

**From:**

**Cc:**

[Future Merton](#)

**Subject:**

Re: Local Plan / 'dirty' ground / windfall planning gains?

**Date:**

29 February 2024 02:04:17

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**This Message Is From an External Sender**

This message came from outside your organisation.

Dear Carmel,

Like yourself last week, apologies for not acknowledging the courtesy of your very helpful and clear response sooner.

Thank you also for going to the bother of 'signposting' the examination library, and giving directions about how to submit comments.

Many thanks

On 23 Feb 2024, at 13:44,

wrote:

Dear

Thank you for your email. Firstly, my apologies for not replying sooner, I have been unwell this week.

I think your concerns need to be addressed directly to Merton Council. I only work as an administrator for the planning inspectors appointed to review the Local Plan, and at this stage of the examination process I cannot pass any unsolicited correspondence to them. However, it would be appropriate to make comments on the published Main modifications before the deadline in March. All comments need to be sent directly to the Council. For your convenience, I have included below the latest news item from the Local Plan examination news page which gives details on how to send comments.

**2 February 2024** – Following the hearing sessions held in 2022 and in the light of the post-hearings correspondence between the Inspectors and the Council, the Planning Inspectors have published [INSP25](#)

[Inspectors covering note to main modifications](#), and permitted the council to publish the Main Modifications for consultation. The main modification (LBM29), a version of the Merton's Draft Local Plan with all the proposed modifications incorporated (LBM31) and other related documents can be viewed in the [examination library](#). Please submit any comments that you may have on the proposed main modifications by Friday 22 March 2024 to [future.merton@merton.gov.uk](mailto:future.merton@merton.gov.uk) or in writing to FutureMerton, Merton Civic Centre, London Road, Morden SM4 5DX. The Planning Inspectors will consider all responses received to this consultation before issuing their final report on Merton's Local Plan.

Kind regards

Carmel Edwards

On Mon, 19 Feb 2024 at 11:54,  
wrote:

cc

**Mayor of London;**  
**Dept for Levelling Up, Housing & Communities;** and  
**Planning Inspectorate** - TBC (Case Officer details pending);  
**Merton** (Corporate - CEO and Leader's Office, and Planning - various); and  
The Right Hon. **Stephen Hammond, MP.**

Dear Carmel (I hope it's OK to use your first name like that despite not yet being introduced) and copying FutureMerton / others,

I could badly do with some sound advice, and so, dream that you may be able to assist...?

Background:

A developer recently used a local school as the venue for a so-called 'drop-in session' about a local site, which not one of our local Councillors (including one parliamentary candidate) were in a position to attend as it was scheduled to conflict directly with a full Council meeting. Considering the anti-democratic nature of this opening gambit, I have already advised the developer and its agents of various items of misinformation subsequently put about as fact at this gathering (copying in Merton, naturally), as well as the pretty 'free-wheeling' nature of the 'rambling about the room' that went on, the contradictory and sometimes incoherent nature of verbal and written information and the fact the recording of community concerns was shut down, with devices being powered off (and indeed, packed away) while invaluable 'local knowledge' was still in full flow, and well before the time they'd advertised their session would terminate. All told, a pretty shambolic first performance on the part of the Chartered Surveyor, the Planner and their two comms agency guys. When asked about Building Regs, PW and Rights of Light approaches, there was some insinuation that these very valid and genuine community concerns were somehow 'irrelevant'...? Irrelevant to whom, being the obvious question this begs...? They seemed more

interesting in babbling about trellis to older community members than engaging around the fundamentals of quality design and, perhaps even more importantly, quality build?? Community engagement levels in Ireland are such that I was genuinely shocked - where I come from, this kind of slapdash approach would be seen as doing nothing but getting people's back up.

They've apparently entered into conditional contract with the owners, subject to planning permission for somewhere between 17-30 beds (depending on which version of reality one currently subscribes to) being granted, on an off-street 0.09ha former garage / automotive works site. Their own outline drawings highlighted just what a 'nasty' little site this is, in terms of both practical arrangements and lack of outside space for any kind of thermal or acoustic 'discharge'. Oriented east-west, it abuts the gardens of about forty existing family homes, and is in very close proximity to multiple traffic restrictions, including school safety zones. Sandwiched in between the Broadway and the recent HMO explosion along the Kingston Road, infrastructural challenges already abound in terms of water, power, etc. All the usual stuff of life in London, or any other major urban centre, I hear you say...

Modelling? It seemed to come as a genuine shock to the developers that some local residents were taken aback at the orientation of the units. When asked, they confirmed no solar mapping had been conducted, nor water / sewerage discharge modelling. Indeed. They had not apparently so much as seen the water maps for the locality. We were assured all this would be taken in hand in good time for their consultation meeting, suggested to be April sometime - time will tell? (We were already aware of the ten unit cut-off for SuDS.)

#### Additional Concerns

[Planning Portal](#) states that land contamination is a 'material planning consideration' for sites known or even suspected to be contaminated.

1. Surely then, under UK planning policy frameworks and documents (including the requirement for each LPA to publish a **Brownfield Land Register**, thereby recognising sites it regards as suitable / appropriate for residential development), **each LPA should FIRST, before** publishing any individual site to its Brownfield Land Register:

- understand the contamination condition of the site;
- satisfy itself that any future proposed development will not pose an unacceptable risk; and
- garner / gather sufficient information to be confident that it will be able to grant permission bearing in mind the need for the necessary remediation to be viable and practicable?

2. **What then for sites not yet even listed on Merton's Brownfield Register as suitable or appropriate for residential development?** Can it be right that speculative land developers / consultants / owners can somehow 'bypass' the required Register, identify an individual unlisted site and instead move direct to engagement with elected public representatives and officials of the LPA around a specific, future / imminent application that the LOA has not yet deemed suitable or appropriate for residential

development before looking at the condition of the land in question? Is there to be no consideration of the potential degradation of the environment by individual proposals?

