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Dear Sir / Madam,

LONDON BOROUGH OF MERTON DRAFT LOCAL PLAN CONSULTATION

COMMENTS ON BEHALF OF ESKMUIR GROUP

On behalf of our client, Eskmuir Group ("Eskmuir"), Savills is instructed to make representations to the consultation on the London Borough of Merton Draft Local Plan ("DLP") being undertaken by the London Borough of Merton ("LBM"). Eskmuir is an asset management and investment company with interests across the UK and a track record of investing in and improving their existing assets.

These representations follow on from those made on behalf of Eskmuir as part of the Issues and Options consultation in January 2018 and sit alongside representations submitted on 2 January 2019 as part of the parallel consultation on the Future Wimbledon Masterplan ("FWM").

This representation is structured to initially identify Eskmuir's asset in Wimbledon and the potential for its redevelopment, before commenting on a number of policies contained within the DLP, and then finally commenting on the section of the DLP relating specifically to Wimbledon. Given Eskmuir's ownership, comments relate to only some and not all of the chapters within the DLP and in most cases relate to only one or two policies within a chapter. The policies that this letter relates to are listed below. Eskmuir does, however, reserve its position to provide further comment in due course as may be necessary.

- Strategic Objective 6 (Economy);
- Strategic Policy H4.1 (Housing Choice);
- Strategic Policy H4.2 (Housing Provision);
- Policy H4.3 (Housing Mix);
- Strategic Policy LP D5.1 (Placemaking and Design);
- Policy D5.2 (Urban Design and Public Art);
- Policy Ec7.1 (Economic Development);
- Policy Ec7.2 (Employment Areas in Merton);
- Policy Tc7.6 (Location and Scale of Development in Merton's Town Centres and Neighbourhood Parades);
- Policy CC8.11 (Reducing Energy and Carbon Emissions);
- Policy N3.6 (Wimbledon Town Centre); and
- Site Wi13 (Worple Road, 8-20 and St George's Road, 20-26).

With this in mind, it is therefore felt that a covering letter is the most appropriate method of response rather than completion of the online survey.

Background

Eskmuir is the owner of the building located at 8-20 Worple Road & 20-26 St George's Road, Wimbledon, London, SW19 4DD. A site location plan is attached to this covering letter. The site has an area of approximately 0.22ha and is bound to the south by St George's Road, to the north by Worple Road, to the east by the Elys department store and its servicing area, and to the west by Barry House and the vacant former Wimbledon Community Centre.

The site is occupied in its entirety by a single building. The building is at split level, with the part of the building fronting onto Worple Road being four storeys and the part behind this at the St George's Road elevation being a single storey albeit double height. The ground floor is occupied as a supermarket. Its entrance and frontage is onto Worple Road whilst the rear half adjacent to St George's Road is used for storage and servicing. The supermarket also utilise space over the basement, first and second floors but only trade from the ground floor. The offices have a separate entrance and are on the first and second floors. There is no internal link between the supermarket and offices. The single storey part of the building on the St George's Road side is used as car parking accessed via a ramp from Worple Road in association with the supermarket.

Eskmuir recognise that the site layout is inefficient given that part of the building is only two storeys in height, that the frontage onto St George's Street is unattractive, and that a large amount of space at ground and first floor at the southern part of the building is currently used to facilitate access to the roof car park. In this regard, Eskmuir is looking at options for the redevelopment of the building to retain the existing supermarket occupier at ground floor (in new space) and provide additional accommodation. Whilst a refurbishment could come forward solely on land under Eskmuir's ownership, contact has been made with the occupiers of adjoining buildings to consider the assembly and redevelopment of a larger site, especially in the light of the emerging FWM.

The Vision and Strategic Objectives

This chapter is the first substantive chapter within the DLP and consists of the Key Diagram as well as six 'Strategic Objectives' which replicate the six topic based chapters that form the DLP alongside the chapter on the seven identified places.

