

Tim Catley
London Borough of Merton
Merton Civic Centre
London Road
Morden
SM4 5DX

Our ref: D&P/3130b/02
Your ref 14/P4361
Date: 22 March 2016

Dear Mr Catley

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008

Direction under Section 2A of the 1990 Act

I refer to your letter of 8 March 2016 informing me that Merton Council is minded to grant planning permission for the above planning application. I refer you also to the notice that was issued on 17 March under the provisions of article 5(1)(b)(i) of the above Order.

Having now considered a report on this case, reference D&P/3130b/02 (copy enclosed), and notwithstanding my officers' recommendations, I hereby direct (under the powers conferred by Section 2A of the 1990 Act) that I will act as the local planning authority for the purposes of determining the above planning application.

My reasons are as follows:

- a) The development would have a significant impact on the implementation of the London Plan because the nature of the proposals raise important considerations as to the future of cultural and sporting venues in London, and involve proposals for a significant amount of housing, including affordable housing, and;
- b) There are sound planning reasons for my intervention, because of the scale and nature of public representations received, which raise valid strategic planning matters regarding transport, housing, sports and cultural provision, including significant issues of controversy that require full consideration in a public hearing. Whilst this development proposes more than 150 dwellings and policy test 7(1) (b) does not therefore apply, it also is noted that the application would have a significant effect on one or more borough and raises strategic matters relating to transport and impact on services.

The application represents EIA development for the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. I have taken the environmental information made available to date into consideration in formulating my decision.

I would be grateful if you provide me, as soon as reasonably practicable, any information relevant to the application and to any connected application which has not already been provided. In due course I will notify you of the date of the representation hearing (if one is requested) and I will consult you on any draft planning obligation and/or conditions.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Boris Johnson', with a long horizontal flourish extending to the right.

Boris Johnson
Mayor of London

cc Richard Tracey, London Assembly Constituency Member
Nicky Gavron, Chair of London Assembly Planning Committee
National Planning Casework Unit, DCLG
Alex Williams, TfL
Duncan Parr, Savills, 74 High Street, Sevenoaks, TN13 1JR

Wimbledon Greyhound Stadium, Plough Lane

in the London Borough of Merton

planning application no. 14/P4361

Strategic planning application stage II referral

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008.

The proposal

The proposals comprise the demolition of the existing buildings and the erection of a 20,000 seat football stadium (initially 11,000 seat) with hospitality and coach parking, pedestrian streets, 1,273 sq.m. retail unit, 1,730 sq.m. squash and fitness club, 602 residential units with basement parking, refuse storage, 297 car parking spaces, cycle parking, and associated landscaping/open space and servicing.

The applicant

The applicant is **Galliard Homes** and the architect is **Sheppard Robson**.

Strategic issues

The proposed **sporting intensification** of the site, to provide a **professional sports venue** enabled by **mixed-use redevelopment** comprising **residential**, improved squash club and **fitness facilities** and **small scale retail** is supported in principle by strategic and local planning policy.

Issues regarding **flood risk, density, design, transport, affordable housing, children's play space, urban design and sustainable development** have been suitably addressed through the submission of further information and/or the use of planning conditions and section 106 obligations.

The Council's decision

In this instance Merton Council has resolved to grant permission.

Recommendation

That Merton Council be advised that the Mayor is content for it to determine the case itself, subject to any action that the Secretary of State may take, and does not therefore wish to direct refusal or direct that he is to be the local planning authority.

Context

82 On 19 December 2014 the Mayor of London received documents from Merton Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. This was referred to the Mayor under Categories 1A, 1B and 1C of the Schedule to the Order 2008:

- 1A 1. *“Development which comprises or includes the provision of more than 150 houses, flats, or houses and flats”*; and
- 1B(b). *“Development (other than development which only comprises the provision of houses, flats, or houses and flats) which comprises or includes the erection of a building or buildings in Central London (other than the City of London) and with a total floorspace of more than 20,000 square metres”*; and
- 1C(c). *“Development which comprises or includes the erection of a building... more than 30 metres high and is outside the City of London”*.

83 On 4 February 2015 the Mayor considered planning report D&P/3130b/01, and subsequently advised Merton Council that while the principle of development was in general accordance with strategic and local planning policy, the application did not comply with the London Plan, for the reasons set out in paragraph 111 of the above-mentioned report; but that the possible remedies set out in that paragraph could help address these deficiencies.

84 A copy of the above-mentioned report is attached. The essentials of the case with regard to the proposal, the site, case history, strategic planning issues and relevant policies and guidance are as set out therein, unless otherwise stated in this report. Since then, the application has been revised in response to the Mayor’s concerns (see below). On 10 December 2015, Merton Council decided that it was minded to grant planning permission, for the revised application, and on 8 March 2016 it advised the Mayor of this decision. Under the provisions of Article 5 of the Town & Country Planning (Mayor of London) Order 2008 the Mayor may allow the draft decision to proceed unchanged, direct Merton Council under Article 6 to refuse the application or issue a direction to Merton Council under Article 7 that he is to act as the Local Planning Authority for the purposes of determining the application. The Mayor has until 22 March 2016 to notify the Council of his decision and to issue any direction.

85 The environmental information for the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 has been taken into account in the consideration of this case.

86 The decision on this case, and the reasons will be made available on the GLA’s website www.london.gov.uk.

Update

6 At the consultation stage Merton Council was advised that while the principle of development was in general accordance with strategic and local planning policy, the application did not comply with the London Plan, for the reasons set out in paragraph 111 of the above-mentioned report; but that the possible remedies set out in that paragraph could help address these deficiencies:

- **Principle of development:** The principle of the sports-led mixed use redevelopment of the site that will be enabled by the provision of new homes and small scale retail development is generally supported in accordance with strategic and local planning policy. However, this is subject to it being demonstrated that the proposals are acceptable from a flood risk perspective and the issues outlined above regarding density, design and transport being adequately addressed.
- **Flood risk:** It is not clear as to the extent to which Flood Zone 3b (or 3a) covers the site due to the disparities between the supporting material and local policy documents and therefore further discussion is required with the applicant, the Council and the Environment Agency before the proposals can be appropriately assessed with regards to flood risk. The applicant should also address comments regarding the proposed flood mitigation and management measures.
- **Affordable housing:** The affordable housing is subject to scheme viability and ongoing discussions with the Council. In accordance with London Plan Policy 3.12, the supporting financial viability appraisal report is expected to be independently assessed on behalf of the Council to verify whether the proposed affordable housing provision would be the maximum reasonable, with the results to be shared in full with GLA officers.
- **Housing:** The indicative residential quality appears to be high and it has been demonstrated that all of the proposed units will meet or exceed the Mayor's minimum space standards, which is welcomed. Given the proposed high density, the applicant should also provide an assessment of the units against the baseline and good practice standards set out within the Mayor's Housing SPG.
- **Children's play space:** The development will meet the space provision for the onsite play requirements. However, while the approach set out within the design and access statement is considered generally positive, further detailed information regarding the proposed design of the onsite play space and existing off site provision is required before this aspect of the scheme can be considered fully acceptable.
- **Residential density:** The proposed density will exceed the guidance set out with the London Plan for a site of this character in this location. The applicant should confirm that the density figures are based on net residential area, in accordance with guidance in London Plan paragraphs 3.30 and 3.31 in support of London Plan Policy 3.4, and paragraph 1.3.47 of the Mayor's Housing SPG (2012). In order to be acceptable, any development of the proposed high density will need to be of the highest standards of design, provide high quality residential accommodation that is well designed, is accessible and delivers an appropriate mix of units, with sufficient play and amenity space. Further work is required with regards to these points and therefore further discussions are required before this can be appropriately assessed.
- **Urban design:** The applicant should provide an indicative masterplan for the wider area to illustrate how the development form will successfully integrate with the surrounding sites now and in the future and not become isolated. Furthermore, the applicant should provide further information to demonstrate how the stadium wall will be designed to respond to the adjacent residential use and provide visual interest to those using the route and the residential units that face directly on to it.

- **Inclusive design:** Further information required to demonstrate that inclusive design principles are embedded into every aspect of the design process and that best practice access standards are met.
- **Climate change mitigation:** The carbon dioxide saving proposed meets the target set out within London Plan Policy 5.2, however it is unclear whether this has been calculated against Part L 2010 or against Part L 2013. Therefore, this should be clarified and the comments set out above addressed before compliance with London Plan energy policy can be verified.
- **Transport:** Further information is needed across some key areas before the application is referred back to the Mayor at for his final decision. These include cycle parking, match day rail and pedestrian impacts and the impact of any subsequent temporary road closures, match day taxi and private hire facilities and development of soft measures to encourage sustainable travel by spectators. Discussions will also need to be had with Merton and Wandsworth councils on matchday parking controls, local highway impacts and mitigation for pedestrians and cyclists. Bus capacity mitigation will also need to be secured.

