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Dear Sir / Madam

**Submission Draft Estates Local Plan Consultation
Representations made on behalf of Latimer Developments Limited**

Further to the issue of the 'Submission Draft Estates Local Plan – Stage 3 Consultation (December 2016 – February 2017) we write to make formal representations to the consultation on behalf of Latimer Developments Limited (Latimer).

Circle Housing Merton Priory and Latimer Developments Limited

The Submission Draft Estates Local Plan (ELP) refers to Circle Housing Merton Priory (CHMP) as the body to which the three estates were transferred to. Merton Priory Homes (which trades as Circle Housing Merton Priory) was formed in 2010 as a result of the transfer of stock from Merton Council and at that time became a subsidiary within the Circle Housing Group. Circle Housing Merton Priory owns and manages around 9,500 homes across Wimbledon, Morden and Mitcham including the Eastfields, High Path and Ravensbury estates.

In November 2016 the Circle Housing Group merged with the Affinity Sutton Group (through a merger of the two parent companies, Circle Anglia Limited and Affinity Sutton Group Limited) to become Clarion Housing Group. Clarion Housing Group is the largest housing group in the country with over 125,000 homes. The merged organisation comprises the parent company, Clarion Housing Group Limited, a number of charitable housing associations, including Circle Housing Merton Priory, a charitable foundation and a commercial company called Latimer Developments Limited..

As part of the Merton Regeneration Project, Latimer and Circle Housing Merton Priory plan to regenerate the Eastfields, High Path and Ravensbury estates.

Overview

Latimer welcomes the Council's support for regeneration and intensification of the estates as set out in the Draft Local Plan and for the broad changes and alterations made since the Stage 2 Consultation.

Offices and associates throughout the Americas, Europe, Asia Pacific, Africa and the Middle East.

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Latimer (and Savills as their planning agent) also request to participate in the examination hearings on Merton's ELP and to be notified when the document is adopted.

As you will be aware, Latimer is at an advanced stage of preparation of the outline planning applications for the three estates and it is anticipated that these will be submitted prior to the examination hearings.

Following a thorough review of the latest draft ELP, we have a number of minor comments and suggested amendments that we discuss in the following sections.

Comprehensive Regeneration

Latimer has undertaken an extensive feasibility and discounting exercise in selecting these three Estates for regeneration. Latimer has considered a number of alternative options, such as meeting Decent Homes Standards only, as set out in the Case for Regeneration and after extensive assessment recognises that the full regeneration of High Path and Eastfields and the partial regeneration of Ravensbury presents the greatest opportunity to realise significant physical, social, economic and environmental benefits for not only the Estates but the wider Borough. Latimer is therefore supportive of the Council for bringing forward the DPD to aid the comprehensive regeneration of each of the Estates.

The DPD at paragraph 2.21 refers to "comprehensive regeneration". Whilst Latimer is committed to the delivery of all three schemes, in planning terms planning permission could be granted for them individually. As such it would be helpful if the DPD recognised that the schemes are not mutually dependable and that they could therefore be granted planning permission separately should this be required.

Development Plan

The draft ELP will form part of the development plan and as such it is important to make it clearer, that any planning application must have regard to the whole development plan, including The London Plan (2016), the Merton Core Strategy and Sites and Policies DPD, in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, unless material considerations indicate otherwise. This is an important legislative context that should be included within the DPD. This is currently not clear in paragraph 2.8 of the draft ELP.

Large Sites and Surrounding Character

As we stated in our previous representations, the London Plan Policy 3.7 identifies that large sites (measuring 5ha or more) are able to create their own distinct character and support higher densities. This is further supported within the GLA Housing SPG paragraph 1.3.35 which refers to sites over 2ha being a large site and therefore able to create their own character and define their own setting. Whilst it is recognised that development proposals should integrate with the wider area, as each of the estates are large sites, the policies should provide flexibility for the development proposals to create their own distinct character. Eastfields and High Path are large sites as defined by London Plan Policy 3.7 and all three sites are large sites as defined in the Housing SPG. It is therefore considered appropriate for this to be recognised and referred to throughout the DPD.

The draft ELP frequently refers to the ‘suburban setting’ in which the Eastfields and Ravensbury estates are situated. Given that they are large sites which can create their own character whilst integrating with the surrounding area, this should be made clearer. Furthermore, it would be prudent for the draft ELP to replace the definitions of both urban and suburban within the glossary to those that are set out within the London Plan Table 3.2. This would ensure conformity with the London Plan.

The London Plan describes suburban sites as ‘*areas with predominantly lower density development such as, for example, detached and semi-detached housing, predominantly residential, small building footprints and typically buildings of two to three storeys*’. Whereas an urban area is classified as ‘*areas with predominantly dense development such as, for example, terraced houses, mansion blocks, a mix of different uses, medium building footprints and typically buildings of two to four storeys, located within 800 metres walking distance of a District Centre, or along main arterial routes*’. Taking these definitions into account, alongside the size of the sites we do not regard it appropriate to describe the estates as suburban.

