

# **Matter 13: Tall Buildings**

## **High Path Estate**

### **Participant Statement on behalf of Clarion Housing Group**

May 2022

## Matter 13: Tall Buildings

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**Matter 13: Is the Plan's approach to tall buildings grounded in an understanding and evaluation of each area's defining characteristics, in general conformity with the London Plan, and are the Plan's policies relating to tall buildings effective?**

**Issue (i): Is the Plan in general conformity with Policy D9 of the London Plan insofar as the approach to Tall Buildings is concerned?**

### Questions:

- 1. Does the development plan define what is considered a tall building for specific localities; and is the plan clear and consistent in its terminology relating to 'tall', 'taller' and 'mid-rise' buildings?**
  - a. Modified policy D12.6 defines "tall" buildings in the borough as those with a minimum height of 21m from the ground level to the top of the uppermost storey. London Plan (LP) policy does not require differentiation between tall and taller buildings therefore for clarity, and to ensure consistency in terminology, references to 'taller' should be replaced by 'tall' in the draft Local Plan.
- 2. Is it clear where in the Borough that tall buildings may be appropriate, and has the process for defining such areas included engagement with neighbouring boroughs that may be affected?**
  - a. LP Policy D9 (B) explains how Boroughs, through local plans, should identify suitable locations for tall buildings. It also states that any such locations should be identified on maps in Development Plans.
  - b. Supporting LP paragraph 3.9.1 states that *"...tall buildings can form part of a plan-led approach to facilitating regeneration opportunities and managing future growth, contributing to new homes and economic growth, particularly in order to make optimal use of the capacity of sites which are well-connected by public transport and have good access to services and amenities."*
  - c. Supporting LP paragraph 3.9.2 states that LP Policy D1 should form the basis of identifying areas for growth as part of the exercise for identifying locations where tall buildings may be an appropriate form of development. In turn paragraph 3.1.5 states that *"when identifying the growth potential for areas and sites the sequential approach to making the best use of sites set out in GG2 Parts A to*

*C should be followed.*” In this regard, LP Policy GG2 advocates that to “*make the best use of land, those involved in planning and development must:*

*A. enable the development of brownfield land, particularly in Opportunity Areas, on surplus public sector land, and sites within and on the edge of town centres, as well as utilising small sites;*

*B. prioritise sites which are well-connected by existing or planned transport;*

*C. proactively explore potential to intensify the use of land to support additional homes and workspaces, promoting higher density development, particularly in locations that are well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling.”*

- d. In acknowledging the above, draft policy D12.6 confirms that “*in the right locations, tall buildings can make important contributions towards delivering new homes, economic growth and sense of place. They can....optimise a sites potential for homes and jobs such as the future of High Path in South Wimbledon*”. Part 1 then goes onto identify these “*right*” locations and provides a list of appropriate locations to include at part e. High Path, as set out in the adopted the Estates Local Plan<sup>1</sup> (ELP) Development Plan Document (DPD) 2018. Consistent with LP paragraph 3.9.1, High Path is a sustainable location which through the adoption of the ELP, and in the draft Local Plan has been identified for planned growth given that it is a well-connected, highly accessible location in an Opportunity Area<sup>2</sup> with capacity for optimisation. Its regeneration will also be a major catalyst to the delivery of a new Local Centre in South Wimbledon, further demonstrating its suitability for tall buildings in line with the approach advocated by the LP, and as evidenced by the Merton Borough Character Study<sup>3</sup> (2021) (hereafter referred to as the Character Study).
- e. As well as being identified as a location suitable for tall buildings within the policy wording, the estate is also identified on the ‘Map of appropriate locations for all buildings’ in the modified draft Local Plan.
- f. With regards to engagement with neighbouring boroughs, in preparing the ELP, the Council consulted with the adjoining boroughs: London Borough of Wandsworth, London Borough of Sutton, Royal Borough of Richmond, Royal Borough of Kingston-upon-Thames and London

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<sup>1</sup> Submission Document reference 0D25.

<sup>2</sup> LP Paragraph 2.11 states that “*Opportunity Areas are identified as significant locations with development capacity to accommodate new housing....*”

<sup>3</sup> Submission Document reference 12D1.