3. **MULTIPLE, PROXIMATE SITES?** Aside from car park runoff (including stormwater-captured road dust flowing into the watercourse, carrying with it polycyclic aromatic hydrocarbons (PAHs), petroleum hydrocarbons, and other poisons), **heavy metal contamination** is common in former automotive and garage sites, including: chromium (Cr), lead (Pb), nickel (Ni), cadmium (Cd) and cobalt (CO) (see reference below). What about small areas with a number of separate 'dirty' sites in close proximity to each other? For example, is it not reasonable to expect that [Merton's Local Plan](#)

might at least mention such areas, particularly when they have historically been both marginal and ignored, a situation only compounded by recent revisions of electoral boundaries in close proximity? **Under UK planning processes, how else can any kind of structured, framework approach be enabled?** In terms of calculating risk assessment, how else can the LPA credibly guard against the **potential dispersal, mixture and recombination of any pollutants / contaminants across and between sites** on a cumulative basis, and the consequences arising for public health? The legislation speaks of contaminator-pathway-receptor linkages. Complex analysis is surely required where, for example, an individual site may not alone breach (for example) EPA 1990 Part 2A thresholds, yet where the future development of a number of 'old' dirty sites in sequence or together might cause a cascade of catastrophic effects by 'unlocking' pollutants / contaminants heretofore passively contained in undisturbed soil? Who bears the cost of all this - the LPA or those who seek the windfall gains arising from (effectively) changed planning designation of the site(s)? If so, are costs apportioned on a pro rata basis by site size, or is there some other tried and tested mechanism? Practicalities such as differing site levels and differences in the level of surrounding land must surely also be taken into account? (A brief example with numbers: if my adjoining garden is 50cm below the level of the proposed development site, and proposed foundation depth is 60cm, then surely soil samples must be taken to the level of 110cm below site level to ascertain what might have been 'captured' down there in preceding decades of established use?) Is calibrated augur or other soil sample extraction method typically employed - thereby enabling atomic absorption spectrometer, geo-accumulation index, pollution load index, etc. - or what is the preferred route to data?

4. **'Cancer clusters'** and other public health considerations? I have been in separate recent contact and keenly await response from Merton (Public Health and Environmental Health) about an apparent cluster of cancer cases (including deaths) in close concentration on this road, and possibly, others. Hopefully, it is nothing more sinister than merely, say, some kind of statistical anomaly, but we must reserve judgement until such time as the proper authorities can gather data and properly determine on the basis of individual's confidential medical data, over which we assume Merton has powers of compellability, (anonymising) in the public interest?

5. Can the Local Plan expressly record / reflect the extent to which Merton, in previously rezoning industrial sites (including local 'clusters' of such sites) into residential use in the past, required one or all of the following

**remediation measures, (specifying also intensity) as a condition of planning** to adequately reflect its accepted risk assessment of land condition:

- Containment
- Excavation and Disposal
- Bioremediation
- Soil Washing;
- Thermal Treatment;
- Chemical Oxidation;
- Chemical Reduction; and / or
- Phytoremediation.

6. In realising these risk levels, may it also be established whether Merton typically **requires developers / builders to arrange specific insurances (whether at pre-application, application or subsequent phases) to guard against contamination risk**, over and above 'normal' protection levels against the more generic 'pollution risk' within the construction industry?

7. Execution phase - on polluted / contaminated land planning permissions, how far can the LPA go to reduce 'plausible deniability' risk by ensuring a single 'team' carries a project through 'from soup to nuts'...? Can the Local Plan provide mechanisms / impose planning conditions cognisant of shared site characteristics / density of particular site-types?

**Should the LPA choose not to make assessment of land condition a fundamental requirement of the pre-application or application phases of the process**, what scope is there for the Local Plan to impose planning conditions such as, for example, requiring developers to go 'full plans Building Regs' with Merton Council once the proposed development enters execution phase?

8. These particular developers might make more intelligent use of 'local knowledge'...? For example: Anyone who has ever dug a trench in their garden around here, whether to pour concrete foundations or for some other reason, will attest to **how high the existing water table is**. (The developers confirmed they hadn't yet consulted Thames Water so seemed completely unaware of this fact, as well as the pattern of typical sewerage discharge arrangements in the locality...?)

9. You're probably already aware that the High Court has determined that where a planning officer decides a case under delegated powers, reasons FOR granting permission must be granted (see case law: *Sasha and others (as Trustees of the Placement Pension Fund) v Westminster City Council* [2016] EWHC 3283 (Admin), clarifying interpretation of regulation 7 of the Openness of Local Government Bodies Regulations 2014 (SI 2014/2095)). A local Councillor has advised that about 40/2000 planning apps pa go to committee. Considering Merton's '**pockets of disadvantage**' / more vulnerable communities within otherwise apparently equally affluent Wards such as Wimbledon Town & Dundonald, surely it is all the more important some kind of **sound, consistent and coherent Borough-wide approach is documented in something like the Local Plan?**

9. Housing shortages and cascading environmental collapse are (sadly) twin

evils of our future times. As wealth-holding continues to concentrate, they are likely to accelerate, not reduce. All the more reason for LPA's such as Merton to get a specific plan in place urgently for handling applications to convert industrial sites to housing use, and to publish checklists for developers targeting individual / combined sites (as well as surrounding communities) so FACTS can be more readily established. (See again Reg 7, as referenced immediately above.)

A single comment on how we have got to where we find ourselves, if I may -

The voting system in my home country (proportional representation, single transferable vote) provides for more nuance and subtleties than the current British one does. While it has its imperfections, it makes for great sport on election days, and I respectfully submit, is also far more helpful for the scale of future societal challenge we face than this crude and brutish notion of 'first past the post'.

In closing, see below for your interest a pair of articles containing lists of some extremely interesting international source / reference material, freely available on Google Scholar.

**I await any response with a view to formally submitting more detailed comments on your published Main Modications in good time for your 22 March deadline.**

The situation is pressing - we are fearful of an apparent appetite to 'hide behind' the blanket phrase, 'presumption of development' - without properly exercising conscience or flexing intellectual capacity to the maximum extent possible.

We remain heartened, also, by the extent to which Councillors from within other wards are 'reaching out)' and asking to be kept informed and included as we move forward with 'next steps', thereby confirming this particular change of use issue is, like most problems, a problem shared. Indeed, some have even asked you to be included if you or others would like to come out and do a 'walkabout' between the various sites on our streets to deepen your practical understanding of just one live test case...?

