

## **Matter 13: Tall Buildings**

**Victoria Crescent, Wimbledon (Site Reference: Wi11)**

**Participant Statement on behalf of F&C Commercial Property Holdings Limited (as advised by BMO Real Estate Partners and Stanhope PLC)**

*May 2022*

## Matter 13: Tall Buildings

---

**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 as those with a minimum height of 21m from the ground level to the top of the uppermost storey. D12.6 should continue to refer to criteria as per London Plan (LP) Policy D9 (A) within D12.6 itself to ensure compliance (rather than as set out in supporting text).
  - b. Moreover, this “tall” building reference does not translate to the site specific allocations themselves, to include Wi11; where the wording of the allocation description under the sub-title “*approach to tall buildings*” (page 315) refers to “*taller*” buildings. This description contradicts D12.6 and its “*Strategic Height Plan, Wimbledon Town Centre*” which identifies Wi11 as appropriate for “*up to 40m*” in height as a maximum parameter. As such, Wi11 should be amended at this part to reflect a reference to “tall” buildings (replacing “taller” buildings) to be consistent with D12.6, the above-mentioned Strategic Height Diagram and LP Policy D9 (A).
- 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 with appropriate heights also identified.
  - 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. In acknowledging the above, D12.6 confirms that “*in the right locations, tall buildings can make important contributions towards delivering new homes, economic growth and sense of place.*” Part 1 then identifies these “*right*” locations and provides a list of appropriate locations to include Major Town Centres, such as Wimbledon giving also reference to the relevant Strategic Height Diagrams where tall buildings will be considered acceptable. Consistent with LP paragraph 3.9.1, these are all sustainable locations which through the Local Plan have been identified for planned growth at well-connected, highly accessible locations with capacity for optimisation. Part 1 goes then further to identify, at sub clause (f), those specific site allocations (to include Wi11) suitable for tall buildings.
- d. These are clear and precise guidelines in identifying the most suitable locations and sites considered appropriate for tall buildings. D12.6 is therefore consistent with LP D9 (Part B) and NPPF35.

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

- a. Points above under Issue (i), Q1 (b) address this question to achieve conformity with Part A of LP Policy D9.

---

**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)?



### Tall Building Identification

- a. D12.6 (Part 1) clearly identifies locations and sites appropriate for tall buildings and with reference also to Strategic Height Diagrams which identify “tall building clusters” with maximum height parameters identified.
- b. This is compliant with LP Policy D9 (A) and NPPF 35.

### Strategic Height Diagram, Wimbledon Town Centre

- c. However, the “Strategic Heights Diagram, Wimbledon Town Centre” is ambiguous.
- d. This is in relation to the “Indicative Location of Tall Building Cluster Heights Range” defined as “up to 40m (approximately up to 10 storeys).” The primary reference is “up to 40m” and on the basis of a floor-to-ceiling height assumption of 3m (on average), this does not tally with the reference within brackets (i.e. the secondary reference) “up to 10 storeys.” It is worthy to note that the GLA’s standards require a minimum floor-to-ceiling height for residential at 2.5m and commercial and other town centre uses could feasibly achieve 3m. Therefore the secondary reference of “up to 10 storeys” is misleading and inaccurate.
- e. The storey reference should therefore be removed on the basis that there will be different assumptions in terms of floor-to-ceiling height across residential, commercial and other town centre uses forming part of mixed-use redevelopment schemes. A maximum parameter in the form of metres rather than specifying storeys - would be sound and clear in providing robust guidelines for future application proposals coming forward.
- f. Notwithstanding, the maximum height parameter reference (of “up to 40m”) is entirely in line with the findings of LBM’s Character Study (2021) supporting D12.6 in its recommendation to “step up” new heights, as a key focus around the station of this Major Centre. This approach creates a strong sense of place whilst bringing forward viable and deliverable, high density development which meets all of other strategic objectives set out within the Wimbledon Chapter of the modified plan itself. Further justification for this approach is set out under Issue (ii), Q1 (l) to (t), below.