Principle of development

Loss of existing greyhound stadium

7 The main use of the site is as the existing Greyhound racing stadium, and associated parking, which has been operation since 1928. It has also been brought to the Mayor's attention since the initial consultation stage that the stadium also hosts stock car racing. The car park is used three times a week for car boot sales and it is also understood from the applicant that the car parking area is used informally for staff car parking of the nearby St George's Hospital, Tooting.

8 As set out in the Mayor's initial representations, the stadium site is an allocated site (Site 37) within the adopted Merton Sites and Policies Development Plan Document 2014 (DPD), which supports the "intensification of a Sporting Activity (D2 Use Class) with supporting enabling development" at this location. Throughout both the plan making process and the determination of this strategic planning application, there has been a significant amount of support for the retention of a greyhound stadium at this site (and continued stock car racing) received by the Council and the Mayor, in addition to support for the proposed football stadium for AFC Wimbledon. The allocated use of the application site was debated in detail at the associated Examination in Public (EiP) for the DPD and the Inspector gave specific consideration as to whether the allocation should specify that a greyhound stadium be retained. In his report dated 4 June 2014, the Inspector set out that he found no compelling planning reason to why the site allocation, which allows both stadium uses, should favour one over the other and therefore did not consider it necessary for the Plan to make specific reference to the retention of a greyhound stadium at the site.

9 As stated above it has also been brought to the Mayor's attention that the site performs as a long established venue for stock car racing. Whilst the importance of the venue for this particular sporting use is acknowledged, the planning policy stance can be similarly applied to this use, in that no one sporting use is protected over others.

10 In addition to the above, as set out in the Council's committee report, during the EiP and periodically throughout the plan making and decision making process an alternative proposal to retain a greyhound racing stadium on site with enabling uses has been promoted by interest groups. This has also been brought to the attention of the Mayor through direct representations.

However, no pre-planning application requests have been received by either the Council or the GLA and a planning application has not been submitted. This alternative scheme can therefore be afforded little weight in the decision making process.

11 At a strategic level, London Plan Policy 4.6 seeks to support the continued success of London's diverse range of arts, cultural, professional sporting and entertainment enterprises and the cultural and economic benefits they offer to its residents, workers and visitors. The strategic policy does not seek to protect or promote any specific kind of professional sporting venues.

12 In summary, the adopted Sites and Policies Plan allocation for the site accepts the loss of the existing Greyhound stadium as part of any proposed redevelopment, and there are no national, London Plan or Local Plan policies which seek to specifically protect the use of the site for greyhound or stock car racing. Therefore, as previously expressed in the Mayor's initial representations (ref: D&P/3130b/01), the proposals to deliver a new professional sporting venue, in this case a new football stadium for AFC Wimbledon and improved squash club and fitness facilities that will be enabled by the provision of new homes and small scale retail development is in accordance with local and strategic planning land use policy.

13 The Stage 1 report suggested that the Council should include a clause within the associated section 106 agreement or an appropriate planning condition that secures the construction of the stadium. The Council has confirmed that the delivery of the stadium is a requirement of the lease agreement for the transfer of the land and the draft S106 agreement includes a clause requiring the developer to pay a £14 million to the football club towards the cost of building the stadium. The GLA is satisfied with these provisions.

Retail impact

14 The proposed mix of uses includes a 1,273 sq.m. retail unit to meet the local retail need generated by the new residential population. Given the out-of-centre location of the application site and the locally set floorspace threshold of 280 sq.m. in Merton (2,500 sq.m. in the London Borough of Wandsworth), in accordance with the National Planning Policy Framework (NPPF) the applicant was required to carry out a retail impact assessment.

15 As set out within the Council's committee report, the submitted impact assessment applies a sequential test to the retail element of the scheme which includes sites in both Merton and Wandsworth.

16 The applicant has carried out such an assessment in support of the proposed retail unit which is intended to be used as a small format foodstore. The assessment has been carried out in accordance with the guidance in the NPPF and Planning Policy Guidance and based on empirical data contained within the Merton Retail Study (2011) and Wandsworth Retail Study (2012). The sequential test demonstrates that there are no suitable alternative sites of an adequate size to accommodate the retail element and furthermore that it is not appropriate to disaggregate the retail element from the rest of proposals as this would not meet the needs of the proposed residential population. In accordance with guidance, the assessment has also analysed the potential impact of the retail floorspace on existing, committed and planned public and private investment on allocated sites within Wimbledon, Tooting and Earlsfield Town Centres and any potential impact on the vitality and viability of these centres. The assessment concludes that due to the small scale and intended role of the retail floorspace, it will not have a significant adverse impact on the allocated sites and furthermore that it will not have a large enough retail draw as to have a significant adverse economic impact on the on any of the defined centres in the London Boroughs of Merton or Wandsworth. Officers are therefore

content that the proposed amount of retail floorspace satisfies the requirements of London Plan Policy 4.7.

Alternative uses of the site

17 The Council notes in its report that some residents have raised the issue of the possibility of an alternative use of the site to provide a new school within the borough. In 2012 and 2013 the Council commissioned investigations into possible sites for new primary and secondary schools, reviewing over 100 sites in Merton. The research was also used to inform site allocations as part of Merton's Sites and Policies Plan 2014. The Wimbledon Greyhound Stadium site was considered as part of the site review but the site was not shortlisted for either a new primary or secondary school. Reasons for not shortlisting included its very large size and only a proportion would be needed for a school; its existing usage and size would make it a difficult site to pursue and potentially difficult planning issues.

18 The sites within the Sites and Policies Plan 2014 and the two Capita reports (2012 and 2013) on potential sites for primary schools and secondary schools in Merton have been given to the Government's Education Funding Agency representatives to assist them with searching for new school sites. This includes the Wimbledon Greyhound Stadium site. The EFA has also carried out its own site searches for schools. However it is understood that the EFA has not identified this as a priority site to purchase.

Social infrastructure

19 At Stage 1, the GLA commented that in accordance with London Plan Policy 3.16, given the potential increased demand on social infrastructure in the area as a result of the proposed new residential population, the applicant and the Council should ensure that the necessary measures or financial contributions are secured to mitigate any impact on local facilities, particular schools and healthcare facilities.

20 In response, Merton Council's committee report has detailed the impacts of the development on school places, healthcare facilities and sports facilities and how this impact would be mitigated. It is recognised that the development would produce an estimated child yield of approximately 233 children (including 135 pre-school age children) and a portion of Merton Council's Community Infrastructure Levy (CIL) funding would be required to contribute to expansion of existing school places as part of its overall planning for school places. As school expansion may be required in the borough of Wandsworth to accommodate the need arising from the development, a portion of Merton's CIL funding could be allocated to Wandsworth Council accordingly, and both boroughs have agreed on this approach.

21 The scheme also includes new provision for child care/nursery facilities. With regard to healthcare facilities, Merton Care Commissioning Group and NHS England have agreed that the developer would make a financial contribution of £402,500 towards required expansion of facilities and this would be secured within the S106. A financial contribution towards the improvement of local sports facilities to mitigate against additional impact arising from the proposed development, has been agreed with Sport England and secured within the S106. It is therefore considered that the impact on social infrastructure has been suitably addressed and mitigated, in accordance with London Plan Policy 3.16.

Flood risk

22 At the consultation stage, it was noted that the site and its surrounds are within the functional floodplain of the River Wandle, which was identified as being within the highest flood risk category: Flood Zone 3b, although the boundaries of this category were unclear. Strategic concerns were therefore raised as to the principle of locating 'more vulnerable' and 'less vulnerable' development on the site, subject to further confirmation on the actual flood zone allocation.

23 The Environment Agency has since confirmed that the latest flood risk modelling reclassifies the site as being within Flood Zone 3a (with small portions being within Flood Zone 2), as opposed to Flood Zone 3b, which the original GLA consultation response was based on. It is also noted that the latest modelling has reduced the peak flood levels for the 1 in 100 climate change event and given that the proposed flood mitigation, such as the height of floor levels and podium deck have not been altered, it is considered that the revised scheme has increased flood resilience.