Many thanks

- Car park run-off (road dust carrying polycyclic aromatic hydrocarbons (PAHs), petroleum hydrocarbons, etc):

<https://www.sciencedirect.com/science/article/abs/pii/S0301479714004265>

- Garage and automechanical workshop contamination of soil, including (but not exclusive to) heavy metals:

<40068\_2015\_40\_Fig1\_HTML.gif>

Analyzing soil contamination status in garage and auto mechanical workshops of Shashemane City: implication for hazardous waste management -



**From:**  
**To:** [Future Merton](#)  
**Cc:**  
**Subject:** [Dresselaers](#)  
**Date:** No Man's Land - Gladstone-Pelham-Russell Roads and beyond  
29 February 2024 10:10:32

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cc MP, Local Councillors and Carmel, FYI only (thanks again, Carmel)

Dear Sir or Madam,

From preliminary study of LBM31, please be advised we intend to formally submit comments before the closing date for Planning Inspectorate's Main Modifications in a few weeks.

Gladstone alone falls between too many stools for us not to.

See below earlier email to Development & Planning, indicative of our criticisms of this draft / community concerns for now.

Many thanks

Sent from my iPhone

On 29 Feb 2024, at 09:51,

wrote:

cc Councillor Anthony Fairclough, with thanks, and others

Dear Calum,

I am told you guys want to be made aware of 'community concerns' as early in your pre-application discussions with these Skillcrown fellas as possible? No doubt a more 'over-arching' account will come in from more directly impacted victims of the ludicrous densities, etc. they threw around at the first meeting shortly, but in the meantime, here goes for a solo non-surrounding neighbour run from the southern end of Gladstone.

In the context of the forthcoming developer meeting about 129 Pelham, I wanted you to know how concerned I am about WATER - all aspects. (See below about the Hollybrook mess we are already facing into.)

In the immediate aftermath of the shambles on 7th February, they were asked



to attend better to the specifics of certain blandishments they were throwing about at their last meeting (I'll forward you an email shortly that explains a bit more) and to stop patronising more vulnerable members of the community with silly talk about TRELLIS, when people around here are this week literally CRYING ON THE STREET about damp problems in rented accommodation (as we are already living so low to the water table before Archimedes Principle makes it all so much WORSE).

Life was already pretty gritty and real here on \_\_\_\_\_ Road even before the local authority gave permission for 300 beds of PBSA on the Kingston Road when we have a Weatherspoons at the top of the road, and persistent local weed problems, known to the Safer Neighbourhood Team and others. (Can the SBD Gold be written in as a planning condition, please?)

TBH, no one seems really much in the mood for fellas coming out again on 12th to blabber on about trellis.

They would be doing us all many favours if they took themselves, and the spatial, physical and contaminant-related realities of the site they are purveying a bit seriously, and spoke clearly about issues such as BIN PLACEMENT, living roof depth (not cheap and nasty trays of ugly sedum, which does NOTHING to enhance building fabric performance, responsible identification and remediation of what's in the ground under a former coal yard / car park, etc.

As the first to arrive and last to leave (with other neighbours) at their last session, I will be writing to them separately:

- to reiterate some 'local knowledge' points that came up which they have apparently failed to document in their feedback letter to some residents (e.g. conflating fox habitation and DEPTH OF LIVING ROOFS);
- to remind them of some commitments given (e.g. solar modelling of site orientation to make sure they fight WITH rather than against nature in positioning any newly constructed units so as to harness natural positives, rather than just brainlessly building where the current sheds stand because they don't understand the lived realities of site history pre-1970's); and
- to state again, this unique site requires MUSCULAR dispatch of engineering-related practicalities, including services - not some stupid, cursory 'lipstick on a pig', bing-bang-bosh, lampshade twiddling fantastical approach whereby community members are expected to believe applying BREEAM to new schemes is some kind of middle-class aspiration, rather than a desperate necessity for sustainability.

I am also going to ask them about supplying tea and buns as a courtesy, but that is probably just the Irish coming out in me.

When I used to manage community consultation and engagements within a local authority area in Ireland, you'd be lynched if you brought people out between 5.30 and 7.30 in the evening to stand around (tired and hungry) in dribs and drabs having random, unstructured chit-chat with **surveyors** that claim not to understand about roof depth, S6 of the PW Act, etc, **planners** that don't seem to know whether they are in the employ of the developer or the local authority and that pair from the comms agency flapping contradictory drawings about the place.

We are not the kind of community that responds well to being patronised in

these multiple respects, nor to having ground contaminants released into the wider ecosystem from MULTIPLE local sites or left to lodge in heavy, wet ground beneath our houses until such time as we are begin to GLOW from what we are ingesting.

I will copy in your public health also, as I already have queries lodged with them (and others) about an apparent cancer cluster in the middle of our street (for future reference, north of the Steve Redfearn site) that no one seems interested in properly looking at?

When future generations ask '**but after you knew, what did you DO**' I for one will not be left to answer 'nothing'.

I presume these developers have been given access to your [Local Plan \(including Main Modifications - v LBM31\)](#), I think? Although in the whole, vaguely schizophrenic in its simultaneous adoption of conflicting objectives, there is a lot of good stuff about actual local housing needs, overheating and water which they should probably read.

We know Skillcrown have conditional contract (no doubt ratcheted to planning permission density obtained) with . Some of the four gentlemen representing them at the FIRST developer meeting told some community members that 'Skillcrown intends' (whatever that means) to build it out, and sell to individual owners. If so, can this please be documented as a condition of planning? Because of the prevalence of 'escape of water' claims, short-cuts like plumbing by means of push-fit plastic piping should be shelved, particularly if this is ultimately to become a build-to-rent scheme with a 'juice- early-yields'-and-flip-it-after-five-to-seven-years-approach instead of the more pleasant scenarios they conjures up at their meeting in February.

They (spontaneously) assured us no planning application would be made until ATER the new biodiversity net gain regime comes into place in April, so can you ascertain what arrangements are in place for independent ecological site audit in the meantime?

The forgoing is all a bit 'random' as we are so early in the prosecution of the planning process. TBH, I was not familiar with requests for bilateral community communication with the planners during pre-app, although (naturally) I welcome any opportunity to attempt to positively influence them.