- g. The new Local Plan can therefore rectify this position by identifying maximum height parameter, in metres only, for clarity.
- h. To conclude, on the above basis, it is strongly recommended that the secondary reference in brackets to 10 storeys is removed from the Strategic Height Diagram.
- i. Wi11 should also make reference to the “Strategic Height Diagram, Wimbledon Town Centre” and the maximum 40m maximum height parameter, again, for clarity and consistency (before references to the SPD) - given the former is the primary statutory reference point for tall building heights at the site.
- j. This recommended modification will ensure clarify, consistency and soundness in accordance with LP Policy D9 and NPPF35 tests (a), (c) and (d).

#### **Evidential Justification for Strategic Height Diagrams**

- k. The London Plan defines the Wimbledon/ South Wimbledon/Colliers Wood Opportunity Area (OA) as an opportunity for significant planned growth and intensification (pre and post Crossrail 2). The Plan at paragraph 2.1.27 promotes “*Wimbledon’s role as a Major town centre...*” and Table A1.1 of Annex 1 confirms it has “*high*” commercial and residential growth potential. Within Annex 1, “*high growth*” potential is defined as “*...town centres likely to experience strategically-significant levels of growth with strong demand and/or large-scale retail, leisure or office development in the pipeline and with existing or potential public transport capacity to accommodate it (typically PTAL 5-6).*” The modified Local Plan confirms that Town Centres found within the OA are “*suitable for large-scale development and significant increase in jobs and homes*” and explicitly refers to Wimbledon Town Centre (WTC) (paragraph 1.2.45).
- l. N9.1 sets out the strategy for growth within WTC and, as modified, the wording confirms support for “tall” buildings in accordance with the Strategic Heights Diagram and requirements of D12.6, as a means of delivery.

- m. Turning to local evidence, Merton Character Study (2021) provides an illustrative “Wimbledon Growth Theme Diagram” (page 103) which has informed the “*Strategic Heights Diagram for Wimbledon Town Centre.*”
- n. The GLA have published consultation guidance “*Characterisation and Growth Strategy*” (February 2022) which identifies, in the context of local plan making, that LPAs should prepare a borough or neighbourhood wide characterisation assessment which informs the capacity for change and growth (in different parts of the borough) and which includes identifying if there are locations where tall buildings may be appropriate. LBM’s Character Study and its scope addresses criteria set out in these GLA guidelines. This is therefore a sound approach. The draft guidelines rehearse London Plan guidance (paragraph 3.9.3 supporting LP Policy D9) in stating that “*boroughs should ensure that their tall building height definitions are set at heights that are substantially taller than their surroundings and cause a significant change to the skyline.*” It is also in the wider context of informing the optimisation of sites (GLA draft guidelines: Optimising Site Capacity; a Design-led Approach LPG).
- o. LBM’s Study identifies corridors for intensification and confirms opportunity for “*re-examining*” character with transformational interventions to “*intensify the most sustainable locations.*” There is emphasis within the town centre to a character-led approach in “*stepping up density towards Wimbledon centre*” (page 102). This correlates with the site locations (to include Wi11) identified as appropriate for “tall” buildings under D12.6. It also supports the high density growth strategy around the station - to include Wi11 as one of the largest assets within the Major Centre in its place-making contribution.
- p. The document, in terms of tall buildings assessment, gives consideration to a range of influencing factors in assisting LBM’s conclusion on suitable locations for tall buildings, to include an assessment of, but not limited: the existing local character (to include existing built form and typologies and existing heights); key physical opportunities and constraints across sub-areas of centres (to include WTC); potential for intensification in the context of strategic growth strategies; a framework of principles for tall buildings with clear design criteria which will apply at application stage; local heritage sensitivities (to include location of statutory and locally listed buildings); public transport accessibility (to include proximity to rail stations); and, public amenity.
- q. The Study, further, assesses “*suitability*” criteria (page 134) in providing a framework for consideration of tall building proposals, to include: proximity to a town or local centre; within an opportunity or intensification area; proximity to public park; accessibility by public

transport; and, within a strategic area of regeneration. A “heat map” was produced factoring in all these considerations and which identified the whole of WTC - as an important and suitable location for tall buildings (to include Wi11).

- r. The assessment and conclusion, therefore, at pages 138 and 139 of the Study have allowed such findings to be translated into the “*Strategic Heights Diagram, Wimbledon Town Centre*” supporting, again, optimisation and maximum height parameters within the indicative tall building clusters, closest to the station. This particular assessment, in terms of criteria, is entirely compliant with LP Policy D9 and its supporting paragraph 3.9.1.