Additionally, the Design Requirements section (para 4.5) notes that ‘*A general approach to architectural design should be designed which allows different phases of development to have their own character*’. As noted above, the sites are large enough to accommodate different character areas which could be delivered as a single phase or over a series of phases. The phasing will be influenced by a number of matters, including but not limited to: construction logistics, decanting strategy, viability; therefore, there may be circumstances where a single phase could contain parts of a number of character areas which will be influenced by the design led character areas.

Conflict Between Policies and Inconsistencies

The design teams have undertaken an extensive review of the draft ELP and wider Development Plan and have developed outline masterplan proposals on the basis of detailed urban design analysis. We are broadly supportive of the changes the Council has made to rectify the conflicts between policies in the previous draft. Notwithstanding this, we have identified the following areas where amendments should be made:

- Policies EP H7, EP E7, EP R7 contain restrictive landscape requirements which do not align with the requirements contained under other policies. For example, Policy EP H7 ‘Landscape’ requires a number of mature trees to be retained in the playground to the north of the ‘Marsh Court’ block which is in direct contradiction with the urban design requirements for a building to be located fronting Pincott Road.. We suggest therefore that Policies EP H7, EP E7 and EP R7 should read that where possible, existing trees will be retained, however retention should be based upon a robust arboriculture and urban design analysis in line with Policy 7.21 of the London Plan.
- In accordance with national policy there is no requirement for the Exception Test to be undertaken for Eastfields and High Path. Reference to this should be removed from the justification sections for Policies EP E6 and EP H6.

- The PTAL rating at High Path varies across the site from between 4 and 6a. Eastfields and Ravensbury also have a PTAL rating of up to 3, and at Eastfields there is potential for this to improve through an increase in Thameslink services. These more accurate PTAL ratings could be recognised in the draft Local Plan rather than the blanket figure currently set out for each estate.
- The High Path red line plan does not include St John's Hall which is within the forthcoming outline application boundary for the estate regeneration. It is recognised that the red line boundary for the applications can differ to those included in the DPD. However, for completeness we have provided an updated Plan for High Path at Appendix 1 which we would encourage the Council to utilise.

Prescriptive Policies

Paragraph 2.5 of the draft ELP introduces the plan as a 'wholly design-led' document and is stated as being *'pitched at a high level; [with] specific building details will be developed by applicants such as CHMP and determined by the council through the planning application process'*. This general approach is supported. However, this approach has not always been followed through in the policies and supporting text of the draft Plan.

We welcome the increased flexibility in the draft ELP since the Stage 2 Consultation. However, there remain a few policies which are considered overly prescriptive. Any planning application for the regeneration of the Estates would have to be determined in accordance with the whole development plan, and not just the policies within the ELP. The ELP should not therefore be applied mechanistically without regard to other Development Plan policies, and this could be made clearer within the DPD wording.

Furthermore, as already noted, these are all large sites capable of creating their own character; therefore, the ELP should provide the flexibility required to allow this. Paragraph 59 of the NPPF, states that *'design policies should avoid unnecessary prescription or detail'*. The Planning Practice Guidance (PPG) (ref: 12-010-20140306) also states that Local Plans *"...should concentrate on the critical issues facing the area – including its development needs – and the strategy and opportunities for addressing them, paying careful attention to both deliverability and viability."* Further, given that the regeneration of the Estates will be delivered over a number of years it is considered entirely appropriate that flexibility should be built into the ELP to allow development proposals to respond to changing circumstances in order to create successful places. This approach would be entirely consistent with the NPPF and the PPG.

We support the increased flexibility in the draft policies; however set out below are a few examples of where additional flexibility could be incorporated:

- Townscape - Policy EP H1 (b) states that *'Streets must be designed to allow for clear unobstructed views along the whole length of the street particularly along Pincott Road and Nelson Grove'*. As highlighted within our previous representations, the PPG (Reference ID: 26-008-20140306) notes that *'Development proposals should promote accessibility and safe local*

routes by making places that connect appropriately with each other and are easy to move through...for this reason streets should be designed to be functional and accessible for all, to be safe and attractive public spaces and not just respond to engineering considerations. They should reflect urban design qualities as well as traffic management considerations and should be designed to accommodate and balance a locally appropriate mix of movement and place based activities'. There are design and existing utilities constraints which will impact on the ability to provide a straight street through the site. Staggered streets create character and can reduce vehicular speeding. As such, this policy should allow for flexibility in how the central street is designed.