They should also STOP comparing with Graveney Mews. A vast site, by comparison, with an open and well-overlooked approach. Too many of us have been down for a look, and seen their sickly trees and overgrown single planting bed, about which I am already in correspondence with your colleague Leigh (contaminant testing, although it is more likely to be something like cadmium that lead, as that kills people without killing its 'host', vegetation.

Because of site proximity, this additional development cannot rightly be considered in isolation from the 40+ homes surrounding. If releasing toxins by, for example, having Thames Water dig up the alleyway to install and connect services, will render people surrounding unable to safely grow vegetables, or say, edible flowers, in the surrounding lands, you need to make sure THEY KNIOW and are appropriately compensated.

I have a lot of scientific journal articles about normal old coal / auto / garage land land contaminants - just shout if you would like to see, mainly Google Scholar. Where there is a CLUSTER of such sites, there is obviously an exponential risk of harm in terms of recombinants, whether through simultaneous or sequential site development.

I think it a DISGRACE your Lical Plan appears to contain NO hydrological maps, nor reference to our position on these streets, despite mention deprivation of Abbey Ward, when Russell Road is split between it and Wimbledon Town and Dundonald.

Many thanks for asking for pre-app community input.

Anything else, just shout.

Begin forwarded message:

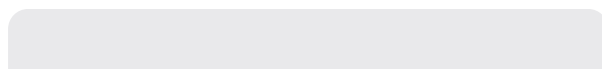
**From:**  
**Date:** 29 February 2024 at 07:53:59 GMT  
**To:**

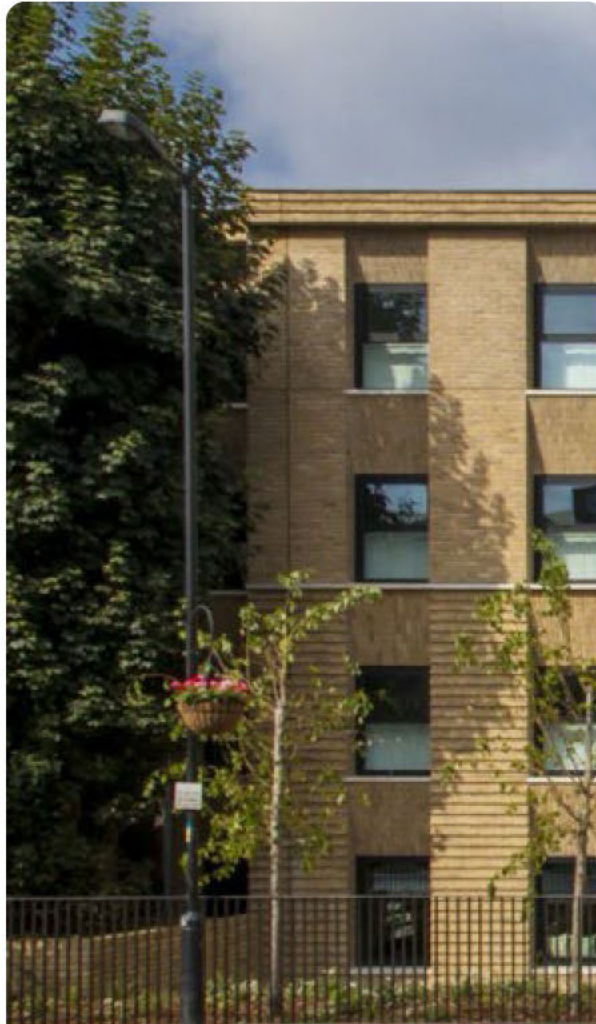
**UAL / Hollybrook, WATER -  
contaminant management deficiencies**

cc some Merton Councillors (Wimbledon Town & Dundonald, Abbey and Merton Hall)

Dear Hollybrook and \_\_\_\_\_, UAL (follow-up queries to unacknowledged correspondence earlier in the week),

Hollybrook's other recent UAL project in Peckham also catches the eye:





Eagle Wharf - Portfolio - Hollybrook  
hollybrookhomes.co.uk

It has been put to me that although larger in scale, the same queries apply as to the **adequacy of the pre-commencement actions you took to accurately establish what precise contaminants are in the ground, and in what quantities, and how you remediated to make sure none of them leached into the watercourse, whether on- or off-site, in the form of spoils?**

My reason for asking is that no one is able to tell me what we are to do when the water is gone...? It will make Covid look like a stroll in the (no pun intended) park. England has increasingly seemed to lack the structures, competence or appetite to deal with the fact that private, commercial interests are turning the rivers of this once 'green and pleasant land' into actual cess-pits, but it has saddened me more than words can say to recently realise old industrial sites are being used for housing with no apparent care for releasing hydrocarbons, heavy metals and who knows what other poisons into a scarce and diminishing resource.

Your apparent failure to apply any meaningful BREEAM measures whatsoever is another wasted opportunity, unless I have misinterpreted your position on living roofs, water capture, etc?

I have copied in FAO Jane McFadyen (having written to her directly days ago) as I am also shocked an institution like her own would support such practices. I cannot imagine its students will thank her for this attitude to water, nor their future, as-yet-unborn children and grandchildren.

Many thanks

On 28 Feb 2024, at 14:46,  
wrote:

Dear Sir or Madam,

I note with interest the importance you attach to sustainability:

<image0.png>

Considering the nature of the three industrial sites you are astride at your 271/bed PBSA project at the intersection of the A298 and tram lines near South Wimbledon, can you please reassure me with details of your risk assessment methodology in the above regard?

Can you please also explain how the statements published to the 'Sustainability' section of your website are actualised in 'real life' and how they apply to your planning documentation in respect of this project:

<Hollybrook-Kingston-Road-Wimbledon-CGI-1.jpg>

Kingston Road - Portfolio - Hollybrook  
hollybrookhomes.co.uk

People were clearing site yesterday, and works appear imminent, so the courtesy of your earliest response will be much appreciated, not least because

of the scale of ground works proposed, and the  
necessity of keeping hydrocarbons and heavy metals  
out of the country's water supply before we and all  
our children are DEAD OF CHEMICAL  
POISONING.