#### Character Study – Inadequacies

- s. Whilst the objector considers the Study has been undertaken in broad compliance with the LP, it is considered that “*townscape views identified into the town centre*” have not been subject to any formal strategic or local views analysis, at plan level. It is recommended that this reference is excluded from the “Strategic Height Plan, Wimbledon Town Centre” - with detailed visual impact assessments to support individual schemes coming forward, at application level (and as triggered by D12.6 (Part 3)).
- t. The Study could have also have gone further in setting out the emerging, new heights context in terms of recent planning decisions within the locality of the station. This sets a strong precedent for considering new heights, as a baseline. This aligns with LP paragraph 3.93 supporting D9 which states that “*in large areas of extensive change, such as opportunity areas, the threshold for what constitutes a tall building should relate to be evolving (not just existing) context.*”
- u. Further, the document appends a “document of A4 plans” containing a plan entitled “*heritage at risk*” but this area directly correlates with the exact extent of the entire Broadway Conservation Area within WTC. It is a blanket designation with frontage buildings identified (to include parts of Wi11), where neither statutory or locally listed buildings exist. It is also noted that the statutory Grade II listed theatre is not identified as “*heritage at risk*” extent, as per this plan. Further, at page 136, “*heritage at risk*” is identified as Heritage Land not individual statutory listed or locally listed buildings.
- v. No heritage impact assessment of sensitive heritage receptors in concluding on “*heritage at risk*” has been undertaken. It does, however, identify individually listed (statutory and

otherwise) as a baseline consideration. The heritage impact assessment is a matter for the application stage. The plan relating to “heritage at risk” (page 136 of the Study and appended) should therefore be removed.

- w. Notwithstanding, these self-contained inadequacies, D12.6 does define and establish locations appropriate for tall buildings at borough and town centre level.
- x. It is therefore considered to be compliant with Part (A) and Part (B) of LP Policy D9.

**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. LBM have developed a combination of evidence - in considering baseline and high-level impact considerations for tall buildings potential; starting with LBM's Tall Buildings Background Paper 2010; through to vision objectives set out in Future Wimbledon SPD; and the Character Study (2021) undertaken by Allies and Morrison and Solidspace, in developing the tall buildings' evidence further.
- b. The points highlighted above under Issue (ii) Q1, points (l) to (t) provide further understanding of the evidence base to support D12.6.
- c. At a site allocation level, in accordance with Part C of LP Policy D9, it is a matter for development proposals to demonstrate that specific heights, within the maximum parameters, are acceptable addressing visual, functional, environmental and cumulative impact considerations.
- d. D12.6 (Part 2) clearly sets out material planning and design requirements which should inform the above and Part 3 confirms that development proposals for tall buildings should be supported by detailed townscape analysis. In accordance with Part C of LP Policy D9, this recognises that the detailed impact testing (for example, heritage impact, townscape and views and sunlight and daylight) will all be undertaken to justify application proposals.
- e. D12.6 therefore provides that further level of control - at the decision-making stage. This is also consistent with LBM's Character Study (page 134) under the “framework criteria” set out for assessing tall buildings at application stage.



- f. On the above basis, LBM's tall buildings policy is considered sound but only on the basis that the recommended changes to D12.6 are made in relation to its "Strategic Height Diagram, Wimbledon Town Centre" – as strongly recommended under Issue (ii), Q1 (i) to (k). This will ensure clear, precise and sound tall building policy.

**6. Would the inclusion of tall buildings for site allocations Wi2, Wi5, Wi6 and Wi11 be consistent with the Framework's objective of sustaining and enhancing the significance of heritage assets, in terms of the setting of New Wimbledon Theatre and the former town hall, both of which are listed buildings?**

