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FutureMerton Team
London Borough of Merton
London Road
Morden
SM4 5DX

Oliver Milne
E: omilne@savills.com
DL: +44 (0) 207 299 3074

33 Margaret Street
London W1G 0JD
T: +44 (0) 20 7499 8644
savills.com

Sent via Email to: future.merton@merton.gov.uk

Dear Sir / Madam

**Representations to Stage 2 of Merton's draft Local Plan
Boundary Business Court, Mitcham, CR4 3TD**

Thank you for providing us with the opportunity to respond to the consultation on Stage 2 of the Council's draft Local Plan. I write on behalf of our client, Legal & General Property Partners (Industrial Fund) Limited and Legal & General Property Partners (Industrial) Nominees Limited, who have an interest in the above site.

Within the Stage 2 document I note that the site is not identified as a Strategic Industrial Location (SIL) nor is it identified as a Locally Significant Industrial Site (LSIS). The site is therefore regarded as a 'Scattered Employment Site' where a loss of employment floorspace may be accepted by the Council subject to meeting various requirements. Whilst this policy position is supported over a SIL or LSIS designation at the site, we consider that this position does not go far enough in facilitating alternative uses where appropriate. The site is a large brownfield site in an existing residential area which is well supported by transport links, community facilities, shops and services. The site is suitable for residential uses and should be allocated within the Local Plan as such.

Below I set out a summary of the site and surrounding, before setting out more detailed comments on the consultation document.

Site and Surrounding Area

The site is located approximately 800m to the west of Mitcham Town Centre. The site measures approximately 2.4ha and comprises 26 industrial units and two office buildings which together form the Boundary Business Court. To the front of the industrial units and office buildings are areas of hardstanding used for servicing and car parking.

Access to the site is achieved from Church Road to the west via two junctions (one to the north and one to the south). An internal loop road links these two junctions and provides access to the individual premises.

The site does not contain any statutory or locally listed buildings or structures, and there are no listed buildings or structures in the immediate surrounding area. The closest listed building to the site is the Grade II* listed Mitcham Parish Church of St Peter and St Paul, located approximately 150m to the south of the site. Several tombs within the Church's surrounding grounds are also listed. In addition, the site is not located within a conservation area or an archaeological priority area.

With regards to the Environment Agency's Flood Mapping, the site is located within Flood Zone 1 and is therefore considered to be at low risk of river and / or sea flooding.

The site is not currently subject to any specific land use allocations as shown on the Local Plan Policies Map 2014-2024 (adopted July 2014). The site has also not been identified as a SIL or a LSIS and is therefore considered a 'Scattered Employment Site'.

The surrounding area is predominantly residential in nature with scattered schools, medical facilities, employment uses and open spaces.

The site is bound to the north by Foxs Path (a public footpath linking Church Road to the west and Seaton Road to the east). Beyond this are the two storey terrace houses of Sycamore Gardens and Bank Avenue. The site is bound to the east by Collingwood Road. On the other side of this road is a row of two storey terrace houses fronting onto the back of the Business Court. The site is bound to the south by the three storey Kingswood House (which is currently used as a children's nursery), a row of two storey terrace houses and Miles Road. Beyond Miles Road is the cemetery associated with Mitcham Parish Church. The site is bound to the west by Church Road. On the other side of Church Road are two storey terrace houses and a row of industrial units off Batsworth Road.

The site is located approximately 800m to the west of Mitcham Town Centre. This Town Centre provides a wide range of shops and services including supermarkets, resultants, cafes, takeaways, banks, pubs, bars, gyms, pharmacies and hair dressers.

The site is also situated close to a number of educational facilities, namely Benedict Primary School (approximately 300m south of the site), Cricket Green School and Melrose School (approximately 400m to the south of the site) and Haslemere Primary School (approximately 400m north of the site). Furthermore, a number of local healthcare facilities are situated nearby, including Cricket Green Medical Practice (approximately 200m to the south east of the site), Mitcham Medical Centre (approximately 500m north of the site) and Simply Bright Dentist Surgery (approximately 800m east of the site).

With regards to public transport, the site has a Public Transport Accessible Level (PTAL) rating of predominantly 2, with part of the site scoring 3 in the south and part scoring 1b in the north. Phipps Bridge and Belgrave Walk Tram Stops are located approximately 500m to the west and southwest from the centre of the site respectively. These Stops provide access to regular services to Wimbledon to the northwest and Croydon to the southeast. Colliers Wood Underground Station is also located approximately 1.5km to the north of the site. This Station provides access to regular services into central London on the Northern Line. In terms of buses, the closest stops are located on Church Road, one directly opposite the site on the northbound lane, and one approximately 200m from the centre of the site on the southbound land. Transport for London (TfL) bus route 200 services these stops which travel between Raynes Park and Mitcham.