Strategic Objective 6 (Economy)

This is the strategic employment policy contained within the DLP. It seeks to ensure there is a mix of available premises, offers support for tourism and the education sectors, seeks to support growth in centres designated within the LBM, and then offers support for proposals that enhance the viability and vitality of designated centres.

Strategic Objective 6 is high level and ultimately there is little contentious within it, although Eskmuir suggest that Part E of the policy be worded to reflect the LBM's ambition for Wimbledon to be upgraded to a 'Metropolitan Centre' and offer support for proposals that help achieve this.

Housing

This chapter relates to housing and contains seven policies, the first two of which are strategic in nature with the final five being more specific. These representations focus on the first two policies and the more specific housing policy focussed on housing mix.

Strategic Policy H4.1 (Housing Choice)

This policy is high level and identifies 10 aims for the LBM to deliver the right types of housing. A number of the criteria are considered below:

Criteria D requires new developments to comply with Building Regulations with regards to accessibility and adaptability. This would seem superfluous and unnecessary to repeat in planning policy given other legislative requirements to comply with Building Regulations.

Criteria E, F, H, I and J relate to affordable housing provision. Eskmuir trust that any affordable housing thresholds and tenure breakdowns deemed necessary for inclusion within policies will be based upon robust evidence that reflects viability evidence and that suitable provision and flexibility is retained for assessment of viability on a site by site basis.

Strategic Policy H4.2 (Housing Provision)

This policy sets the housing requirement for LBM over the Local Plan period as well as offering support for the redevelopment of poor quality existing housing, small-scale housing sites and both custom and self-build housing. Whilst Eskmuir do not object in principle to any of these points, it is important that in offering support for smaller and more niche forms of residential development, the delivery of large scale housing developments is not compromised or prejudiced.

Policy H4.3 (Housing Mix)

This policy is centred around a table which relates to housing mix and is based on data from the previous 15 years. Given that the DLP, upon adoption will have a plan period that extends to 2035, it is essential that these targets are flexible and there is recognition that market conditions may change over the plan period.

Design

This chapter contains ten design based policies, the first four of which are high level whilst the remaining six are more specific and relate to other forms of developments such as shopfronts, telecommunication equipment and residential extensions. Given the nature of Eskmuir's interests, only the first two of these warrant comment at this stage.

Strategic Policy LP D5.1 (Placemaking and Design)

This policy is a general design and placemaking policy that encourages high quality and appropriate design as well as providing more detailed guidance relating to public realm and tall buildings. Given that the redevelopment of the Worples Road site will likely result in an increase in height (to deliver ambitions of the FWM), it is considered that the aspects of the policy relating to tall buildings require further comment.

As a starting point, Eskmuir suggest that the definition of 'tall buildings' needs to be refined. At present, tall buildings are defined as buildings that are "*substantially taller than their surroundings*". Eskmuir suggests that there is a need for greater clarity on what constitutes "*substantially taller*" through a storey threshold to reflect the approach endorsed by Policy D8 (Tall Buildings) of the Draft London Plan which encourages Boroughs to define what constitutes a tall building. Prepared in parallel to the DLP is the FWM which, for Wimbledon at least, provides an indication on suitable building heights. Eskmuir suggest that where a building height is in accordance with the guidance given in the FWM, it should not be considered to be a tall building given its height is in line with the aspirations of the LBM.

Next, Policy LP D5.1 identifies six criteria that must be satisfied for tall buildings to be acceptable. Whilst Eskmuir do not suggest that these criteria have been put in place to be intentionally prohibitive, criterion iii, the requirement for design to be "*exceptional*", and criterion vi, the requirement to provide high quality and usable public space, if applied rigidly, could have that unintended consequence. Whilst LBM's desire to deliver high quality design is understandable, such requirements should not be at the expense of delivering viable tall buildings that meet the FWM aspirations. Likewise, there are practicality concerns about how publicly accessible open space can be provided where the aspiration is for high density developments through tall buildings with small footprints and on privately owned sites. Eskmuir's site, for example, consists of just the building itself and no land either side and so it would not be practical to provide publicly accessible open space at ground floor level without reducing significantly the footprint of any building, something that

would evidently not result in the most efficient use of the site and would likely impact upon the viability of redevelopment. With this in mind, Eskmuir suggest that the requirement to provide publicly accessible open space is removed from the tall buildings section of the policy but if LBM is intent on retaining it, such a requirement must be worded to recognise there will be cases where provision is not possible (as suitably evidenced) and therefore the requirement to provide public open space is only in appropriate circumstances.