24 In light of this reclassification, the flood risk of the site has been reduced. Development of more vulnerable uses (including residential) on Flood Zone 3a can be acceptable provided the Exceptions Test can be met. Therefore the GLA's previous concerns regarding development on Flood Zone 3b can be lifted. The applicant's FRA and subsequent addendum documentation indicates that the Exceptions Test can be passed and it is also noted that the latest consultation response from the Environment Agency to the Council (dated 24 November 2015) confirms that based on the latest information from the applicant it can withdraw its objection, subject to a number of conditions being secured to mitigate residual flood risk.

25 In light of the above, the proposed development can be designed in an appropriate way given the flood risk at the site and as such is in accordance with London Plan Policy 5.12. The proposals regarding attenuation and management of surface water have already been considered to meet London Plan Policy 5.13.

Affordable Housing

26 At the consultation stage, the GLA had not been provided with the financial viability appraisal or the Council's independent report, to demonstrate that the scheme provided the maximum reasonable amount of affordable housing.

27 The applicant has submitted a viability assessment which has been independently assessed by Merton Council, and both reports have now been provided to the GLA. The applicant's viability appraisal concludes that no affordable housing is viable within the scheme, however a "without prejudice" offer of 9.6% affordable housing (60 units) has been made. The affordable housing proposed is all intermediate, shared ownership tenure.

28 Initially, the independent assessment of the applicant's appraisal identified that the scheme produced a surplus which could be contributed to additional affordable housing. However, after lengthy discussion between the applicants, the Council and the Council's viability consultants, an agreed position on the viability appraisal inputs has been reached. The agreed appraisal model demonstrates that the scheme cannot viably produce more than 60 affordable intermediate units.

29 The 9.6% affordable housing offer is substantially lower than the Council's minimum borough-wide target of 40%. Taking this into account, and in order to capture potential change in market conditions over the delivery of this large scheme, a review mechanism has been secured in the S106 which would require the viability of the scheme to be reviewed at fixed points in its delivery (with a trigger point still to be agreed, but linked to a substantial number of residential units being completed). If the scheme viability is shown to have increased as a result of the review, then additional off-site affordable housing contributions will be made. The delivery of the 60 affordable units would be secured on the site and would not be subject to the viability review (other than via a separate application under S.106B of the Town and Country Planning Act).

30 The low affordable housing offer is disappointing, although it is acknowledged that the scheme is not typical in that it provides a substantial sports stadium and sports facilities in line with the site allocation policy requirement. However it is recognised that the Council and its viability consultants have reached an agreed position regarding the scheme's viability. Under these circumstances the proposed review mechanism is welcomed and subject to this being secured, it is accepted that the maximum amount of affordable housing would be delivered within the proposals and that the scheme thus complies with London Plan policy in this respect.

Housing

31 As requested at the consultation stage, the applicant has provided an assessment of the residential units against the Mayor's baseline and good practice standards. This is welcomed and the information demonstrates general compliance with the baseline standards as expressed in the Mayor's Housing SPG.

Children's play space

32 As set out in the Stage 1 report, the development meets the space provision for the onsite door-step play requirements, but further detailed information was requested regarding the proposed design of the onsite play space and existing off site provision before this aspect of the scheme could be considered fully acceptable

33 In response, the applicant has provided further details of the landscaping of the courtyard areas and the Council has proposed a condition that requires exact details of the design and locations of the play space areas to be submitted for approval, so as to ensure that the full quantum of playspace is provided.

34 In respect to off-site provision, the draft S106 agreement includes provision for a financial contribution for enhancements to Garratt Park in the London Borough of Wandsworth. Wandsworth Council have agreed to conduct an audit of park usage to ascertain the necessary improvements. The provisions for child playspace are therefore considered to be compliant with London Plan policy.

Density

35 At Stage 1, it was commented that the justification for a higher density scheme would depend on the development demonstrating that the highest standards of design have been employed, and that the development provides high quality residential accommodation that is well designed, and delivers an appropriate mix of units, with sufficient play and amenity space. In this

respect, further information was requested regarding the outlook of units facing onto the stadium wall, the site's integration into the wider area, matters raised in the transport section and demonstration of adequate play space, before this could be considered acceptable. As outlined above and below, it is considered that the applicant has satisfactorily addressed these points through amendments to the scheme and through agreed conditions and contributions. The development is considered to be high quality and the residential development is thus in compliance with the London Plan's policy requirements.

Urban Design

36 At the consultation stage, the GLA commented that given the largely industrial context of the site, it is critical that the proposal is based on a comprehensive understanding of how the wider area is likely to change and how the proposed scheme does not compromise this. Without this wider understanding the scheme is at risk of becoming a segregated high density enclave surrounded by hostile and unfriendly industrial streets which is a significant concern. The applicant was requested to provide an indicative masterplan to illustrate how the development form will successfully integrate with the surrounding sites now and in the future.

37 As requested, the applicant has submitted an indicative masterplan for the wider area which shows the adjoining potential areas for development. The masterplan shows how the surrounding sites could be developed for uses such as residential and retail to complement the proposed development on the stadium site, and includes indicative locations for new green spaces and pedestrian/bicycle routes to better connect the proposed development to the wider area. In particular, the plan has shown how the Volante site to the east could be developed in conjunction with the proposed development without compromising either development site, including the creation of an east-west pedestrian route through the proposed development and the Volante site. This is welcomed and addresses the previous points about the setting of the development and its potential to integrate with other future development, for which this scheme could be the catalyst. It is noted that an application has been submitted on the Volante site for a scheme of 112 units and a health care facility.

38 Whilst the provision of a north-south route through the site was welcomed, it was noted at Stage 1 that the western edge of the route would be flanked by the stadium wall, presenting an inactive frontage and creating poor outlook for the residential units opposite. Indicative views of this route were requested and elevation studies in order to demonstrate how the stadium wall would be designed to maximise animation.

39 The applicant has responded by making amendments to the design and uses along the eastern edge of the stadium. The new design would locate the proposed creche within the northern section of the east stand, positioning the covered play area at ground floor level. Beyond this, within the central part of the east stand, the external wall is now proposed with a shutter system, which will allow the central area to be opened to the street during the daytime on non-match days. This would open out the concourse area to the street and would include a cafe (which would be open on non-match days) and concession stands at ground level. The football club shop and reception would be located further to the south.

40 The alterations to the eastern stadium elevation are considered to be a positive improvement. The introduction of the new non-match related uses, including a creche and the open area at the centre of the route has the potential to change the character of this space on non-match days by drawing activity along the length of this important primary route and will help create a street-level environment more comparable to that of an average London street. Outlook from residential units would be improved by the activation of the eastern side of the

stadium and through the treatment of the eastern facade, such as the introduction of planted walls. The materials are secured via condition for further detailed consideration by the Council. The amendments thus address design concerns raised at Stage 1.

Inclusive design

41 The consultation report identified a number of areas to develop further, to demonstrate that the principles of inclusive design are embedded into every aspect of the design process. Following the Stage 1 report, the applicants appointed accessibility consultants covering the residential, retail, squash and fitness facility and also confirmed that for the stadium development, the Club are working with "Level Playing Field" which acts as a campaigning and advisory organisation in respect of disabled facilities and access at clubs and stadia.

42 An access and inclusion statement has been submitted, and this addresses points raised in the Stage 1 report regarding the residential and squash club development. The applicant has provided amended layouts for the wheelchair acceptable units addressing the concerns raised at the consultation stage which is welcomed. Furthermore, while the use of switchback ramps to access the residential courtyards is not encouraged, given the flood risk constraints posed on the site and the inclusion of lifts, they are acceptable on balance. The consideration of means of escape for disabled people is also welcomed and should form part of an updated Flood Evacuation Plan.

43 The applicant has also confirmed that its work with Level Playing Field includes the location of wheelchair positions, easy access seating, amenity seating, sightlines, pick up/drop off, blue badge parking, routes to and from the stadium and inside the stadium including the platform lift, toilets, concessions and ticketing. This is welcomed and the Council has included appropriate conditions to ensure that the accessibility measures are built in to the development. It is noted that the platform lifts originally proposed are potentially being replaced with a standard lift and that elevated seating positions will be provided which is welcomed in line with previous comments.

Climate change

44 The Stage 1 report raised a number of matters for further clarification, which have been addressed as follows:

45 The applicant has clarified that Part L 2013 has been used for the modelling assessment and sample SAP and BRUKL sheets have been provided. This is welcomed and no further information is required regarding this issue. In addition, the dynamic overheating analysis of a number of sample dwellings using CIBSE TM52 has also since been undertaken. The results outlined demonstrate that the dwellings meet the CIBSE criteria.

