSc(Hons) MRes PhD	Planning Apprentice London Borough of Wandsworth
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