Policy D5.2 (Urban Design and Public Art)

This policy is much like Policy LP D5.1 in that it seeks to promote high quality urban design though it is noticeable that its focus is more on public realm and legibility. Once again, the policy is fairly general and uncontentious (and where it is more specific these aspects are not of concern) but Eskmuir has concerns with two aspects.

Criteria A, B, E and F reflect the approach that runs prominently through the FWM, by seeking to encourage permeability and public linkages. A realistic and practical approach needs to be adopted, recognising that in many instances urban blocks are under multiple ownerships (both freehold and leasehold) and therefore the delivery of permeable pedestrian links may not be possible if such sites come forward independently from one another. The block bound by Worple Road and St George's Road is a good example at demonstrating this. LBM's aspiration to deliver linkages between these two roads is shown on the FWM but the block consists of a number of existing buildings under different freehold ownership (and in some cases long leasehold ownership crossing freehold boundaries). Whilst public linkages may be achievable if the entire block is redeveloped comprehensively in a planned way, it is unrealistic for LBM to expect the delivery of linkages through this block if buildings are redeveloped in isolation and in a piecemeal fashion as fundamentally this will reduce the extent of the developable area of one of the individual freehold owners, ultimately to their detriment and to the detriment of viability of redevelopment schemes.

Eskmuir's second point is to ensure that the aspiration to deliver mixed use developments in town centres as set out in Principle H is applied with flexibility and discretion as fundamentally there are occasions and sites where, for reasons relating to viability, a single use is most appropriate and a mixed use development either not viable or desirable.

Economy

This section sets out the LBM's strategy for economic development effectively consisting of two parts, one that focusses on traditional Class B uses and the second which is more focussed on retailing. Given Eskmuir's land holding and potential options for redevelopment, there is much for Eskmuir to comment on in relation to traditional Class B uses.

Policy Ec7.1 (Economic Development)

This is a general policy that sets out the LBM's economic strategy. Due to its 'catch all' nature, there is little within it that could be considered contentious but Eskmuir suggest that, much like with Strategic Objective 6, there is an opportunity to reiterate the LBM's aim for Wimbledon to be upgraded to a 'Metropolitan Centre' and the role that Worple Road and St George's Road have in achieving this through the intensification of uses and the delivery of new developments.

Policy Ec7.2 (Employment Areas in Merton)

This policy builds on Policy Ec7.1 and lists six requirements (some of which have sub-principles) for proposals for employment floorspace to be supported. The first four are understandable given that they seek to promote the redevelopment of vacant and underused employment sites, support the provision of additional office space, promote sites which are accessible and support a range of different Class B employment uses. That said, Eskmuir has concerns with the final two principles contained within Policy Ec7.2.

The fifth principle requires new employment developments to be well designed in terms of their layout, access, parking, landscaping, relationship with surrounding properties and highways impact. Given that

Chapter 5 of the DLP relates entirely to design, the consideration of design in Policy Ec7.2 is superfluous and should be removed. There is also a recognition that in some cases the functionality and practicality of a building is of greater significance than its appearance.