Many thanks

**From:**

**To:**

[Future Merton](#)

**Subject:** Clean, safe water - development and planning issue

**Date:** 11 March 2024 13:28:39

**Attachments:** [preview.png](#)  
[preview.png](#)

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Dear Chair / Councillor Mundy, copying Leader and Chief Executive, previous recipients of the chain below and others,

I write (pending the opportunity for more detailed elaboration in due course), to formally raise for your consideration, and the incontrovertible record, the notion of **clean, safe drinking water as a developmental and planning necessity, as well as basic human right** I fear Merton has overlooked, both in terms of:

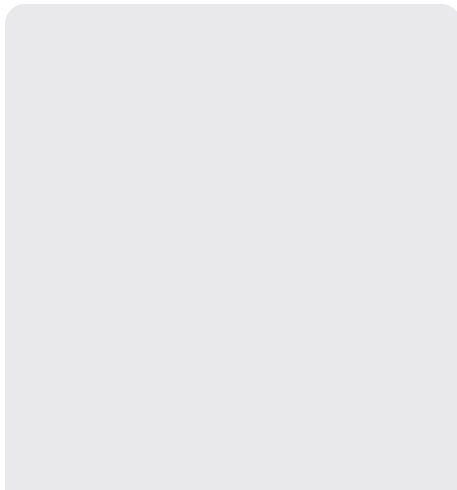
1. your draft **Local Plan** (copying FutureMerton, naturally), add
2. your imposition of **planning** conditions / subsequent derogations apparently awarded to corporate property developers and other successful applicants.

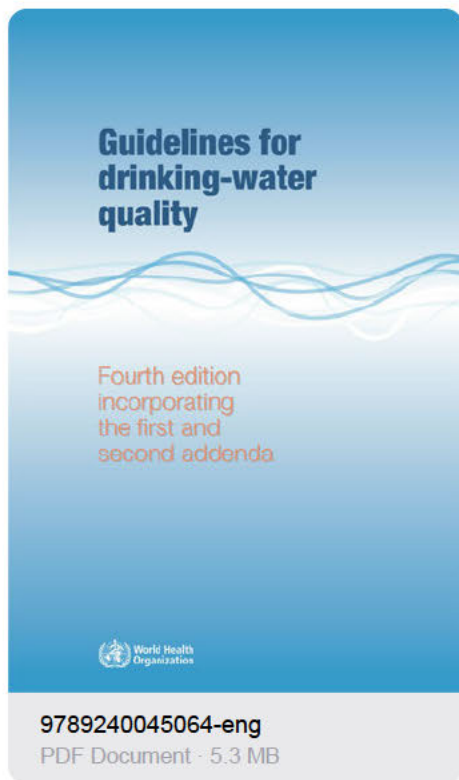
I am a long term resident (as tenant and owner) on

Aside entirely from the impact your decision to award permission to Hollybrook for almost 300 units of PBSA (Purpose Built Student Accommodation, a well recognised asset class in the modern age) without any community 'accommodations' documented anywhere in response, through your service to the Borough as an entity, you are no doubt already aware of the extent to which clusters of small auto and garage sites proliferate some local areas, none more so that at the intersection of Abbey, Wimbledon Town & Dundonald and Merton Park wards, namely Gladstone, Pelham and Russel Roads and their hinterland.

See the **WHO Guidelines for drinking water quality** (including both first and second addenda) wherein it states:

Many... chemicals...used in small industrial units within human settlements,...particularly where such units are found in groups of similar enterprises,...may be a significant source of pollution. Petroleum oils are widely used in human settlements, and improper handling or disposal can lead to significant pollution of surface water and groundwater.





See also (ONE international example of how other countries approach this matter), US EPA publications on heavy metals, including:



# Metals

Metals are elements present in  
metals found in waterbodies m

## Why do we measure

All metals can be toxic at high  
that are nutritionally essential  
ecosystems in small amounts  
manganese). Metal toxicity ne  
aquatic organisms. For exampl

- Decreases abundance and
- Changes reproduction, juv
- Causes spinal abnormaliti



In a waterbody, metals are either in dissolved or particulate form. Dissolved metals are smaller than a 0.45 micron ( $\mu\text{m}$ ) filter and are readily taken up by organisms. Metals can bind to clay, sand, or organic matter. Filtered metals are typically less bioavailable but organisms can still uptake particles through their gut.

Over time, dissolved and particulate metals can build up in the tissue of filter-feeding organisms. This process, called bioaccumulation, occurs when an organism absorbs a substance more quickly than their body can eliminate it. Biomagnification of some metals can also occur in an aquatic ecosystem.



If YOU as the LPA fails to ensure individual contaminants are properly assessed before commencement of private, residential housing development on old industrial sites, there is even less hope that the potential dangers of what hydrochemists call 'recombinants' can be accurately identified across and between individual sites that share the density of hydrocarbons and particularly, heavy metals common to former coal, garage and auto sites before they are released into the water course.

In case you are unaware of the STATE of the [Wandle as it flows north from here, please see the Royal Society of Chemistry's heatmap](#), as it relates to endocrine disrupting compounds, which cause CANCER, infertility, birth defects, etc.

Read on below from more background information, call me on 07833 947433 or to see how **light touch, self-certification regulation** used to pan out for communities (black teeth, cancer, death, etc.) simply watch movies such as *Erin Brockovitch* or say, *Dark Water* with Mark Ruffalo for the Hollywood version of today's impacts of what was merrily put in the ground in previous decades (primarily since WWII, when chemistry - and other branches of human endeavour - REALLY got dangerous to our future wellbeing.)

It is one thing profit-seeking developers and PBSA operators acting like a gang of crazed, greedy children, while bleating and shedding crocodile tears at the community about their noble intention to 'solve the housing crisis' that is largely of their creation on the first

place. It would be quite another if our Local Authority were to continue (apparently) ignoring the water quality and Public Health consequences for the community of dirty (old industrial) land being used for PBSA, BTR and other corporate purposes without adequate pre-commencement assessment of both individual and combined causes of genotoxicity, carcinogenesis, etc. and effective remediation thereof.

Considering past activities and disposal practices (of batteries, solvents, etc.) in previous decades. I support the above with recent correspondence from the Department of Levelling Up, Housing and Communities about interventions it currently has under consultation to assist LPA's in the detail of both interpreting and applying broad national policy pronouncements on developing 'brownfield' (both industrial and non-industrial) sites before irreparable harm is done to our shared (albeit currently privately-owned) water.