46 With regards to decentralised energy opportunities it is understood that further discussions with the Council's energy officer and nearby site owners have been carried out. However, it has been determined that it is not feasible to establish a connection due to the distances involved, and this is accepted in this instance.

47 In response to the Mayor's stage one comments, the applicant has provided a breakdown of the loads for each building use. The retail units account for less than 1% of the total heat demand and therefore the standalone approach for the retail units is accepted in this instance due to the relatively low loads involved. The applicant should consider providing capped pipes to the retail units to allow flexibility with the final end user.

48 The applicant has also provided further information on the heating requirements of the stadium. The heating demand of the stadium is significant (18% of the total site), however, the applicant has stated that demand is limited to 30 days per year and in five hour time slots and therefore connection to a site wide network would result in significant oversizing or underutilised plant. However, the applicant has committed to engaging with an ESCO at the detailed design stage and will require that the ESCO investigate connection of the stadium to the heat network. The applicant has also committed to installing pipework from the energy centre to the stadium to allow for a future heat connection. This is welcomed and the measures outlined address the original concerns.

49 In addition to the above, the applicant has provided further information regarding the running hours of the CHP to support the savings claimed.

50 The additional information provided by the applicant demonstrates that the scheme complies with London Plan policies on climate change.

Transport for London's comments

51 At Stage 1, TfL raised a number of concerns with regards to the potential transport impacts of the proposed development. With specific regards to the football stadium TfL raised concerns over the management of match-day car parking and the need for suitable controls to be in place to help manage the use of both on and off-street car parks and to encourage people to make use of more sustainable modes of transport. In particular TfL stressed the importance of reviewing existing parking restrictions and whether any extensions would be required to discourage parking on match-days, as this had the potential to influence mode shift to public transport. This has since been considered in more depth and as a result TfL welcomes the obligation within the draft S106 which secures funds for both Merton and Wandsworth Councils to consult on potential changes to identified CPZs and the imposition of these should the public be in favour, as being a measure which could help to limit the match-day impacts on the surrounding highway network. TfL requests that it is consulted on obligations relating to CPZ's.

52 TfL also requested the submission of additional information on the management of coaches, the likely demand for taxis, the stadium travel plan and the match-day impact on rail services. All of this information has since been provided by the applicant and the information is considered sufficient to address previous concerns. TfL is satisfied that the demand for taxis is likely to be minimal. The location and provision of coach parking can be addressed through the Coach Management Plan, which has been secured as a planning obligation. The two relevant train operators have also since confirmed that, due to the timing of match day impacts, they have not identified any capacity issues which would need to be mitigated as a result of this development, and this is acceptable to TfL.

53 A strategy to stagger supporters' arrival or departure from the stadium by encouraging them to make use of nearby local facilities or by holding events in the stadium would also be supported as a way of limiting the impact on the local transport network, by not having everyone arrive/ depart the venue at the same time. This can be covered within the Local Area Management Plan secured by the Council within the draft S106 agreement, and TfL requests that it is consulted on conditions and obligations relating to coach and taxi parking and match day strategies.

54 TfL is now satisfied with the analysis which has been undertaken for the 11,000 seat Stadium and the improvements which have been proposed as a result, e.g. the closure of Summerstown (B235) post-event to mitigate undesirable levels of overcrowding. For the future expansion of the stadium to 20,000 seat capacity, further analysis and modelling will be necessary to identify any further required mitigation. As such, TfL welcomes the obligation which requires the submission of an updated Transport Assessment (the scope of which is yet to be agreed), a draft schedule of proposed further mitigation to be prepared and submitted to the Council for approval prior to the commencement of works to: i) increase the capacity of the stadium up to or above 15,000 persons in the first instance, and ii) prior to commencement of works to increase the capacity of the stadium up to or beyond 19,000 persons, with works not to be commenced until such documents are approved in writing from Merton Council. TfL requests that it is kept informed of any future discussions around planning for the increased stadium capacity.

55 TfL also raised concerns over the lack of cycle parking being proposed. Whilst this has now been largely resolved, the number of spaces to be provided is still less than what TfL would have expected and as such the uptake of these spaces will need to be monitored through the travel plan and additional spaces provided should they be needed, and it is noted that a potential location for this has already been identified. Cycle parking provision will also need to be reviewed further as part of the updated TA for the 20,000 seat stadium. In this scenario, the mechanism for providing additional spaces and their location on a plan would need to be identified, and TfL requests that it is consulted on the details.

56 In keeping with other applications for sports stadia no match-day traffic impact assessment has been undertaken. This is considered acceptable given the limited number of match days each year. With regard to the highway impacts more generally, at Stage 1 TfL considered this to primarily be an issue for the two relevant highway authorities, namely Wandsworth and Merton given that the impacts on the Transport for London Road Network (TLRN) had been shown to be limited. Notwithstanding this and in response to some of the concerns raised over the quality of the modelling, TfL is satisfied that despite there being little evidence of validation, the conclusions would likely remain the same even if the modelling were to be updated. To help address these concerns a package of minor highway improvements, to be implemented through the applicant entering into a S278 agreement with the local highway authority (either Merton or Wandsworth) have been secured through the S106 heads of terms, and this is supported by TfL.

57 TfL also raised a number of specific queries and concerns with regards to the residential aspect of the development. This included a need to significantly increase the amount of cycle parking being proposed in accordance with Further Alterations to London Plan standards, and a need to review the residential trip generation. As part of this TfL raised concerns over the impact of the proposals on the local bus network and requested a contribution of £3.75m, payable over a three year period towards providing an additional five buses on the network.

58 The applicant has subsequently submitted a number of transport addendums to help address the concerns raised and as a result TfL is now satisfied that the impacts of the proposal can be satisfactorily accommodated on the strategic highway and public transport network, subject to the implementation of specific mitigation measures which are to be secured either through the S106 agreement or by condition as further detailed below.

59 A contribution of £1.2m, payable to TfL, towards bus capacity enhancements along Garratt Lane, has been secured and is supported. Following TfL's Stage 1 comments the applicant submitted information to demonstrate that the additional capacity on the bus

network would be required in the peak periods only rather than across the day. This was accepted by TfL hence agreeing to a lower contribution than initially requested. It is anticipated that this contribution will be used to provide two additional bus services in both the morning and evening peak. The precise form this will take will be agreed post planning and implemented through the use of a Sponsored Route Agreement. Further to this a contribution of £8,386.94 has been secured for new bus stop infrastructure and this will be implemented through the applicant entering into a S278 agreement with the local highway authority. TfL requests that it is consulted on the final drafting and implementation of the S106 agreement to ensure that the payments and mitigation are provided as anticipated.

60 The requirement for the applicant to submit a number of documents has been secured via the S106 agreement as follows: a Stadium Management Plan, including a Local Area Management Plan; Coach Management Plan and Emergency Evacuation Plan; Delivery and Servicing Plan; Travel Plans for both the stadium and residential units; a Construction Management Plan; and a Car Park Management Plan, for approval by Merton Council prior to commencement/ first occupation on site. The applicant is also required to provide car club spaces within the residential parking area; electric vehicle charging points in accordance with the agreed plans; and for the residential units to be 'permit free' with occupiers of the proposed residential units not being entitled to a permit to park within any CPZ located near the site. Furthermore the requirement for the applicant to submit details of the proposed cycle parking design and implementation in accordance with FALP standards has been secured by condition, all of which is supported.

61 In summary, TfL is satisfied that following review of the additional information received and subject to the above mitigation measures being secured and implemented through further consultation with TfL, the proposals could be considered to be in accordance with the transport policies of the London Plan and acceptable in transport terms.

Response to consultation

Representations made to the Council

62 The application has been subject to two rounds of consultation (in December 2014 and September 2015) to take account of revisions made to the planning application in response to the comments received at the first consultation. The Council publicised the application as a Major application and EIA application using site notices, press notices and approximately 8,400 letters of consultation to statutory consultees and properties, in both Merton and Wandsworth, in the vicinity of the site. Given the submission of the application shortly before the Christmas holiday, the Council extended the initial consultation period from the statutory 21 days to 49.

63 The Council received 704 individual responses objecting to the proposal as a result of the first public consultation and 181 responses in objection following the second public consultation. The Council also received 4,853 individual responses in support of the proposal as a result of the first public consultation and 245 letters of support following the second public consultation.

64 In addition to the individual representations, a petition of 14,476 signatures was received in support of the application from People for the Ethical Treatment of Animals (PETA).