Informed by the approach taken in Policy E2 (Low-Cost Business Space) of the Draft London Plan, the sixth principle requires the provision of flexible or co-working space to facilitate individuals and Small Medium Enterprises. Whilst this aspiration is understandable, the requirement to provide such space within new build office developments can jeopardise their viability and prevent them coming forward. There is an evidenced shortfall in Grade A office space in Wimbledon as demonstrated by Lidl relocating away from Worple Road to purpose built space in Tolworth. The LBM is explicit in stating that one of the aims of the DLP, and one of the core aims of the FWM, is for Wimbledon to be upgraded from a 'Major Centre' to a 'Metropolitan Centre' in the London Plan. Fundamental to achieving this aim is the provision of a large amount of Grade A office space to attract high profile firms as, at present, demand for office space exceeds supply and there is a lack of Grade A stock (a factor that led to Lidl's decision). Whilst the need to deliver flexible and co-working space is understood, Eskmuir suggest that suitable flexibility should be afforded.

Policy Tc7.6 (Location and Scale of Development in Merton's Town Centres and Neighbourhood Parades)

The subtext to this policy defines the extent of designated centres and frontages. As suggested as part of the Issues and Options consultation, the land under Eskmuir's ownership is shown as being removed from a protected shopping frontage in the DLP.

Whilst Eskmuir's redevelopment of their site would likely result in the retention of the supermarket at ground floor level, its removal from a designated shopping frontage is welcomed due to the flexibility it offers to redevelopment opportunities.

Environment

The scope of this chapter is broad and covers green infrastructure, nature conservation, flooding, sustainable drainage, air quality, drainage, sustainable & low carbon design and construction. Given that Eskmuir's site constitutes previously developed land, is located within Flood Zone 1, and is neither listed nor within a conservation area, only a single policy is considered to require further comment.

Policy CC8.11 (Reducing Energy and Carbon Emissions)

This policy consists of two parts, seeking to minimise energy demand and the level of CO₂ generation more generally whilst also being more prescriptive by setting a series of energy reduction requirements that need to be achieved. Eskmuir suggest that the targets and thresholds set in Policy SI2 (Minimising Greenhouse Gas Emissions) of the Draft London Plan are based on a more comprehensive evidence base than those contained within the DLP and therefore they should be used in lieu of Policy CC8.11.

Wimbledon

This section of the DLP relates to Wimbledon and comprises of a single general policy for Wimbledon as well as a description and overview of each of the fifteen sites within Wimbledon which are allocated in the DLP.

Policy N3.6 (Wimbledon Town Centre)

This is the general policy for Wimbledon and is structured to identify eleven aims for Wimbledon Town Centre and five aims for its surrounding neighbourhoods. Most of these aims are fairly non-contentious and can be supported in that they look to promote the role of Wimbledon and it is positive that the aim of getting Wimbledon promoted to a Metropolitan Centre is included within these (as stated above, Eskmuir suggest that this could be stressed elsewhere in the DLP).

Aim B, much like Policy Ec7.2 of the DLP, seeks to promote “*exemplary design and landscaping*” within Wimbledon Town Centre. As was the case with Policy Ec7.2, Eskmuir suggest that this aim is superfluous given more detailed design policies are contained within Chapter 5 of the DLP.

Aim D of the policy relates to tall buildings with there being support for midrise contextual architecture across Wimbledon and taller developments “*located at the station, St George’s Road and Broadway East*”. Given Eskmuir’s aspiration to redevelop their site to deliver a building that is taller than existing, the inclusion of this aim is welcomed.

Site Wi13 (Worple Road, 8-20 and St George’s Road, 20-26)

For each site, the DLP provides a brief overview as well as identifying potential uses, strategic planning factors, issues and opportunities. Whilst much of the analysis for site Wi13 is positive, Eskmuir suggest there are a number of points which require clarification to ensure consistency with surrounding site allocations and to guide development.

Initially, it is important to stress that Eskmuir welcome the allocation of their site in the DLP as it indicates a degree of support from the LBM for the aspiration to redevelop their site to deliver an intensification of uses and additional floorspace.