I suppose we must just bite down hard, remember Annington and for the sake of all of our children, continue to hope for a better future than this country's recent past.

Best wishes

On 11 Mar 2024, at 10:41,

wrote:

Dear Anthony

As regards your email last night about Wandle Housing Association, Anthony, I am less 'muzzled' than either their own tenants or neighbours who rely on their goodwill (for tree-pruning, etc.). Having lived beside them for so many years, and been the victim of their tactics too long (and too many times), please forgive me if I lack the energy to offer more than a two-word comment about their most recent email to you, which you were kind enough to share last night:

**Leopards.**

**Spots.**

Please note also that (unsurprisingly) the area has been left in a disgraceful condition. Pallets lying about, ground not cleared, etc. During Covid lockdowns, how lucky were the Gladstone Court children - unlike so many others (including my own, due to neighbours' development aspirations / value systems and priorities) - to have outside space to play (albeit not to the liking of all surrounding neighbours??), but Wandle would want to send someone out with a yard brush before they can do so again safely.

Similarly for parking, etc. - although probably NOT the multiple gangs of teenage youths that congregate there surreptitiously - albeit briefly - in the middle of the night / early morning hours on power-assisted bikes, segues, etc. - as recently raised with the Safer Neighbourhood Team (PC and PCSO's), Scotland-Yard based DOCO for our area and others. (Usually Thursday / Fridays, for your information...?)

The fact Wandle finally cleared their 'camp' on the very morning Skillcrown announced the date of their Second Consultation to the community is indeed a strange coincidence, and may speak to their established '[business partnership](#)', as advertised to their website (see photos, 6th Feb):

<IMG\_1880.png>

<IMG\_1879.jpeg>

Aside from all that, I had also written to the Head of Legal for the tri-Borough partnership less than 48 hours previously (see below) about your service of enforcement on Normic for operating a car park at 129 Pelham.

and others have owned

that land almost as long as I have been alive, and understandably, were trying to turn a bit of 'coin' out of it.

**What was the motivation of Merton Council in moving to enforcement as quickly as you did, and by whose authority?** There are some extremely 'hairy' statements and views in circulation in this regard, and many local people are deeply puzzled, and indeed, outright troubled, by the apparent discrepancy in response from the LPA.

While the owners / developers / Merton Council may advise it has heard 'talk' from concerned neighbours about crime risk, this does NOT seem to have percolated through to the SNT at all? (Odd? ) Were complaints made generally (for example, by a representative sample of surrounding / nearby neighbours) or a few outliers? Did anyone take care to look at the profile of such complainants, and whether inducements may have impacted their behaviour? (You'll appreciate why I would raise the issue of partiality, not least because of the additional months that were lost in respect of Wandle's decision to operate a builders yard upon the outside space at Gladstone Court, arising out of the alleged pronouncements of some anonymous alleged plumber or other, at the same time as neither the Council nor any other party could 'nail them down' to simply TELL THE TRUTH.)

After a certain point (7 Dec onwards), those of us who suffered worst at the hands of Wandle banged on at anyone who'd listen about the constant whining noise of those generators and other detriments they caused us to suffer, yet despite contradictions in their own published statements, simple GOSSIP and HEARSAY (your officer's reference to the unsubstantiated word of an unidentified member of some 'plumbing team') was enough to stay the hand of your enforcement team, while barely around the corner, something that arguably provides a valuable service to the broader community (parking) was served? (Whether anyone likes it or lumps it, people still drive cars, and many will continue to do so. We are all aware of how the local parking situation has 'tightened', even since Covid - due to EV charging points, and other factors such as the illegal parking and dangerous driving caused by the explosion in motorbikes and other 'delivery vehicles', some delivering fast food and other 'products' around the neighbourhood - as discussed with the SNT on a recent visit, many of whom live in the HMO's that have sprung up at the bottom of the road.

With 271 students - 14 of whom will be Blue Badge-eligible - coming to live at the end of the road after / before Hollybrook advise what toxins (if any) are

embedded in the ground at Waterfall and Rutlish, and how they will keep them out of the national watercourse (see [already](#) the extent of endocrine-disrupting compounds in the water directly downstream of us along the Wandle [here](#) - imagine what will happen public health as this continues to 'back up' into our locality?? This is analagous to how heavy metals bioaccumulate in any given human body - we cannot 'clear' them, hence DNA impacts, infertility, cancer, ulcerative colitis, etc.

Why does England, alone of all the nations on the Earth, behave like this? We can't simply blame 'posh schoolboys' at the helm for everything. The causes lie deeper, possibly in a general attitude of 'lack of accountability' caused by your colonial past?

Speaking of 'easy come, easy go' attitudes, I am also intrigued as to how [former](#) residents continue to drive in from other Boroughs, drop their children to local (private) schools and park in 'residents only' areas of our street while going off to work in what one neighbour calls their 'big jobs' / shopping despite no longer being resident on our street? Is this enabled by the unanticipated effects of privatisation (e.g. Ringo not shutting down annual visitor permits properly when homes are sold), or is it instead facilitated by grubby individualism - former residents cynically 'stacking up' on physical half-day or day permits before they cash in their chips and move on, while at the same time, wishing to (apparently, wrongfully) maintain their entitlement to park here as if still resident?

As pressure mounts (including the people the 271 students will unavoidably 'trail in their wake', particularly around holiday pick-up and drop-off), this kind of behaviour, while not to be esteemed, is unlikely to reduce - yet you want to CLOSE the facility at 129 Pelham???

Strewth!

And WHY?

Better convert it into an EV charging park, as one community member suggested recently...???

I welcome your views, while I continue to await a response from your Head of Legal. While it is welcome the Council gets itself a little better organised in this regard, whatever Enforcement Plan comes before the Council in coming months (cf Jon's email last week) will do nothing to unravel the mistakes of the past, or their (possibly unintended yet) perpetually catastrophic consequences for existing residents, and further afield - e.g. heavy metals in the water.

