

3 January 2019



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Dear Sir/Madam,

**LB Merton's Proposed New Local Plan 2020 – Stage 2 Consultation
Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)**

Thank you for giving us the opportunity to comment on the emerging draft Local Plan (Regulation 19). We write on behalf of our client Criterion Capital and set out our observations and suggested amendments to the emerging Local Plan on their behalf below. We look forward to working with you over the coming months to ensure that the Plan is able to enable sustainable development and responds positively to the governments agenda for growth.

Criterion Capital own the land which is identified as site allocation CW2 – Brown and Root Phase 2, Car park south of Britannia Point, 125 High Street Colliers Wood, SW19 2JG in the draft Local Plan.

Representations to Regulation 19 Consultation

Merton is a green borough well-placed to deliver further sustainable housing and employment growth, with good public transport connections into central London.

We are pleased to note that the positive momentum of the regeneration of Colliers Wood Town Centre is reflected within the emerging Local Plan, and we would expect all decisions on policy direction to be framed and responsive to this context, concurrent with the objectives of the Revised NPPF adopted in July 2018 to achieve sustainable development.

Policy N3.1 – Colliers Wood

Our client is a major stakeholder in Colliers Wood and we support the underlying ambition of this policy framework to attract investment and create a high quality thriving town centre. We agree this area should be treated as a District Centre for planning purposes.

Provision of Visitor Accommodation

We are supportive of further improvements to provide a well-designed public realm in the Town Centre, to create an exciting and lively community. However, we propose that reference to the suitability of Tourist Infrastructure within Colliers Wood Town Centre is added to the policy text, reflecting the draft London Plan Policy SD6 (Town Centres), which states:

Tourist infrastructure, attractions and hotels in town centre locations, especially in outer London, should be enhanced and promoted (see Policy E10 Visitor infrastructure).



We suggest that the draft policy wording of Policy N3.1 part g should be updated with the following text amendments shown in red below:

g. Encouraging the provision of Town Centre Uses including long and short stay visitor accommodation, S and supporting development which helps to optimise housing potential and quality, traffic flow and the public realm.

We suggest that these changes will ensure the soundness of the draft Merton Plan as it will be in line with the emerging London Plan Policy SD6 which encourages hotels in town centre locations.

Building Height

Separately, we propose that paragraph 3.1.20. of the supporting text of Policy N3.1 is reworded to avoid a prescribed build-height restriction, as this is not supported by an evidenced justification. We suggest that building heights should enhance and provide a positive contribution to the skyline. The wording currently states:

Colliers Wood town centre may be an appropriate location to accommodate higher density development including tall buildings. Britannia Point should remain the pinnacle building in the centre in terms of height. This can then form the basis for a coherent group of buildings that relate well to each other in terms of scale, massing, form and architecture. New buildings must be designed, orientated and laid out within the site and within the context of nearby buildings and structures to mitigate the potential for uncomfortable wind conditions at ground level, which would particularly affect pedestrians and cyclists.

We suggest the following text amendments in red below:

Colliers Wood town centre may be an appropriate location to accommodate higher density development including tall buildings. ~~Britannia Point should remain the pinnacle building in the centre in terms of height. This can then form the basis for~~ Tall buildings should be organised to form a coherent group of buildings that relate well to each other in terms of scale, massing, form and architecture. New buildings ~~must~~ should be designed, orientated and laid out within the site and within the context of nearby buildings and structures to mitigate the potential for uncomfortable wind conditions at ground level, which would particularly affect pedestrians and cyclists.

We agree that Colliers Wood is a suitable location for well-designed tall buildings, however in the absence of an evidenced townscape analysis in LBM's evidence base, our view is that the wording should avoid a prescribed restriction on the building height falling away from Britannia Point.