Eskmuir’s first requirement relates to the uses identified. As part of the Issues and Options consultation, Eskmuir suggested that the site is suitable for Classes A1, A2, A3, A4, A5, B1, C1, C3, D1 and D2 of the Town and Country Planning (Use Classes Order) 1987 Order (as amended). This was informed by the site’s location within Wimbledon Town Centre and within an area characterised by a mix of uses. Whilst the LBM’s list of proposed uses does recognise the suitability of “*any of the appropriate mix town centre uses*” contrary to this it then appears to limit the proposed site allocation to Classes A1, A2, B1(A), C1, and D1. This is inconsistent with neighbouring allocations such as Site Wi9 where a much broader range of uses are identified. Eskmuir therefore suggest that the list of suitable uses is amended to reflect the full list of uses proposed by Eskmuir. This would pick up on the list of ‘Main Town Centre Uses’ as defined in Appendix 2 of the National Planning Policy Framework (“NPPF”) (July 2018) as well as residential in order to reflect the approach taken in Paragraph 85 of the NPPF which encourages residential development in appropriate town centre locations. If this approach is taken, it should be made consistent for all site allocations.

The second point of interest relates to the discussion in the ‘Strategic Planning Factors’ and ‘Opportunities’ sections relating to the co-ordination of proposals with adjoining owners. As stated initially, Eskmuir has held discussions with the LBM Estates Team as owner of 28 St George’s Road (Wi9) about the potential collaboration on a redevelopment, but otherwise Eskmuir need to consider its options independently.

Thirdly, the impact of parking and servicing on traffic, congestion and road safety are identified as ‘Issues’. There are two points Eskmuir wish to make. The first is that the site is within a PTAL 6b area and is therefore considered to be a highly sustainable location well served by public transport. The second is that the ground floor supermarket has been successfully operating for many years without any known detrimental impact on traffic, congestion and road safety.

The final points of interest relate to the four ‘Opportunities’. At present, the Worple Road frontage provides access to the ground floor supermarket, office space and car park whilst the St George’s Road frontage is used for servicing. Given the desire to retain a supermarket at ground floor level and rationalise the site, it is anticipated that car parking will be underground meaning there will be a requirement to provide a car park entrance and exit at one of these elevations. Retention of a supermarket at ground floor level will mean there will be a continued requirement to service the store. If the LBM is unwilling to allow servicing to take place on either Worple Road or St George’s Road, there will be a need to retain some form of servicing space preventing the delivery of dual frontage. Reference to improved pedestrian linkages between St George’s Road and Worple Road is also a concern because, as discussed in relation to Policy D5.2, this is only achievable if the site is developed in connection with adjoining sites as the fact that the block is under the ownership of a number of different freeholders, all of which will have different aspirations, means that the provision of pedestrian connections will not be possible if the sites are developed in isolation. As stated

above, the requirement to deliver such linkages would reduce the extent of the developable area of Eskmuir's site, ultimately seriously harming the viability of any potential scheme and risking the site not being redeveloped.

Overall, Eskmuir welcome the allocation of their site in the DLP and the degree of certainty that it provides in relation to their aspiration for its redevelopment to provide a rationalised site layout incorporating a supermarket at ground floor level with additional office floorspace at the upper floors.

Conclusion

These comments are made on behalf of Eskmuir as owner of the building located at 8-20 Worples Road & 20-26 St George's Road and a significant stakeholder within Wimbledon Town Centre. The approach taken by the LBM in the preparation of the DLP appears sensible and the purpose of these representations is to suggest a series of fairly minor tweaks to individual policies relating to design, the economy, and the environment, before making more substantial comments in connection with the appraisal of Site Wi13 which is the land under Eskmuir's ownership.

I trust these observations and comments are helpful and will be taken into consideration. Once again, Eskmuir reserves its position to provide further comment in due course as may be necessary. Should any of the points raised within these representations need clarification please do not hesitate to contact myself.

Yours faithfully,

A handwritten signature in blue ink that reads "N. Heard".

Nick Heard
Planner

Cc. John Sullivan, Eskmuir Securities Limited