How can the development plan offer us NO protection, and why is there nothing evident in terms of controlling use of the student facility so we could at least enjoy a little respite in summer months, instead of allowing Hollybrook and any future corporate owners to [further](#) 'juice' short-term yields (per the Build-to-Rent model) by taking in English-language students for the summer months, thereby depriving local residents of what has been to many a crucially important revenue stream, particularly when their [own](#) children were at university...?

As any parent will mourn, acceleration in the consolidation of resource ownership into the hands of the few at the expense of the many is the modern equivalent of Empire and colonialism, and to any right-minded person, OBSCENE, in that it cannot but lead to lives of **sickly poverty** for coming generations as water becomes increasingly commoditised and the 'un-do' costs of the actions of current generations increasingly slip beyond the capacity of future ones to bear.

Fully thirty-five years ago now, while most of my our economics class aspired to become investment bankers, I elected to study subjects such as Environmental Economics. At the time, it was almost unheard of, but on the basis of common sense alone, it seemed self-evident that it would become critically important as populations and inequality continued to increase.

I appeal to you to have Merton do all it can to show leadership on the critical importance of the 'polluter pays' principle, particularly as it relates to 'dirty' sites.

Pre-agreeing to a bond requirement to remediate against future infertility, cancer and other public health problems shouldn't cost a corporate developer a thought, unless of course they are operating to the same principles as PG&E in Hinkley, Ca and DuPont in West Virginia, where they exposed themselves to HUGE reparations because 'crimes' (or at least, acts of abuse, while perhaps not then technically illegal) against the people, were covered up, manipulated around and generally 'kicked to touch' until such time as they could no longer hide the fact that the animals were dying in the fields, that people's teeth had turned BLACK from excess fluoride, and that there is a critical difference between Chromium 3 and hexavalent Chromium in terms of their impact on human DNA.

I would invite you to consider my grandparents words to me as a young child (oldest of six), when they used to say 'if you aren't part of the solution, you ARE the problem'...

No developed country on Earth is behaving like this one when it comes to future supplies of clean, safe water - <https://www.rsc.org/policy-evidence-campaigns/environmental-sustainability/sustainability-reports-surveys-and-campaigns/cleaning-up-uk-drinking-water/>.

Check out WHO references and national ones like US EPA / or I can forward if you like?

England stands alone, in all the WRONG senses.

Like me until recently, are you blissfully unaware that [acceptability thresholds here for some industrial effluents in the water run about TEN TIMES higher here than international norms, under-testing is a HUGE problem, yet STILL, the scale of the problem is GIGANTIC and GROWS](#) - including, with every careless planning permission award / WRONGFUL minor amendment or derogation in environmental quality standards 'negotiated' out of a local government system on the downwards trajectory to complete collapse since this country first signed up for this mysterious - and selective - beast called 'Austerity by any developer(s) post-award - no matter how well-intentioned!! The cumulative effect of all our actions is what can save us - or what will

damn us.

I've had dealings with too many property developers / in this town and elsewhere - to buy their lines about their noble attempts to single-handedly solve the housing crisis. They are profit-seeking entities, with little incentive to create homes above the minimum design or build standards, except in sticky markets.

Apologies - as the (much older) child of a (former) politician myself, I dread bringing your own child into this, but I understand you have a daughter? Think of her and her generation? It is one thing to be homeless - it is quite another to be homeless and dying of thirst.

I truly watch my children's teeth - and think about their future - in a whole new way since this all came to light over the last month or so.. Rest assured the property-owning classes in this country may be able to starve local government of resources, refuse to renationalise the water and generally (foolishly) curry favour with private interests who finance their electoral campaigns within an extraordinary (and again, internationally exceptional) voting system, but I defy them to deprive me of my parental concerns or right of access to my own keyboard. Apologies for bothering you, but this will pertain as long as my adopted country of residence insists on acting like the exception that proves the rule.

Best wishes as always, to everyone

PS UAL kicked things over to Hollybrook, who've gone 'radio silent' so if you have any contacts within either of these corporate entities, you might care to tell them that considering the annual rental yield they will pocket from [their filthy site at the end of my road](#), they should have the basic MANNERS and COMMON DECENCY to do [the proper assessment of ground contaminants \(individual and collective, allowing for mixing and combining when the ground begins to be disturbed\)](#) and respond to emails with specific community queries addressed to them? (Not least because my home is half-way between their rather aggressively sited 'student village' (or as some neighbours are calling it, 'The Hostel' and the nearest Weatherspoons. ) They may well have gotten away without identifying what's in the ground at former sites, but not this one, where they are SURROUNDED by a VERY mixed community which has been woken up to our plight. We all need to 'think globally, act locally', particularly when the national policy framework is so very weak and fractured. It is like good PARENTING. If the LPA does not act mindfully and put in planning conditions to guard the community against brainless, ignorant assumptions of the part of those who purport to 'develop' our communities, then we are all DOOMED, and it is only a matter of time before EVERYONE gets sick, and all our teeth start to turn black. This particular genie (hydrocarbons and heavy metals leeching / being otherwise released into the national ecosystem by the creation of housing units (including sewerage connections) at former INDUSTRIAL SITES (including historic coal, garage and auto sites) will not be easily put back into its bottle. Neither is it any kind of SECRET on the international stage to bodies such as the WHO, at least - see bottom p.191 for one specific reference.

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<preview.png>

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PDF Document · 4.1 MB

Begin forwarded message:

**From:**  
**Date:** 26 February 2024 at 13:15:42 GMT  
**To:**

**Cc:**

**Subject: Enforcement discrepancy?**

Dear Tracy and colleagues,

I live sandwiched between two sites that appear to be in unauthorised use, namely;

- An unauthorised car park on lands behind 129 Pelham Road;  
and
- An unauthorised regional depot / builders yards on land behind Gladstone Court.

Can someone please **explain the difference in your response across and between these two** neighbouring sites, when the one causing the greater nuisance (constant whine of generators for nearly twelve months , etc.) to surrounding neighbours is being persistently ignored, whereas you're apparently attempting to shut down the one providing an actual service to the community??

Please do not seek to reassure me on the basis of last December's gossip and hearsay from some unidentified member of some plumbing team. There is a fundamental inconsistency here that needs to be seriously addressed.