Borough of Croydon. This is confirmed in the Statement of Consultation Submission (March 2017)<sup>4</sup> which was submitted for Examination prior to the adoption of the ELP.

- g. Draft Policy D12.6 therefore clearly identifies where tall buildings may be an appropriate form of development, and the Council has appropriately engaged with neighbouring boroughs.

**3. How would proposed MMs seek to achieve conformity with the London Plan and effectiveness in these regards?**

- a. For the reasons outlined in our answers to questions to Issue ii), in order to improve the effectiveness of the draft Local Plan, draft Policy N7.1 (South Wimbledon) should be modified to encourage high density development which optimises the potential of High Path in line with the recognition in the evidence base that the area should be ‘re-imagined’ i.e. locations where there is opportunity for “*More fundamental intervention through the redevelopment of larger sites or centres to be bolder about the level of change, using the prevailing character from surrounding areas to influence re-design*” (page 41 of the Character Study). The Character Study also identifies adjacent (Merton High Street and Morden Road) and surrounding corridors (Merantum Way) to have an opportunity for intensification.
- b. The Character Study explains how High Path can assist in the delivery of significant improvements in the South Wimbledon area: “*The delivery of this major regeneration scheme will have a significant positive impact on Morden Road and Merton High Street, as well as delivering new quality homes, and a sense of focus at the tube station. More legible connections through the estate will better integrate the character of this area with surrounding neighbourhoods and provide a new green space for residents*”.
- c. The High Path regeneration (and the resultant intensification, which will include tall buildings) will therefore be critical to the effectiveness of the Local Plan and draft Policy N7.1, including to the creation of, and success of, the planned Local centre in its own right and to ensure the viable delivery of the linked estate regeneration programme across three housing estates in the borough (High Path, together with Eastfields and Ravensbury). The linked regeneration programme of the estates will deliver over 2,500 new homes (uplift of at least 1,375) over the plan period<sup>5</sup>. It is

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<sup>4</sup> [https://www.merton.gov.uk/system/files?file=sd8\\_statement\\_of\\_consultation\\_estates\\_local\\_plan.pdf](https://www.merton.gov.uk/system/files?file=sd8_statement_of_consultation_estates_local_plan.pdf)

<sup>5</sup> This excludes homes already delivered in the first phase of High Path (134 homes completed in 2022) and first phase of Ravensbury (21 homes completed in 2021).

therefore a significant contributor to the Councils housing supply trajectory, and is very important to ensuring the draft Local Plan is positively prepared and effective in addressing housing need and boosting housing delivery in accordance with the NPPF. High Path will support the shops, services and businesses of the local centre by delivering complementary non-residential uses to form the Local Centre and by increasing local spend. It will also improve and strengthen local character and improve the streetscene and public realm, in line with the objectives of the ELP, as outlined in the Character Study.

- d. Whilst Part h) of draft policy N7.1 supports development commensurate with the excellent public transport access of the area and part j) states the Council will *“work with the regeneration phases being delivered on the High Path estate over the next 10- 15 years, guided by the Estates Local Plan; this includes the proposed public park at High Path”*, it is very evident that the draft policy should include support for tall buildings at appropriate locations within South Wimbledon; i.e. within High Path given these appropriately form part of the masterplan proposals.
- e. In its representations made under Regulation 19 in September 2021 Clarion Housing Group (CHG) recommended amendments to the policy to better reflect the importance of High Path regeneration to the delivery of the objectives for the South Wimbledon sub-area.
- f. Whilst we acknowledge that the Council has proposed some modifications, we strongly recommend that the wording should go further to contain support for tall buildings, in a similar way to the modifications that they have made for other sub-areas, e.g. in Policy N3.1g (Colliers Wood), Policy N5.1e (Morden) and Policy N9.1d (Wimbledon). The Inspector is therefore asked to refer to our previous representations<sup>6</sup>, and the following is recommended as a further addition to the policy: *“g) Supporting tall buildings within the High Path estate in accordance with the masterplan approach for the estate, and the requirements in Policy D12.6 Tall Buildings”*. This will also ensure a consistent approach across the sub-areas, and will re-iterate the support provided for a high density masterplan approach at High Path in line with the ELP.