65 The representations received by the Council with regards to the application have been set out in detail in the Council's planning committee report dated 10 December 2015 and full

copies of the individual representations have been made available to the Mayor as part of the statutory referral process. The key issues raised by the consultations are outlined below:

Issues raised in objection

Principle and land use

- Lack of education and health provision
- The site has been left to decay and regeneration is need however this is not the right scheme
- Too much housing, stadium should be of mixed use and smaller, should include school and transport needs improving
- Why can't club expand where it is located now?
- Sentimental support for AFC Wimbledon should not be taken into account
- AFC Wimbledon is being used as a Trojan Horse to get through an unsuitable development
- No healthcare provision or schools/day care
- The original Plough Lane site was suitable for a non-league club
- Retail should not be there given the poor transport links
- A new retail unit is not needed
- Football as a sport is already over provided for
- The site should be used for a new school, playing fields, sports facility
- The Council Tax the Council will receive should be spent on a new school

Loss of existing uses

- Greyhound racing should be preserved
- It would be better for the greyhound stadium to stay because it is one of the last remaining ones in London and has been part of the community for a long time
- Several small businesses will be lost such as thriving weekly market. An alternative site should be provided for the market as part of any approval
- The development should have been designed to keep some of the existing businesses

Lack of benefit to local community

- Work by AFC in the community is noted and supported however much of the support for the scheme is from people not living in the area and who would not be affected by it
- The benefits quoted by the supporters are very vague and would result from any development at that site
- The stadium seems to only provide facilities for the club and not for the wider community

Traffic, Highways and Parking

- Parking and traffic issues being made worse. Haydons Road and Gap Road constantly gridlocked with traffic
- Loss of parking for essential workers at the St George's hospital and would put pressure on NHS staff, St George's site, and neighbouring roads. The developers should provide alternative parking
- Increased pedestrian traffic on match days
- Adjoining roads not equipped to deal with increase in car and other vehicular journeys generated by all parts of the development
- Not enough buses

- Trains are overcrowded already
- No parking capacity locally
- Increase in potential for accidents along adjoining roads
- If approved there needs to be match day restrictions in surrounding areas to limit parking to residents and private visitors only at no additional cost to residents either at weekends or evenings.
- Safety risk to children from additional traffic
- Risk of delays to ambulances as that area is already full to capacity most days
- Proposed cycle parking is commended but there needs to also be proper cycle lanes for safety
- What provisions will be made for Alston Road and Fountain road, most likely will be pedestrian cut through on match days
- Only 220 parking spaces for 660 homes. Parking insufficient as reality is that most households have at least one car
- Traffic surveys outdated and taken during school holidays and Olympics when traffic lighter and therefore does not reflect true traffic conditions
- Franche Court Road, Aldren Road, and Burmester Road should be access only streets with cameras to issue fines to those using the streets as cut through
- No coach parking to be provided which will block up streets and local streets are not large enough to cope with such large vehicles
- Lack of stadium car parking on site
- Gap Road should be residents only parking, pay and display, or a mix.
- Transport Assessment under represents existing problems with bus etc congestion
- The existing Plough Lane/Haydons Road intersection is completely ineffectual and has created worse traffic jams than before. Any approval should contain a redesign and redevelopment of this intersection and nearby intersections which cause gridlock
- Matchday parking especially on Saturday is concern
- Tooting, Haydons Road, and Wimbledon Park stations are running at full capacity during peak times
- How would emergency services get around on match days?
- There is no plan to improve/increase tube/rail services
- Times have changed since Wimbledon FC have been in Wimbledon, there is a larger population and much more burden on the roads
- 11000 stadium may be acceptable but 20,000 too many people

Flooding

- The site in Flood Zone 3b (the functional floodplain) and would create significant increased risk to surrounding area
- The applicant has failed to demonstrate that the proposed development will not increase off site flood risk and that there will be no loss of flood plain storage
- The developers have not demonstrated that their proposals pass the sequential and exceptional tests to show that there are no other alternatives
- with lower flood risk for the development

Design/height/density

- The design of the housing is poor – bland and ugly and not in keeping with the surrounding areas Victorian terraced streets and low rise commercial spaces

- The site should be used to bring something of architectural significance rather than set of poorly ventilated and small apartments which look like every other blocks built by big house developers
- The height of the buildings is excessive and out of keeping with the area and will be blight on skyline
- Density of development too high
- Stated use of local cemeteries as amenity space is disingenuous

Impact on residential amenity

- Loss of privacy to adjoining properties from tall blocks
- Noise pollution from the stadium use
- Light pollution from flood lights and tall residential blocks

Antisocial behaviour

- Litter from large crowds
- Antisocial behaviour and crime
- AFC cannot vouch for behaviour of away fans
- Garratt Lane and surrounding roads will be no-go areas during match days preventing residents from carrying out normal activities

Impact on local services

- There are utilities issues in that area
- Impact of Springfield Hospital development
- Wimbledon Doctors' surgeries, dentists, and St George's Hospital already over capacity
- Impact on GPs and health care facilities
- Parking, school place, and GP places are insufficient at present and this scheme will make it worse
- The site will have huge energy demand and which the current grid will struggle to provide
- No mention of affordable housing figure

Impact on biodiversity and local environment

- Impacts on the ecology of the River Wandle
- Impact on local wildlife and historical importance
- Who will ensure the proposed landscaping and public realm works are done? The Plough development was meant to be well landscaped and looks awful
- Noise and air pollution
- What provision is there for construction impacts?
- Football spectators are not the sort of traffic which will help regenerate Haydons Road parade
- Quiet character of Earlsfield will change

Lack of public engagement

- Lack of consultation with residents
- Little to no engagement by the developer with Garratt Lane business park

Issues raised in support

Regeneration and health impacts

- Provision of several hundred new homes where there is a shortage
- Regeneration of local area and would help with transport and infrastructure regeneration where there is low investment.
- Other stadiums have regenerated the areas they are in
- Leisure and commercial opportunities both on site and in surrounding area
- Wimbledon AFC will add to Merton's sporting legacy with the All England Lawn Tennis club
- Wimbledon is bland and homogenous and this will be interesting development
- Wimbledon has lost its heart with ordinary working class moving on and being replaced by generic and rootless rich. AFC Wimbledon is family and community club with responsible core values and would put some soul back into the borough
- Money spent locally by supporters
- It will encourage young people to do more sport
- AFC could easily become an academy to promote more youth football
- Many jobs will be created through the development
- The proposal will include an element of affordable housing
- Massive boost to local and town centre economies e.g. restaurants
- The proposal will facilitate upgrades to local transport which would otherwise not happen
- NHS facilities in the squash club are a bonus
- Merton should be proud to host a football club
- Building a stadium on the site proposed is good foresight
- Football appeals to all ages and genders and abilities
- The development will increase local homeowners' property values
- Complies with policy in terms of 'sporting intensification'
- Coaching and educating local children

Support for AFC Wimbledon

- Wimbledon is AFCs home historically and spiritually and should go home
- The success and progression of the club depends on this new facility
- The club does a significant amount of community and youth work

Lack of support for existing greyhound racing

- The existing greyhound stadium is running at a loss
- Dwindling popularity of dog racing
- Greyhound stadium promotes gambling and this is not a positive image for Merton
- Greyhound racing is cruel.
- Football has a much wider age range and appeal

Response to concerns about anti-social behaviour

- Football has changed in terms of hooligans and antisocial behaviour however in any case, Wimbledon AFC does not suffer from these problems since it is more of a family club
- Management of stadiums and crowds has well advanced now with issues being dealt with very well/quickly.
- Betting online is more popular than betting at stadium.
- The matches are well policed.

Response to concerns about traffic impacts

- Most people will use public transport to get to stadium.
- There is adequate rail provision in the area.
- Many fans come by coach.
- Objectors have been vague about their own surveys and the times and dates they were taken.
- Transport issues can be overcome.
- Most parking in the area is residents only so the situation will not be worse.
- Crossrail 2 will improve transport links also

Flooding

- If flood protection measures can't even be built into new development, we might as well give up

Provisos raised by supporters

- Ticket availability should be retained for local supporters first to ensure it remains a local club
- The Sunday market should be re-provided somewhere else

66 After the second consultation, the following further comments were raised in objection:

Transport:

- The 1.2m proposed to be given to TfL to mitigate the impact of weekday peak time bus services is significantly smaller than the 3.73m that TfL originally suggested would be necessary. A higher level of financial support is needed to overcome peak overcrowding on buses at present.
- The lack of reduction in numbers of proposed flats means a significant negative impact on traffic along Garratt Lane.
- Providing extra buses misses the point the adjoining and nearby roads are already gridlocked at peak times.
- No assessment of the tube services from Tooting.
- Inadequate assessment of rail capacity to and from Earlsfield station.