- a. Points made above under Issue (ii) Q1. (l) to (t), summarise LBM's evidence and analysis that underpins the "tall" buildings approach set out under D12.6 in justifying identified locations. This includes having regard to nearby heritage assets in concluding on maximum tall building parameters, to include the tall building cluster where Wi11 sits.
- b. This evidence is satisfactory, at plan-level.
- c. Part 2 of D12.6 is clear that tall buildings within the identified locations will be supported where *"they enhance the setting and/or relationship with neighbouring heritage assets."*
- d. Wi11 acknowledges its location within the setting of the listed former Town Hall and Wimbledon Theatre – both Grade II listed. It also recognises the proximity of the Broadway Conservation Area and therefore the heritage and conservation area impacts for consideration at application stage.
- e. D12.5 addresses *"managing heritage assets"* and at sub-clause (b), identifies that all development proposals associated with the borough's heritage assets or their setting will be expected to demonstrate, within a Heritage Statement, how a proposal *"conserves, and where appropriate enhances the significance of the asset in terms of its individual architectural or historic interest and its setting."* Whilst both assets are statutory Grade II listed (and not Grade II\* or Grade I), policy outlines the heritage considerations that development proposals on Wi11, will be expected to adhere to.
- f. The modified Local Plan acknowledges that application proposals will need to be tested against a comprehensive list of criteria as set out in D12.6, Part 2, (f) to (t). Further, D12.6, Part 3 identifies the requirement for detailed townscape analysis to consider short, mid and long views in terms of impact and indeed impact on heritage assets. It further cites a policy

requirement for digital 3-D model, in agreement with the Council, to consider visual impact within a wider context.

- g. It is also important to note that at paragraph 12.6.7 in supporting D12.6, it states that: *“if the buildings form a cluster or in close proximity to others, they should not compete, and their composition must be considered.”*
- h. Therefore, the maximum parameters (in relation to both tall building clusters identified for WTC) will, at development management level, experience height variations as individual scheme proposals develop. These scheme heights will have their own unique context in addressing localised impact and indeed respond to other submitted or consented tall building proposals in terms of height, block orientation, open space and public realm and other design considerations.
- i. Detailed technical assessments, to include heritage impact assessments addressing impact on nearby listed buildings, can only be undertaken at the point of application proposals with an illustrative scheme in place to assess, and then further identify mitigation and enhancement.
- j. For example, in terms of the listed Town Hall and future proposals at Wi11, the illustrative scheme might consider set-back storeys at upper levels closest to the listed building, to retain views and setting, should that be a requirement as a result of a thorough heritage impact assessment. It is interesting to note that LBM’s recent decision in relation to the approval of a maximum 12 storey, new building at St George’s House (opposite the station and broadly equidistant to the town hall as Wi11 is located); cited (within the committee report) no impact on views or nearby heritage assets (to include the former Town Hall) given the high-quality design and other mitigations inherent to the scheme.
- k. There is adequate control within the modified Local Plan to ensure that the Framework’s objective of sustaining and enhancing the significance of heritage assets is upheld alongside maximum height parameters (only) identified on the Strategic Height Diagram.
- l. However, should it be deemed necessary to provide the Inspectors’ extra comfort on this matter, the objector would be content to propose the following wording insertion to site allocation Wi11.

“Development should respect the character, appearance and setting of these nearby listed buildings and be supported by a Heritage, Townscape and Visual Impact Assessment having regard to the other relevant design and heritage policies within the Plan.”

---

**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. Yes, PTAL 6a should be identified within D12.6 (both policy and Heights Diagram) for WTC given its excellent location for public transport accessibility and, in turn, where greatest density should be achieved.
- 4 Is Policy D12.6 clearly written and unambiguous so that it is evident how a decision maker should react to development proposals?**
  - a. Yes, D12.6 provides Part 2 setting out site specific criteria for consideration of application schemes as they come forward on a site-by-site basis within the maximum height parameters, as per the height diagram.
  - b. However, D12.6 “Strategic Height Plan, Wimbledon Town Centre” is required to be amended as per our underlined recommendation under Issue (ii), Q1, (i) to (k) - to be sound.
- 5 Do the criteria contained within the policy provide sufficient detail for managing proposals for tall buildings within the areas identified to be reasonable, justified and effective?**
  - a. Yes, for all the above reasons in providing adequate future controls to consider detailed technical impacts at the time individual scheme proposals come forward.
- 8. Are the site allocation policies sufficiently clear as to whether tall and “taller” buildings will be acceptable?**



- b. Yes, provided recommendations set out above at Issue (i), Q1, point (b) is carried forward.