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<sup>6</sup> Submission Document reference: 0D7.

**Issue (ii): Is the Plan's approach to tall buildings based on local context and grounded in an understanding and evaluation of each area's defining characteristics?**

**Questions:**

- 1. Are locations and appropriate building heights for tall buildings clearly identified on maps; and are proposed MMs which would bring about the inclusion of strategic heights diagrams justified and underpinned by relevant evidence, such as the Borough's ongoing Character Study, the findings of any relevant conservation area appraisals, or the implications of the heritage assets identified as being "at risk" (e.g Upper Morden Conservation Area)?**
  - a. Yes. High Path is clearly identified in the 'Map of appropriate locations for tall buildings (illustrating Policy D12.6 part 1 (a-f)' which has been included in the modified draft Local Plan.
  - b. A Strategic Height Diagram has not been included for High Path. This is justified because the ELP will continue to form part of the Development Plan, and it includes site specific policies for High Path including in relation to Townscape (ELP Policy EP H1) and Building Heights (ELP Policy EP E8); inclusive of vision diagrams to accompany the site specific policies.
  - c. The ELP DPD was justified and underpinned by site specific evidence including, inter alia, a detailed Case for Regeneration, Socio-economic analysis, Housing Needs Study, Urban Design Review and Visual Impact Study; and an appropriate engagement exercise was carried out by the Council in preparing the DPD. It has also been subject to an Examination in Public prior to adoption.
- 2. Is there any specific evidence to justify tall buildings sites allocated in the Plan, and are policies clear as to the scale of building likely to be acceptable on such sites?**
  - a. Yes, there is specific evidence to justify tall buildings within High Path.
  - b. Tall buildings already exist at High Path and within its vicinity, as acknowledged within the High Path Urban Design Review 2015 which formed part of the evidence base for the ELP. The estate is characterised by a mix of architectural styles, building typologies and heights and this is confirmed within Part 03 of the ELP (pages 86-102).



- c. The adopted ELP sets out site specific policies, including vision diagrams, providing support for tall buildings and these will guide the approach to scale when developing masterplan proposals for the estate, including policies EP H1 (Townscape) and EP H8 (Building heights).
- d. Outline planning permission (ref: 17/P1721 as amended by 21/P2806) has also been granted for buildings up to 39m above ground level at High Path as part of a comprehensive regeneration based on a design-led masterplan approach that has been subject to urban design assessment, including townscape, visual and heritage impact assessment. Pre-application discussions are also underway with the Council to investigate the potential for greater density and height on the site to improve the viability of this important linked estate regeneration programme promoted via the ELP. This investigation of taller buildings includes stakeholder engagement, and input from heritage, townscape and wider technical and environmental specialists. A revised outline planning application is planned to be submitted later this year.
- e. The appropriate scale of development will therefore emerge from the detailed design and technical assessment approach which is more appropriate as part of the development management process at planning application stage, for large scale masterplans such as this. The ELP contains site specific policies to be applied to the masterplanning process in order to deliver a high-quality design-led masterplanning approach informed by townscape and visual impact analysis, stakeholder engagement and design scrutiny via design review panel. It also includes estate specific spatial diagrams to accompany the site specific policies therefore it is not necessary for the draft Local Plan to duplicate these or to specify building heights.
- f. This approach is supported through the evidence base for the emerging Local Plan. In its GLA Tall Buildings Update (06.10.2021) LB Merton acknowledges that masterplanned approach for larger sites may be suitable. The Merton Character Study says: *“In locations where character will be evolving through intensification, masterplanning will form an important step to refining the direction of change and the appropriate grain and massing”*.
- g. This approach is in line with ELP Policy EP H8 which requires redevelopment of the estate to *“create a consistent character that fits in harmoniously with the surrounding development”*. It goes on to say *“Building heights must be based on a comprehensive townscape appraisal and visual assessment which builds on the analysis included in this document. Any strategy for building heights must make a positive contribution to the existing townscape, character and local distinctiveness of the area”*.