Other comments:

- The proposed 6-10 storey towers are still too high.
- The application should be referred to the Mayor to due to its scale and because the majority of the impacts from it would affect an adjoining borough.

67 The following further comments raised in support:

Transport

- The additional information and design changes address the concerns raised regarding flooding and transport
- The bus contributions will be especially useful
- More cycle racks is a positive change and the information regarding public transport will encourage fewer cars and traffic on match days

Contribution to local community

- Childcare facilities for the occupants of the apartments is a very welcome improvement as is opening up the east stand for cafeteria area
- The child care facilities would be a community asset

Design

- Design changes are positive and will enhance the benefit of the stadium to the local community
- Pedestrian street which runs north to south across the site would be enlivened, opening up the east stand for a cafeteria area along with the inclusion of a child care facility

Flood risk

- The detailed Flood Risk Assessment concludes that there would be no loss in floodplain storage
- The revised information from the Environment Agency is positive

68 Responses from Statutory Bodies

- **Wandsworth Council:** Raised several issues and concerns regarding the impact of the development on the local highway and transport system, and requested further information and clarity on the need for local infrastructure and service improvements, ownership and consent issues, emergency service access, off-street parking and coach parking, developer funding of necessary surveys, parking controls, and local highway improvements and pedestrian flows. The borough requested that physical measures and/or travel plan efforts should be investigated to seek to reduce damaging traffic impacts on local roads and junctions; involvement of the Council and local stakeholders in the work related to the development of the proposed Stadium Management Plan. Wandsworth Council raised concern that although the application relies extensively on Wandsworth Council's infrastructure there is no mechanism for the Council to receive any CIL from the development. Wandsworth Council also requested appropriate mitigation measures for the residential flats to protect the future of the adjacent Strategic Industrial Land and an updated retail assessment. The development will need to be appropriately mitigated to avoid increased flood risk and impact on local healthcare facilities.

A further response from Wandsworth Council was received on 30 October 2015, with comments that the proposed S106 contribution of £200 000 towards highways amendments around the site is welcomed, but concluding that there are still major concerns about the application, notably the impact of the development on public transport infrastructure. The traffic impact of the development is largely unchanged. Arguably the comments within the road safety audit and the proposed revised access arrangements add to these concerns. Local people will be surprised by the conclusion of Network Rail and TfL that there are no capacity issues on local rail services as this is contrary to day to day experience. Concerns regarding protecting the adjacent industrial businesses in relation to the new residential units remain.

- **Environment Agency:** The Environment Agency (EA) raised objections to the application in its initial consultation (dated 21 January 2015) response, due to the designation of the site within Flood Risk Zones 3a and 3b and the applicant's inadequate response to the flood risk. Detailed advice was provided by the EA on the further work required.

The EA provided further comments on 24 November 2015, following the receipt of an addendum to the original Flood Risk Assessment and a Technical Note from the applicants. The further response from the EA confirms that the development has addressed the points raised in the previous response, that the site has been demonstrated to fall outside of Flood Risk Zone 3b and that the EA thus removes its objection to the scheme, subject to suggested conditions.

- **Historic England (Archaeology):** Conditions recommended on archaeological scheme of investigation.
- **Natural England:** No objections raised; conditions and informatives recommended.
- **Thames Water:** Conditions and informatives recommended on waste water and water supply infrastructure
- **NHS England:** Initial consultation responses (dated 6 February 2015 and 19 March 2015) raised concerns about the methodology and conclusions of the applicant's Health Impact Assessment (HIA). Following the submission of a revised HIA, NHS England provided a final response (dated 14 August 2015) commenting that an additional health facility is required to accommodate the additional demand from the development. It is recognised that a health facility cannot be accommodated effectively within the proposed development. The NHS has had positive discussions regarding the inclusion of a health facility as part of proposals on the adjoining Volante site. A financial contribution of £402,500 is thus sought towards an off-site facility. (This has been secured within the S106 agreement).
- **Sport England** (Responses dated 18 December 2014, 24 April 2015 and 18 June 2015): As the site is not considered to form part of, or constitute a playing field, Sport England considers this a non-statutory consultation. Sport England supports the football stadium to be provided as part of the development proposals. However, objections are raised to the loss of the existing squash facility without adequate replacement (this has now been addressed via the S106 agreement, which requires the developer to complete the squash/leisure facilities in accordance with approved specification prior to the practical completion of Block C).

69 Responses from non-statutory bodies

- **National Grid:** No objections, although concerns raised that residential development should be designed so as not to be disturbed by the noise from the existing Wimbledon substation. The National Grid also point out that they will need access to the substation at all times including on match days, so increased traffic and parking must not compromise this.
- **Network Rail:** Had no objection to the proposed development.
- **Govia Thameslink:** Raised no objections to the proposal but advised that funding would be expected to be made available to pay for additional resource requirements on match days.
- **Southwest Trains:** Advised that British Transit Police had no objections to the proposed development from a safety and crowd management perspective.
- **Metropolitan Police – Designing out Crime Officer:** Expressed confidence in achieving full Secured By Design (SBD) accreditation for the project once the developers work with the

Metropolitan Police. The Metropolitan Police, however, raised concerns about the undercrofts included in the design of the proposed residential units indicating that they had the potential to provide shelter for groups of youths to engage in anti-social behaviour as well as for homeless/rough sleepers. (Suitable conditions have been secured to address the issues raised.)

- **Merton Clinical Commissioning Group:** Expects stadium to provide an innovative way to ensure that the local population is more active and used as a focal point to publicise healthy living messages. Recommended that a health impact assessment is completed to ensure that there will be no detrimental effect to the population.
- **St. George's Hospital, Tooting:** Raised concerns about the lack of consultation on the provision of key worker homes and queried whether their location outside of the borough of Merton was the basis for such a decision by the developer. St. George's Hospital raised a similar concern with regards to the developer's proposal to operate a hydrotherapy and physiotherapy suite to complement their facilities.
- **All England Lawn Tennis Club (AELTC):** The AELTC supports the application by AFC Wimbledon.
- **Love Wimbledon Business Improvement District:** Wimbledon's businesses will benefit from the additional footfall and AFC Wimbledon's return to the borough will bring additional strength to the Wimbledon brand.
- **Wimbledon Society:** Object to the proposal on flooding, transport, parking and design grounds. Given the site's location within high risk flood zones 3A and 3B, the provision of housing on the site would be clearly against NPPF policy. The PTAL rating at Level 2 is very low. The pedestrian "crush" space available at the entrance of the stadium is inadequate for 20,000 spectators on match days, as are the pavements leading to the four local rail stations. The society asserts that car parking provision for the residents and spectators is inadequate and permit free development is unfeasible in this area. The Wimbledon Society further objects to the density of the residential development, and the scale and height of the proposed blocks, which are far too high for the location, and would appear as overbearing and over development.

A further response was received from the Wimbledon Society following the second round of consultation (response dated 7 October 2015). This response outlines that the revisions to the scheme do not address the society's previous concerns. The development still does not adequately address flood risk. A "potential future masterplan" has been submitted which appears to show yet more housing on the flood plain, displacing valuable local employment land and proposing inappropriate retail uses. The needs of community/educational services have not been adequately addressed. There are still no convincing proposals as to how to deal with pedestrian impacts from the stadium, or impact on public transport capacity or road traffic.

- **Wimbledon Park Residents' Association (objection):** Object to the proposal on flooding, transport, parking, heritage and design grounds. The developers have not put forward a permitted flood storage plan as basements are not permitted in a 3b flood plain, and have not proposed why the development should pass the exceptions test. The Transport Assessment relies on traffic survey data collected in summer period and is not representative of normal traffic conditions. Parking arrangements for football supporters are inadequate. The TA has not adequately assessed the pedestrian movements, impact on public transport or the impact of road closures. The loss of the greyhound racing would be a considerable loss to Wimbledon

and to the capital. AFC Wimbledon have never played in Merton. Development would put pressure on local services. The developers have carried out minimal consultation.

A further response was received from this association following the second round of consultation (dated 7 October 2015) containing detailed comments on the applicant's addendum to the Flood Risk Assessment and Technical Note, and critiquing the conclusions of these documents.