- *Street Network* - Policy EP H2 (b) provides prescriptive policy as to the street network to be retained and altered. Following the PPG guidance as noted above, providing a junction from Nelson Grove onto Morden Road may have traffic impact and movement issues, including being too close to the Merton High Street signalised junction. It would require all traffic to instead route through the masterplan site. As such, this policy could be amended to allow highways proposals to be developed at application stage through consultation with the relevant highways authorities.
- *Movement and Access* - Policy EP H3(c) refers to including measures to reduce the physical barrier of Morden Road. It is suggested this is amended to refer to “where possible” to take account of this being outside of the site boundary and proposals to be developed in conjunction with the relevant highways authorities.
- *Open Space* – Policies EP E5 (d), H5 (c) and R5 (d) state that ‘*All new houses must have gardens that meet or exceed current space standards*’. This blanket approach is too restrictive and does not take into account the nature of various styles of properties. It is common for both mews and town house properties to have smaller garden spaces, reflecting their historic design. As such, the policy could incorporate greater flexibility to reflect the various characteristics of different housing types and character areas.
- *Environmental Protection* – Policy EP H6 refers to investigating the potential air quality benefits of a CHP on existing buildings outside the High Path estate. It is considered unreasonable and unfeasible for an air quality assessment to consider the potential benefits to existing buildings which are outside the control of the applicant and the application site. In addition, Policy EP E6 refers to the existing culverted watercourse, which as set out in our earlier representations, has not been identified by extensive technical surveys. As such reference to this should be removed or evidence provided by the Council to demonstrate the existence of the watercourse.
- *Landscaping* – Policies EP H7, E7 and R7 each request that some existing trees on site should be retained. As previously mentioned some of these requirements are in direct conflict with other policies contained within the draft ELP. Furthermore, their restrictive nature limits the design-led process which the Council supports. The policy should therefore note that “where possible” existing trees will be retained; however retention should be based on a robust arboriculture and urban design analysis. This addition would reflect the wording contained within the High Path ‘Issues and Opportunities: Good quality landscaping and vegetation’ section (Page 102) which incorporates the statement ‘*unless there are other compelling reasons that provide benefits to outweigh this*’. It is also noted that Policy EP R7 requires the widening and enhancement of the

entrance to Ravensbury Park. This Policy should suggest the investigation of such measures only and be subject to feasibility.

- *Design Requirements* (Pg 174 – 179) – This section of the draft ELP provides ‘*detailed guidance to applicants that they will be expected to focus on in more detail to demonstrate that the Vision, Urban Design Principles and Site-Specific Policies of the Plan can be delivered*’. The section continues to refer to the design principles as guidance throughout this section. The title ‘Design Requirements’ thereby gives the impression of strict requirements and as such the section could be more suitably titled ‘Design Guidance’ to allow the masterplan proposals to respond accordingly. As set out previously, the draft ELP could also recognise that the level of detail to be provided with applications should be commensurate to the type and nature of the application i.e. an outline application will have less detail than a full application.
- *Design Requirements* – This section makes reference to providing communal bin stores for refuse storage. This could be amended to allow other solutions to be considered, for example Underground Refuse Systems, which will be subject to agreement with the Council’s waste team.
- Whilst the drawings provided within the draft ELP provide helpful imagery as to the potential opportunities of the estates, these should not be regarded as rigid design requirements and therefore a statement noting that the drawings are for indicative purposes only could be added.

Planning Application Specialist Document Requirements

The draft ELP identifies a number of required documents to be submitted as part of a planning application on each Estate. An example of this is Policy EP E6 ‘Environmental Protection’ where section (k) states that ‘*Development proposals must be accompanied by a working method statement and construction logistics plan*’. The level of detail to be submitted as part of a planning application should be commensurate to the type and nature of the application. Additionally, policy requirements should not be so onerous as to require details not normally required for planning application validation purposes. Taking account of this, planning conditions should be used in which to secure the further details of outline planning applications for the three estates. This is acknowledged in the latter parts of the draft Plan; however, is not clear in some earlier policies.

Intensification Areas

Policy 2.13 of the London Plan identifies South Wimbledon / Colliers Wood as an Intensification Area. High Path is within this Intensification Area and this should be acknowledged within the Estates Local Plan. Further, it could also be recognised that London Plan (paragraph 2.59) identifies that higher densities can be supported in Intensification Areas.

Financial Viability

Part 05 (Delivery, Implementation and Monitoring) Paragraph 5.4 states that ‘*CHMP have committed to an open book accounting process to facilitate the understanding of the impact on residents and council services*’ with regards to financial viability. Latimer would like to confirm that they are committed to an

open book accounting process with the Council; however it would not be appropriate for this to be made available in the public domain due to commercially sensitive information.

Summary

The Council's support for the regeneration and intensification of the three Estates is welcomed, and the alterations made to date from previous consultations are broadly supported. There are however some remaining concerns with the draft ELP, highlighted in detail above. Latimer welcomes the opportunity to discuss these concerns with the Council in order to ensure flexibility within the policies can be achieved.

Latimer reserve the right to submit additional representations to those set out, having regard to the detailed planning, design, technical and viability analysis that they are undertaking as part of the preparation of the masterplans for the three estates.

Should you have any queries please do not hesitate to contact me or my colleague Catherine Bruce on 020 3320 8286 / cbruce@savills.com. We look forward to receiving convenient dates to meet to discuss the evolving DPD.

Yours faithfully

A handwritten signature in black ink, appearing to be the name of Jane Barnett, written in a cursive style.

pp. Jane Barnett
Director