- h. The Character Study identifies South Wimbledon as having its own character, distinct from other parts of the borough, and confirms that *“The regeneration of High Path and other development along the key corridors through the area will provide important opportunities to continue to positively evolve the character of the place and reinforce the distinctiveness of this local centre”* (page 84). It also recognises the suitability of the estate to be ‘re-imagined’ with intensification opportunities also identified along the corridors of Merton High Street, Morden Road and Merantum Way.
- i. The Character Study states that the *“Merton Opportunity Area and the South Wimbledon/Colliers Wood intensification area are considered more suitable for tall buildings”* (page 139). It also states there are opportunities for tall buildings within local centres to help people live closer to local services and reduce urban sprawl, and that town centres provide the *“most sustainable locations for higher density development and therefore more suitable for tall buildings”*. The Study confirms that tall buildings are suited to areas identified to be re-imagined (page 132) and based on its framework for character-led tall buildings and the considerations identified for determining the suitability of parts of the borough for tall buildings (page 138 & 139), High Path is wholly appropriate for tall buildings having regard to:
- the planned Local Centre,
  - its location within an Opportunity Area,
  - its proximity to a station and excellent public transport accessibility,
  - the identified regeneration opportunities; and
  - the proposals to deliver a new public park at the heart of the masterplan (acknowledged in draft Policy N7.1 part j).
- j. The Character Study also encourages tall buildings to be located near to accessible public transport nodes. This aligns with criteria d) of the functional impact section of LP Policy D9. The High Path estate is located immediately adjacent to South Wimbledon Underground station, as well as alongside multiple bus routes operating along the main thoroughfares of Merton High Street and Morden Road. Whilst the Study does identify some heritage sensitivities to be considered in respect of tall building development at High Path (page 136 & 137), this is not unusual for an urban environment such as London where the setting of heritage assets can be appropriately examined at application stage via Heritage Impact Assessments.
- k. Having regard to the above, there is site-specific evidence to support tall buildings at High Path, and therefore the wording of criterion e) of draft policy D12.6 is justified.



**Issue (iii): Are the Plan's policies relating to tall buildings effective?**

Questions:

**2. There is no inclusion of any criteria in the policy to relate tall buildings to public transport accessibility; in this regard, should the policy relate to PTAL levels, and if so, how? Should the policy be extended to other areas with good public transport access?**

- a. We agree that the tall buildings policy should be extended to areas with good public transport access. We do not agree that the larger sites within the Estates Local Plan or other sites which are capable of being masterplanned require any reference to specific PTAL rating. As outlined above, the case for regeneration, and suitability for tall buildings, on the estate has already been appropriately evidenced and examined, via the adoption of the ELP.
- b. LP Policy H1 seeks the optimisation of housing delivery on sites *"which are located 800m distance of a station or town centre boundary"*. This recognises that the suitability of these sites for higher density development having regard to good access to public transport and amenities. It would therefore be appropriate for the draft policy D12.6 to embed similar wording instead.
- c. The Merton Character Study also recognises the importance of town or local centres, Opportunity or Intensification Areas, or proximity to a train station when considering suitability for tall buildings development. With regards the latter it says *"In addition to taking advantage of the accessibility this affords, the immediate setting of stations tends to be urban in character and therefore more suitable for accommodating tall buildings. Often train stations can provide areas of focused regeneration, where tall buildings can help contribute positively to defining a new, higher density character"*. This lends support to repeating the criteria in LP Policy H1 rather than focusing on PTAL ratings in isolation.

**6. Is the Plan consistent with the Estates Local Plan insofar as that adopted DPD's policies relating to tall buildings are concerned? Are there any MMs suggested to achieve consistency in these regards?**

- a. Yes, the Plan is consistent with the ELP in relation to tall buildings. Criterion 1. e) of policy D12.6 identifies sites within the ELP (namely Eastfields and High Path) as locations where tall buildings

may be acceptable. Policy EP H8 acknowledges that *“Taller buildings may be considered appropriate to facilitate intensified use of the site. Such buildings must be located appropriately and relate well to the surrounding context and public realm, particularly at street level”*. It is not necessary for the draft Local Plan to provide further policy considerations for High Path given the site-specific nature of the ELP policies which will guide the regeneration proposals.