Paragraph 122 of the NPPF (2018) sets out the considerations for planning policies in achieving appropriate densities. This states the following (underlined for emphasis):

Planning policies and decisions should support development that makes efficient use of land, taking into account:

- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;*
- b) local market conditions and viability;*
- c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;*

- d) *the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and*
- e) *the importance of securing well-designed, attractive and healthy places.*

In consideration of the above NPPF criteria, Colliers Wood is well suited for high-density development, reflective of all of the points as highlighted below:

- There is an identified unmet need for numerous town centre uses, including an emerging London Plan policy direction towards new Visitor Infrastructure;
- The existing Britannia Point building is well-connected to public transport with a PTAL of 5, situated within 100m of a transport node (Colliers Wood Underground Station), so high-density development in this location would serve to promote the use of sustainable travel modes;
- There may be further improvements and relief upon existing capacity of the public transport infrastructure and options in Colliers Wood following the potential delivery of Crossrail 2, with two prospective nearby stations proposed at Tooting Broadway and Wimbledon;
- The Britannia Point site is not in a particularly heritage sensitive location, with no heritage assets in the immediate vicinity. Additionally, as it is a tall building in itself, the character and setting of height in this area is well established;
- Paragraph 3.1.4 of the supporting text sets out Merton's desire to continue the promotion, regeneration and ongoing change of Colliers Wood, further improving the existing under optimised image of the Town Centre.

In our view, London Plan Policy 7.7 is also consistent of LBM's Draft Strategic Policy LP D5.1 (Placemaking and design) part f) (Tall buildings) which sets out the criteria that proposed tall buildings should be considered against. We are therefore generally supportive of the underlying principles of policy LP D5.1. The draft policy wording states:

Proposals for tall buildings will be permitted only within town centres in Colliers Wood, Morden and Wimbledon and only in accordance with the following criteria:

- i. Be sized and appropriately located within Colliers Wood, Morden or Wimbledon town centre boundaries;*
- ii. Ensure the ground and first floors are designed for a human scale and maximise the amount of active frontage and natural surveillance.*
- iii. Be of exceptional design and architectural quality;*
- iv. Be designed to mitigate against the wind effects that can be created by tall buildings, and demonstrate they do so;*
- v. Demonstrate they do not undermine local character and heritage assets;*
- vi. Include high quality and useable public open space, appropriate in size and location to the building and its site characteristics;*

A tall building is defined is based on the site's context and any building that is substantially taller than their surroundings can be defined as a tall building.

Additionally, paragraph 5.1.12 of the supporting text states:

...tall buildings may be acceptable in the town centres of Wimbledon, Morden and Colliers Wood where they are sited and designed in accordance with a detailed townscape strategy [...]

Further to the above, CABE and English Heritage's 'Guidance on tall buildings' document (2007) advise how Local Planning Authorities (LPA's) should consider tall buildings, stating that LPA's should carry out a detailed urban design study to inform policy making as a matter of good practice, and should:

- take into account the historic context of the wider area through the use of historic characterisation methods (the English Heritage publications Conservation bulletin issue 4: characterisation, using historic landscape characterisation and the forthcoming Using urban characterisation, provide useful guidance)
- carry out a character appraisal of the immediate context, identifying those elements that create local character and other important features and constraints, including:
 - natural topography
 - urban grain
 - significant views of skylines
 - scale and height
 - streetscape
 - landmark buildings and areas and their settings, including backdrops, and important local views, prospects and panoramas.
- identify opportunities where tall buildings might enhance the overall townscape
- identify sites where the removal of past mistakes might achieve a similar outcome.

In summary of all of the above, given that Colliers Wood meets the policy requirements as a potential location suitable for tall buildings, the proposed policy places a prescribed restriction on building height, without any apparent supporting evidence. This serves to restrict the opportunity for potential high-quality proposals to come forward which may present such evidence to justify the suitability of a well-designed development taller than the existing Britannia Point building. As such, it is not currently in accordance with the NPPF, which states that planning policies should support development which make the most efficient use of land. We therefore propose that this policy wording is updated to allow the maximum build height to be design-based, evidenced by a detailed townscape analysis, to ensure it is consistent with the aforementioned guidance and significantly, the NPPF.

Site Allocation – ‘CW2’ Car Park south of Britannia Point, 125 High Street Colliers Wood, SW19 2JG

This site is under the ownership of our client, and we welcome LBM’s support of the redevelopment of this brownfield site, following our client’s successful redevelopment of the adjacent Britannia Point building. We also welcome further public realm improvements, and LBM’s support of Town Centre uses on the ground floors to provide an active frontage.