- **Wimbledon Park Residents' Association (support):** Support expressed to application on basis that AFC Wimbledon should return to their borough home; the club provides support for young people in the borough; the stadium facilities will enhance the existing area; no reason to suppose that supporters will be disruptive.
- **Wimbledon East Hillside Residents' Association (WEHRA):** Object to the proposal on change of use, environmental, traffic flow/transportation, infrastructure and politics over propriety. WEHRA consider that, if approved, the change of use from light industrial to residential would set a dangerous precedent that could lead to an additional 10,000 new homes stemming from similar changes of use applications. A Master Plan approach should be employed, involving full and open consultation with stakeholders and crafted by top architects and urban planners. Application provides no confidence that flood risk has been suitably considered and the development could have a negative environmental impact. The transport impact needs to be considered in a wider masterplan of the area to understand the full effect. There is no capacity for additional traffic volume on roads in the vicinity. The infrastructure in the area is inadequate to accommodate the new development. Local people have been presented with a *fait accompli* in terms of locating the Stadium on this site. They urge proposals to come forward as a sustainable long term regeneration plan.

A further response was received after the second round of consultation, stating that in the group's view, the additional information and amendments submitted with the application does not improve it, nor make it more sustainable or acceptable. The sports development should only be considered once the timing and scope of Crossrail 2 is decided. Other comments remain the same.

- **South Park Estates Residents Association:** Although some members will support the application, there is considerable concern raised regarding match day congestion on roads, pressure on street parking and inadequate coach drop off facilities. The developer could only overcome the transport difficulties with cooperation of TfL and providing additional public transport on match day, with appropriate contributions from the developer. These aspects have not been thought through properly. Over 600 new homes will place additional pressure on schools and it is unclear how the application will address this.
- **Queens Road Residents Group:** Object on basis that the 20,000 capacity of the stadium is too great for the location and will cause disruption to the surrounding area. The group also stated that parking should be provided on site for spectators to avoid disruption for residents trying to find parking on match days. Additionally, the residents' group contended that the area is already overcrowded in terms of traffic movement in Haydons Road and Plough Lane, and supported the retention of the current stadium and uses.
- **Raynes Park and West Barnes Residents Association:** Object to the proposal on basis that proposals are too dense, increase in traffic and misleading transport data, and flood risk.

- **Priory Church of England Primary School Governing Body, Queens Road:** Raised concerns about the impact of the proposal on school places.
- **Volante Ltd, 46 – 76 Summerstown, Tooting:** Volante Limited is the owner and occupier of a property which adjoins the Greyhound Stadium and is very supportive of the relocation of AFC Wimbledon and the overall planning application. They confirm that their own development will be brought forward shortly and welcome fact that the scheme has been designed to not prejudice the development potential. Request however that obscure glazing should be used to bedroom windows in the north facing elevation on their southern boundary to overcome overlooking issues.
- **Christophers Squash Club:** Supports the Council's preferred use for the Wimbledon Stadium to be for a continuation of planning Use Class D2 and the intensification of sporting activity. Some concern about the lack of parking, as the club asserts that it would not be able to operate a viable business without the provision of at least 20 parking spaces. Following the second round of consultation, an additional response was received from this club, welcoming revised proposals to provide the club with 19 parking spaces in the scheme. However, their major concern remains that the developer does not appear to be intending to provide a replacement squash club with full facilities; rather a shell and core. (As mentioned in response to the Sport England objection, this has now been addressed via the S106).
- **Garratt Business Park BID Ltd:** Raises concerns about the lack of adequate notification and the timing of the application. The Committee, whilst acknowledging the correct development of the site would be good for the area, strongly objected to the proposal on the inadequacy of vehicular access, public transport and parking as well as the increase in local flooding. A further response from this group also raised concerns over road closures and potential security risks to the business park.
- **Wimbledon Art Studios Committee, Garratt Business Park:** Objects to the proposal on the grounds of parking and congestion, leading to adverse impact on their business operation. Predict serious impacts from lack of parking and possibility of fans trying to park on their business premises.
- **Sustainable Merton:** Supports the return of AFC Wimbledon to Merton and believes that the development presents an excellent opportunity to put sustainability at the heart of a major development. Sustainable Merton therefore recommended the inclusion of features in the design of the development that lower the costs for residents and business, improve well-being, enable sustainable transport and promote resource management infrastructure.
- **Southfields Academy:** Fully supports the application. Southfields Academy will be one of the nearest secondary schools to the new football ground and looks forward to expanding the community work it currently conducts jointly with AFC Wimbledon. The proposed football stadium will be a benefit to young people through the provision of a community asset and increased economic activity stemming from regeneration.
- **Wandsworth School Games:** Supports the application. The development of a new football stadium in local proximity to Southfields Academy and many other schools in Wandsworth will provide more opportunity to work with AFC Wimbledon.
- **Siobhain McDonagh MP:** Supports application. AFC Wimbledon is an established community based club dedicated to developing young people, and their coaching and education scheme

would benefit young people in the borough. The return of AFC Wimbledon to the borough would also boost the local economy.

- **Rt Hon Sadiq Khan MP:** A number of concerns raised on behalf of constituents in Wandsworth. Whilst regeneration impacts are broadly supported, many concerns have been raised regarding impact on transport services, traffic and parking, flooding, the impact on Earlsfield village and strain on local services. Local residents are concerned that the existing transport services in the area are unable to cope with up to 20,000 visitors on match day and capacity needs to be increased. Concerns that additional traffic would cause gridlock on match days and that applicants have underestimated number of supporters who will travel by car. Residential parking should also be reviewed. Traffic must be considered having regard to the cumulative impact of the Springfield Hospital development. There are fears that the development would increase flood risk. Residents are concerned that the “village feel” of Earlsfield would be negatively impacted by the development and increase in the potential for anti-social behaviour. Concerns are also raised that the development puts strain on local services such as schools and GP services. The facilities need to be accessible to the local community.
- **Jenny Jones, Baroness of Moulsecoombe, Green Party Member of the London Assembly:** Supports the proposals in principle but raised concerns about transport on match days, stadium cycle parking, coach parking on match days, affordable and social housing, school places and GP provision. Recommends discouraging spectators from private car use; re-orienting the travel plans toward a presumption in favour of a high public transport scenario with walking from rail and underground stations; the implementation of a retention strategy to spread the departure of departing spectators so as to avoid crowding; and the provision of electrical charging points in line with London Plan Policy 6.13D. The impact of coach parking on Riverside Road needs to be clarified and, if it is significant, spectators should walk from an off-site drop off point. Recommends that the number of cycle parking provided should be in line with the Mayor’s Transport Strategy. With regards to affordable housing, 40% of the on-site units should be affordable and 70% of the affordable units should be social rent. The need for additional school places and GP provision should be addressed.
- **Merton Green Party:** Raised concerns about the provision of affordable housing. The Merton Green Party stated that apart from indicating that there will be an element of affordable housing, there is no further evidence in the published documents outlining the number of affordable units that will be provided. The party urged the Council to make the applicant’s and the Council’s viability assessments public given the widespread concern about the use of viability assessments by developers to under provide affordable housing.

A further response was received from Merton Green Party on 15 October 2015, commenting that they had seen a report that only 10% of the homes will be affordable. Given the Council’s 40% target, this strengthens their argument that applicant’s viability assessment and that commissioned by the Council be made public so that others with an interest can see the evidence on this vital issue.

- **Councillors Critchard, Daley and Johnson (Tooting ward, Wandsworth):** The Councillors raised objections to the proposal on transport and community infrastructure grounds. With regards to transport, the Councillors stated that constituents are concerned about match day travel, especially the pedestrian route from Tooting Broadway station, and queried whether the station has the capacity to cope with the large crowds and how this increase along with litter and anti-social behaviour will be managed. The Councillors also queried the shortage of bike parking spaces and the absence of drop off and pick up points

for fans travelling by coach. On community infrastructure, the Councillors are concerned about the impact of the provision of 602 new homes on school places and GP surgeries. They urged the Council to consider apportioning part of the CIL to Tooting to provide extra infrastructure and as part of a neighbourhood CIL aimed at benefitting local residents.

- **Councillor Charles A Lescott (Earlsfield ward, Wandsworth):** Concerns raised regarding traffic and flooding.
- **Nottingham Forest Football Club:** Supports the application. The positive impact on the local community that AFC Wimbledon would bring should be taken into account as well as increased economic activity.
- **True Volunteer Foundation:** Support application on basis that AFC Wimbledon are supportive of local community.
- **Ocado Ltd:** Raised concerns about increased traffic, traffic flows at the junction of Durnsford Road and Plough Lane, the impact of dust and vibration during construction on their vehicles and freshness of food, potential damage to power/data cables and the imposition of parking restrictions. Ocado Ltd urged the Council to secure a Construction Method Statement and Traffic Management Plan through planning conditions.
- **People for the Ethical Treatment of Animals (P.E.T.A)** (Comments included on the petition with 14,476 signatures): Supports the proposal. Greyhound racing results in the ill-treatment of greyhounds and exacerbates the number of homeless animals. The closure of greyhound stadiums is a national trend as a result of dwindling attendance, a sign that the British public isn't interested in watching dogs being exploited for a bet. If the application is approved, the move of AFC Wimbledon and its fans back to its original site would be great for local sport and the provision of residential units, public space and a fitness club would result in a positive change for local families and the area.