Comments on the Consultation Documents

As a general comment, Paragraph 67 of the NPPF states that strategic policy making authorities should have a clear understanding of the land available in their area through the preparation of a Strategic Housing Land Availability Assessment (SHLAA). From this, planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability.

As part of the draft New London Plan, the Mayor carried out a London wide SHLAA and Strategic Housing Market Assessment (SHMA) in 2017. The SHMA identifies a need for 66,000 additional homes per year within London. With regards to Merton, Table 4.1 of the draft New London Plan sets a ten-year housing target of 13,280 new homes. This equates to an annual housing target of 1,328 new homes over the ten year period (2018/19-2028/29). This is a significant increase compared to the annual housing target for the Borough contained within the current London Plan (411 new homes), and equates to a 223% uplift.

Policy H1 of the draft New London Plan requires boroughs to include their respective ten-year target within their development plan documents. However, I note from the Stage 2 document that the Council is proposing an annual housing target of 411 new homes (i.e. the housing target contained within the current London Plan). The Council claim within the Stage 2 document that the emerging housing target is unrealistic to achieve. The Council has therefore not identified a sufficient supply of sites to meet its respective housing target within the draft New London Plan (which was based on up to date SHLAA and SHMAs). On this basis alone, the Stage 2 document fails to meet the tests of soundness as required by Paragraph 35 of the NPPF.

To ensure that the emerging targets are achieved, Policy H1 of the draft New London Plan goes on to state that:

“1) boroughs should prepare delivery-focused Development Plans which:

a) allocate an appropriate range and number of site that are suitable for residential and mixed-use development and intensification

...

2) boroughs should optimise the potential for housing delivery on all suitable and available brownfield sites through their Development Plans and planning decisions, especially the following sources of capacity:

...

f) industrial sites that have been identified through the processes set out in Policy E4 Land for industry, logistics and services to support London’s economic function, Policy E5 Strategic Industrial Locations (SIL), Policy E6 Locally Significant Industrial Sites and Policy E7 Industrial intensification, co-location and substitution.”

Policy E7 Part D of the draft London Plan states that mixed-use or residential development proposals on non-designated industrial sites should be supported where it has been allocated in an adopted local development plan document for residential or mixed-use development.

The general policy objective of the draft New London Plan to increase housing supply aligns with the Government’s aspiration to “...*significantly boost the supply of homes...*” as encapsulated at Paragraph 59 of the NPPF.

Employment Protection

Paragraph 120 of the NPPF states that planning policies and decisions need to reflect changes in the demand for land. Whilst we support the fact that the Council is not proposing to designate the site as SIL or LSIS, we consider that draft Policy Ec7.4 (which deals with the loss of employment floorspace at ‘Scattered Employment Sites’ - such as the site) presents a barrier to development where a more appropriate use has been identified. The draft policy would provide insufficient flexibility to respond to changing economic and market signals. Both national and regional planning policy strongly promote flexibility in order to ensure sustainable patterns of development and we consider that this should be reflected in the Council’s Local Plan.

Potential for Residential Uses at the Site

At the national level, Paragraph 118 of the NPPF states that planning policies and decision should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively. The site is currently under-utilised due to the layout and scale of the existing buildings and the use of the surrounding hardstanding. In accordance with Paragraph 118 of the NPPF, development should be promoted to meet identified needs and, as highlighted above, there is an identified need for housing in the Borough and the Local Plan should address this.

The site is a large brownfield site within a predominately residential area. The area is supported by good transport links and a wide range of community facilities, shops and services. The site is therefore considered to be a suitable and sustainable location for residential development. Furthermore, the site is not subject to any environmental or heritage constraints which may prejudice residential development. Best use of this site should therefore be made to relieve pressure on less suitable and sustainable sites within the Borough.

It's also worth noting that there is currently a conflict of uses between the site and the surrounding residential properties to the north, east and south of the site. By introducing residential uses at the site, there is the opportunity to better address these relationships and introduce active frontages with better natural and passive surveillance, such as onto Foxs Path and Collingwood Road.

Summary

In summary, it is considered that draft Policy Ec7.4 of the emerging Local Plan does not provide sufficient flexibility to those Scattered Employment Sites which are appropriate for alternative uses (such as the site). The site is located in an existing residential area and, as demonstrated above, the site is sustainable for residential uses. As such, it is respectfully requested that the site is allocated within the Local Plan for re-development, to include residential uses.

Future Participation

I trust that the above is of assistance in the preparation of the Draft Local Plan. I would be grateful for confirmation of receipt of these representations, and would welcome the opportunity to further engage with the Local Plan in the future. If you have any queries or would like to discuss further, please feel free to contact me.

Yours faithfully

A handwritten signature in blue ink, appearing to read "O. Milne".

Oliver Milne
Senior Planner

Unit 3 & 4 Boundary Business Court Mitcham