However, the draft site allocation suggests sole residential use on upper floors. Given the encouraged variety of District Centre uses as set out in Figure 2.18 of the draft London Plan, we do not consider that this site-specific allocation should be limited to one single use, as the London Plan encourages a mixture of uses within Town Centres.

Further to this, we consider it to contradict the draft LBM Policy Ec7.1 (Economic Development) part d), which encourages a range of town centre uses, including those that add to and meet the changing needs of tourists. Specifically, it states (underlining added for emphasis) :

We will encourage complimentary businesses, services and activities in our town centres that will increase and not harm the vitality and vibrancy of the centre including uses that will add to the visitor attraction of the town centre and meet the changing needs and desires of tourists and high street visitors.

Further to this, paragraph 80 of the NPPF states:

Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future.

We do not consider the suggestions within the site allocation for a sole residential use on the upper floors to be consistent with draft LBM policy Ec7.1 nor the adopted NPPF. Whilst we recognise that the delivery of residential accommodation is also a high priority of the NPPF, the current wording of the proposed site allocation would not be in full accordance and should therefore be updated to encourage a variety of commercial uses, reflective of LBM's ambition to reclassify Colliers Wood as a District Centre. Such town centre uses should include short and long stay visitor accommodation, as also outlined in the Policy N3.1 (Colliers Wood) section of this letter.

Sites such as this which are well located are particularly suited to Town Centre uses and with a need for hotel rooms this should be encouraged.

Policy Tc7.11 (Culture, arts and tourism development)

We are supportive of the principle of this policy which seeks to encourage, improve or expand existing tourism and related cultural and arts uses in Merton, identifying a specific need for high-quality hotels with conference facilities.

However, paragraph 7.11.10 of the supporting text states:

In determining the location of hotel, hostel, guest house and B&B facilities, good public transport services to central London and to other Merton tourist attractions are an important factor. Tourist accommodation should generally be situated in areas of good public transport accessibility and adjacent to the secondary road network to minimise traffic congestion for residents. The capacity and proximity of similar existing facilities should also be considered. The council will not support tourist accommodation (such as apart-hotels) where this displaces capacity for residential accommodation (Use Class C3).

Whilst we recognise that this follows the direction of Part F) of Policy E10 of the draft London Plan which states:

The role of apart-hotels and short-term lettings should be supported whilst ensuring that they do not compromise housing provision (see Policy H11 Ensuring the best use of stock). Through development plan policies, boroughs may address impacts on local amenity caused by short-term lettings.

We consider the LBM supporting text to be overly restrictive, significantly more so than the London Plan policy which offers support for visitor accommodation in balance of the requirement for housing delivery.

This section of the policy is clearer when read with the previous part of the same policy (part E), which states:

In outer London and those parts of inner London outside the CAZ, serviced accommodation should be promoted in town centres and within Opportunity Areas where they are well-connected by public transport, particularly to central London.

This balances part F), by describing the specific circumstances that Serviced Accommodation should be promoted as above in Town Centres and Opportunity Areas where they are well-connected to public transport.

Comparably, the LBM Policy Tc7.11 does not include this reference, despite Merton satisfying the criteria of draft London Plan Part E). We therefore propose that supporting text paragraph 7.11.10 is reworded as follows (proposed amendments shown in red):

The council will ~~not~~ support tourist accommodation (such as apart-hotels) for suitable sites providing they meet the following criteria:

- *Town Centre location (Colliers Wood, Morden and Wimbledon)*
- *Within an Opportunity Area (as identified within the London Plan)*

- *High levels of public transport accessibility (PTAL level 4 or above) or in close proximity to public transport links*

where this displaces capacity for residential accommodation (Use Class C3)

Conclusion

Thank you for giving us the opportunity to comment on the emerging draft Local Plan (Regulation 19). We would be grateful for confirmation of receipt of these representations and look forward to some suggested dates to meet.

Please do not hesitate to contact us on the details at the head of this letter should you require any further information.

Yours faithfully,

A handwritten signature in black ink, appearing to read "Savills", written in a cursive style.

Savills