Representations made to the Mayor

70 During the consultation period, The Mayor, Deputy Mayor and GLA officers have received a number of direct representations from local residents, school pupils, amenity groups and other organisations raising many of the issues detailed above. In total, 421 representations have been received. The correspondence raised common issues regarding the loss of the existing greyhound stadium, the transport impacts associated with the operational phase of the proposed development, match day parking and traffic, the flood risk associated with the site, the height, bulk and density of the proposals and the development's impact on local social infrastructure such as school and health facilities. The matter of animal welfare has also been raised in support of the loss of the greyhound stadium.

London Assembly

71 Richard Tracey JP, Assembly Member for the London Boroughs of Merton and Wandsworth has remained engaged with GLA planning officers, bringing the concerns of local residents to officer's attention throughout the consultation process. In addition, has also written directly to the Mayor requesting that he call the application in for his own determination given the cross-boundary impacts.

Wandsworth Council Leader

72 The Leader of Wandsworth Council, Councillor Ravi Govindia wrote to the Mayor setting out that the overall principle of the new stadium and the redevelopment of the site was generally supported. However, his correspondence highlighted a number of serious concerns raised by Wandsworth Council's Planning Committee and issued to Merton Council (as detailed above and set out in Merton Council's planning committee report) regarding transport mitigation and the potential impact on infrastructure, in addition to other land use issues relating to nearby Strategic Industrial Locations and waste areas designated within the Wandsworth Site Specific Allocations Document, flood risk and retail impact on Earlsfield Town Centre. On the basis of the scale of the proposed development and its situation close to the Borough boundary, Councillor Govindia formally requested that the Mayor call-in the application for his own determination.

Councillor David Dean (Merton)

73 Conservative Councillor David Dean from Merton Council has met with GLA Planning Officers on two separate occasions to raise his concerns with regards to transport impacts of the proposed development; namely the transport implications for the B235 Summerstown, match day congestion and the proposed design for public footways around the site. These transport and public highways issues have been shared with TfL and are considered not to have raised any new issues that have not been adequately addressed by the proposals and/or mitigated via relevant planning obligations and conditions.

Members of Parliament

74 The Mayor has also received direct correspondence from Nick Herbet MP for Arundel & South Downs forwarding correspondence from a local constituent raising concerns with regards to the closure of the stadium and its impact on greyhound racing as a sport, the associated breeding industry and the welfare of racing greyhounds. In addition, Chris Philp MP for Croydon South forwarded correspondence from local resident and Chairman of Wimbledon Greyhound Owners Association raising his objections to the replacement of the greyhound racing stadium with a football stadium and highlighting that it is the last track with a London postcode.

Greyhound Board of Great Britain

75 The Chairman of the Greyhound Board of Great Britain has also written directly to the Mayor highlighting the flagship nature of the existing stadium in its role as the home of the Greyhound Derby and the impact the loss of the stadium would have on the sport and that the Mayor take these factors into consideration when making his decision, in addition to raising concerns with regards to local transport impacts in both Merton and Wandsworth and the level of flood risk associated with the site.

76 An online petition from Peter Gray, Michael Burnage, MBE, and David Baldwin on behalf of the Racing Community was received during the consultation period with over 11, 500 signatures. The online petition was set up on the website www.Change.org under the heading "Boris Johnson MP: Save Wimbledon Stadium for the Nation". A further 500 plus hand written signatures were also received and included in the package presented to the Mayor. The matters raised in the petition are summarised below:

- The Plough Lane stadium is the last remaining motor sport venue in the capital. The local council and the Planning Inspector suggested that the venue should serve multiple sports.
- Stadium has historic value.
- As a small 'minority' sport, Stock Car Racing has no recourse against large developers, who are set to bulldoze a historic piece of London sporting culture, against the will of the existing tenants and also the local population who are also against the proposed development.

77 The issues raised within the direct correspondence do not raise any new strategic issues that have not been addressed within this report and/or within the Mayors initial representations to the Council (ref: D&P/3130b/01).

Responses to representations received

78 One of the main issues for concern raised by objectors to the proposal is the impact of the proposals on transportation and highways: namely local traffic conditions, public transport capacity, pedestrian capacity and parking.

79 Transportation matters have been covered in detail in the Stage 1 report and this report. TfL has confirmed that the proposals are acceptable from a strategic perspective as the impact on the strategic road network is limited. With regard to local highway impacts, these matters are most properly dealt with by the local highway authorities, namely Merton and Wandsworth. Merton Council has addressed the local highway impact in detail in its committee report, and the impacts have been considered acceptable by the Borough. The draft S106 agreement contains provision for a package of highway improvements and comprehensive transport mitigation measures which will address the impact of the proposals. Notwithstanding Wandsworth Council's ongoing expressed concern, it is understood from Merton Council officers that Wandsworth Council officers have been actively involved in the drafting of the S106 agreement and have not raised objections to the current draft. As such, GLA officers are satisfied that transportation issues have been addressed.

80 The principle of the land use and the loss of the existing sporting uses, namely greyhound racing and stock car racing, have been addressed in this report and in the Stage 1 report. As discussed, GLA officers are satisfied that there is no planning policy basis for requiring these uses to remain on the site.

81 The principle of the development in relation to flood risk has also been covered in detail in the Council's committee report, and in this report and the Stage 1 report. GLA officers are satisfied that following the latest flood risk assessment and correspondence from the Environment Agency, the principle of the development is appropriate and flood risks can be mitigated via the conditions suggested by Merton Council.

82 Local issues and matters of residential amenity, antisocial behaviour, impact on local services and loss of existing employment have been addressed by Merton Council in its committee report and have been found to be acceptable. GLA officers concur with this view.

83 Strategic issues raised, including the design and height of buildings, residential quality and density and affordable housing provision have been addressed in this report and the Stage 1 report.

Article 7: Direction that the Mayor is to be the local planning authority

84 Under Article 7 of the Order the Mayor could take over this application provided the policy tests set out in that Article are met. In this instance the Council has resolved to grant permission with conditions and a planning obligation, which satisfactorily addresses the matters raised at stage 1, therefore there is no sound planning reason for the Mayor to take over this application.

Legal considerations

85 Under the arrangements set out in Article 5 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor has the power under Article 6 to direct the local planning authority to refuse permission for a planning application referred to him under Article 4 of the Order. He also has the power to issue a direction under Article 7 that he is to act as the local planning authority for the purpose of determining the application and any connected application. The Mayor may also leave the decision to the local authority. In directing refusal the Mayor must have regard to the matters set out in Article 6(2) of the Order, including the principal purposes of the Greater London Authority, the effect on health and sustainable development, national policies and international obligations, regional planning guidance, and the use of the River Thames. The Mayor may direct refusal if he considers that to grant permission would be contrary to good strategic planning in Greater London. If he decides to direct refusal, the Mayor must set out his reasons, and the local planning authority must issue these with the refusal notice. If the Mayor decides to direct that he is to be the local planning authority, he must have regard to the matters set out in Article 7(3) and set out his reasons in the direction.

Financial considerations

86 Should the Mayor direct refusal, he would be the principal party at any subsequent appeal hearing or public inquiry. Government Planning Practice Guidance emphasises that parties usually pay their own expenses arising from an appeal.

87 Following an inquiry caused by a direction to refuse, costs may be awarded against the Mayor if he has either directed refusal unreasonably; handled a referral from a planning authority unreasonably; or behaved unreasonably during the appeal. A major factor in deciding whether the Mayor has acted unreasonably will be the extent to which he has taken account of established planning policy.

88 Should the Mayor take over the application he would be responsible for holding a representation hearing and negotiating any planning obligation. He would also be responsible for determining any reserved matters applications (unless he directs the council to do so) and determining any approval of details (unless the council agrees to do so).

Conclusion

89 Having regard to the details of the application, the matters set out in Merton Council's committee report, its draft decision notice and the draft heads of terms, the scheme is considered acceptable in strategic terms. Further information has been provided and conditions and planning obligations have been secured where appropriate which address the outstanding issues that were raised at Stage 1. On this basis, there are no sound reasons for the Mayor to intervene in this particular case.

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