Many thanks

On 11 Feb 2024, at 13:14,  
wrote:

Apols - inadvertently overlooked Russell Road side Councillors on first send, who (aside from the distraction of about recent dramas surrounding the Gooseberry Bush site) have doubtless also been hearing from their interactions with the community about degradation arising from the above since March 2023. Unless serious and persistent power outages that side deprive community members of telecoms / their rightful 'voice', of course...?

Sent from my iPhone

On 11 Feb 2024, at 12:56,  
wrote:

Dear Luxmi and colleagues -

(1) Please can you advise **whether you maintain there has been no planning enforcement breach** by the creation of some kind of unauthorised builders yard at the above address about eleven months ago? (Plus, I know the Local Authority's capacity to act is limited as it is not 'on streetscape', but even before skips, the general refuse situation had



already been frightful for years. Note: our alleyway (right of way) adjoins this land, so we've been picking up out there for years.)

(2) Please can you provide any **evidentiary basis** for this position (if indeed this is your position)? Do you all think we who live here are simply LIARS??

**Please understand** - not everyone on Gladstone Road conforms to fallacious stereotypes. We are atypical in terms of people's perceptions of / assumptions about this area. Many members of our little micro-community are highly vulnerable people, who are terrified to even ask about this - especially older people, tenants on insecure tenure, disabled people, etc...

Please help? It is abuse of the vulnerable for this situation to be left ongoing. (For example, do you seriously imagine their own tenants do anything except 'keep the head down' and hope for the best?? They cannot tackle this.)

I for one gave up believing in happy endings a few decades back.

Please, please do not ignore this request?

What are 'next steps' here?

Much obliged

PS Rest assured I will not desist from raising this out of fear of being characterised as some kind of 'begrudger' (quite the opposite) or a 'random nut' ... such gossip and hearsay interests me not.



**From:**  
**To:** [Future Merton](#)  
**Subject:** Local Plan - some final comments  
**Date:** 22 March 2024 16:59:05

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Happy World Water Day, ironically enough.

Planning applicants trousering excessive change of use gains and then flipping sites and walking away before actually completing on their proposals has been very much on my mind since 7 February last.

We are all aware of the PLANNING CRISIS, and how this has manifested in the unaffordable supply of housing, due to market manipulation and other factors..

Fail to plan, and you plan to fail. Where an LPA allows itself to become so confused and distracted that it stumbles around in some kind of 'fog', as it were, responding in a completely reactive manner to whatever planning applicant happens to decide in the moment to try their luck on the roulette wheel of chance and happenstance, neither optimisation of housing supply based on local need nor development in the broader sense are unlikely to follow.

Paragraph 41 of the NPPF states that 'the more issues that can be resolved at pre-application stage, including the need to deliver improvements in infrastructure and affordable housing, the greater the benefits'. Hollybrook's UAL development (Merton 23/P0329) is an excellent case in point, where despite the 'dirty' nature of the land (old garage and auto sites are particularly notorious for contaminants such as hydrocarbons, degreasers and other aggressive solvents, and heavy metals) in more than one plot used to assemble this site, what recent correspondence from the Department of Levelling Up, Housing and Communities describes as 'the depth and spread. of contaminants is apparently a pre-commencement irrelevance to the LPA, despite common sense and its responsibilities re.the Water Regulations 2017. Lack of soil testing, laboratory analysis and quantification do not inspire confidence.

I have grave reservations about the Merton Plan, and cannot imagine how its provisions can be deemed adequate to the societal challenges we will all unavoidably face in the run up to 2038, not least the long, slow rolling Grenfell that lies at the 'beating heart' of (literally) everything - namely, the need for clean, safe water.

Furthermore, the lack of any kind of development planning around housing site 'pipelines' by Merton appears to have given rise to what seems an unstructured, free-wheeling approach to awarding permissions in what appears a careless manner. 'Pin the tail on the donkey' is no way to run a Borough, especially when prey to planning applicants with an appetite for Planning Inspectorate Appeals, Judicial Review, etc.

My own community has a density of old auto and garage sites that goes unrecognised or mentioned in the Local Plan, despite irreversible consequences for the locality, and particularly the Wandle of such contaminants (including HEAVY METALS) being released into the water table, as the PFAS levels barely downstream from here are already such a concern to those who understand such matters far better than I. English tolerances run at about TEN TIMES international norms, testing regimes are A COMPLETE JOKE

and largely because of the crazed ideologies of a rabid past, private ownership of this most precious resource has done nothing except promote THIRTY FIVE YEARS of cash-stripping, failures to invest, debt mountains being generated that require about 28% of revenues to service (DESPITE Thatcher 'cleaning' their balance sheets before selling them) - all culminating in actual POOP being cynically pumped into the watercourse as it costs less than DOING THEIR JOBS RIGHT...?!?! Since early Feb, I lie awake in my bed wondering what's ALREADY coming out of my tap in terms of genotoxic carcinogenesis - miscarriage, birth defects, cancers, ulcerative colitis, etc...??? Doubtless, this will all be ignored until it can't be - e.g. people's teeth turn black, as was the case in Parkersburg, West Virginia where DuPont's dominance lead (no pun intended) to utterly foolish decisions and outcomes. It is certainly not receiving mention in the Local Plan or revisions thereto.

Anyone with a brain in their heads can describe the consequences of the manner in which resources have been stripped out of the public realm, so I won't bore us all again by running through it again here. Suffice to say, the lack of capacity / appetite for planning conditions and obligations within Merton is a complete wonder to me. Laissez faire had its day in the Klondike, and efforts afoot by

In terms of CONSULTATION, my community has recent cause to reflect upon the selective interpretation of the legislation by planning applicants, including those which employ elected public representatives from within other Boroughs to promote their proposals locally.

I will close by saying that I have no sense that the Local Authority has engaged The Community (odious term) in any novel or particularly fruitful ways to inform or obtain mandate for many of the provisions of the Local Plan, as evidenced by the failure to so much as address (or remediate) the unavoidable increase in water consumption of the All England Lawn Tennis Club arising out of its recent planning application.

I am tired of hypocrites 'crying' about the co-called housing crisis and the state of the environment, and expecting they will somehow 'dodge the consequences' when the CHICKENS contained in the sophistry of certain sections of this Local Plan some home to roost.

Best wishes