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Dear Sir/Madam

**LONDON BOROUGH OF MERTON
STAGE 3 DRAFT LOCAL PLAN PUBLIC CONSULTATION
TAMWORTH LANE SITE- REF Mi14**

We write on behalf of our client, United Westminster & Grey Coat Foundation (the 'Foundation') in relation to the Stage 3 Draft Local Plan formal consultation.

Foundation's Charitable Objects Delivering Public Benefit in Merton

The Foundation is a registered charity operating academies and independent schools in the London area. Ensuring that the Foundation's assets are fully contributing to its charitable objectives is central to its approach to the Tamworth Lane site. The trustees are committed to making sure that these assets are used to advance social mobility, diversity and opportunity for wider public benefit, particularly for those communities where the Foundation has enjoyed historical ties. This careful management allows the Foundation to distribute £1 million each year for educational purposes to its state academies, for targeted bursaries to widen access to its independent schools, for outreach projects with other state schools and to provide additional financial support for disadvantaged students.

The challenges presented by Covid-19, and the resulting increase in social divergence and disadvantage, have only reinforced this responsibility, as part of which the Foundation has created a specific 'catapult' fund to aid students affected by the pandemic.

It is this mission of public benefit which is at the forefront of the Foundation's thinking, in seeking to realise the value within the Tamworth Lane site to deliver much needed new homes. The Foundation's proposals will not only see further investment in educational opportunities but will help to enhance the Borough's sporting facilities. Moreover, as the latest draft Local Plan rightly sets out, they will make a crucial contribution to delivering on the Council's ambitions for the Mitcham Neighbourhood, contributing to high quality homes to meet the borough's growing housing requirements, and particularly affordable housing needs.

Ongoing Engagement in the Local Plan Review Process

The Foundation has played an active part in the ongoing Draft Local Plan review, having submitted representations to the Call for Sites consultation in January 2018 and further representations in January 2019 and in January 2021.



As part of the Local Plan review the Council commissioned the Playing Pitch Strategy (PPS) to undertake an up-to-date analysis of the supply and demand for outdoor grass and artificial playing pitches in the borough. This forms an important part of the evidence base to support the overall Draft Local Plan review. The Foundation have supported this process and held detailed discussions with the Council, Sport England and a number of sporting bodies since the commissioning of the PPS and adoption in October 2019.

The Foundation has been engaging with the Council in relation to their former playing field site at Tamworth Lane for over four years. During that engagement, the issues faced by the Foundation in seeking to find a viable use for the playing fields and the financial burden of operating the existing facilities have been explained in detail.

Background

Historically the site provided additional playing facilities for Westminster City School from around 1920 up to April 2011 when the use by the school ceased, although it has been in the ownership of the Foundation (successor to St Margaret's Hospital) since 1667.

Whilst some more limited use by local sports clubs took place up to March 2015, the playing fields are now sitting vacant and a new viable use needs to be found. The long-term renting out of the facilities to local sports clubs was not sustainable due to the financial shortfall which existed as a result. Therefore, it was not financially viable for the Foundation to keep the facilities open and they were closed in March 2015. Detailed information and evidence to explain this process was provided to the Council in January 2019 as part of our ongoing dialogue.

With the site sitting vacant and no longer required nor financially viable for the Foundation to run, a new use for the site needs to be found in order to bring the site back into use. As part of the issue of the draft Local Plan in October 2018, the Council proposed an allocation of the site for publicly accessible sports facilities, enabled by residential development. The draft allocation recognised the detailed evidence provided by the Foundation for the historic operation of the site for community uses for rental by local sports clubs, and the financial viability of the site. Importantly, the draft document highlighted the importance of viability in the potential future operation of the site for sporting use. The draft Local Plan also highlighted the need for additional housing generally within the Borough and also the opportunity this site presents to deliver much needed new homes.

Merton Playing Pitch Strategy (PPS)

Following the issue of the draft Local Plan in October 2018, the Council prepared the PPS. The Council issued the PPS in August 2019. At the Cabinet meeting in October 2019, the Council adopted the PPS and its recommendations.

PPS Recommendations

In relation to Tamworth Lane, it recommended that, alongside one other site, a further six-month time limited investigation should be undertaken by the Steering Group to understand whether a club or community group would be able to purchase and viably deliver part, or all of the site, for sporting use. Should the site not be delivered for sporting use, a Section 106 financial contribution will need to be agreed as part of any development on these sites. The monies would go to reinvest in other sport facilities in the borough. With the Council adopting the PPS in October 2019, the six-month process concluded in April 2020.

The PPS provided a clear recommendation of which sports should be investigated at Tamworth Lane. Recommendation C1 outlines that the Steering Group will work with the ECB in identifying additional



pitch capacity to meet the growing cricket demand in Merton as a whole. Tamworth Lane was one of seven sites in the borough for potential investigation during this extended six-month period.

Engagement with the Council, Sport England and Sporting Bodies

During this extended period of investigation, DP9 have been in regular dialogue with the Council to support this process and the work of the Steering Group. As part of that dialogue, the Foundation facilitated a site visit to Tamworth Lane in February 2020, ahead of the expiry of the period in April 2020. This was attended by the ECB, Surrey Cricket Foundation (SCF) and the Rugby Football Union (RFU) to view the site and inform their potential development of viable proposals on this site as one of the seven sites they were exploring.

Following the site visit in February 2020, the Council held further discussions with Sport England (SE), the ECB and SCF around their interest in the site. The Council asked for more information around the business case to support the expression of interest as part of the need to bring forward viable proposals. The Council were also interested in which local clubs would use the site as none had expressed an interest as part of the detailed work undertaken through the PPS.

Detailed discussions were then held between the Foundation, SE, the ECB and SCF in August 2020 to understand their business case for the viable use of Tamworth Lane. The Foundation were also interested in what work had been undertaken to explore which local clubs could potentially operate the site. SE, the ECB and SCF explained that no detailed work had been undertaken around the business case or which local clubs would use Tamworth Lane since the February 2020 site visit. It was explained there was the potential for rugby to also use the site alongside cricket.

Preparation of Site Investigation Report and Pavilion Condition Report

A series of next steps were agreed. SE, the ECB and SCF requested that a site investigation report be undertaken to understand the conditions of the site and the costs of bringing it back into a viable sporting use. It was also requested that the Foundation undertake an appraisal of the condition of the existing pavilion building to understand the costs of bringing the building back into use. The Foundation funded the preparation of these reports to allow discussions to continue.

The ECB recommended a number of companies who could undertake the site investigation report. The Foundation engaged in discussions with these companies, with formal appointment made in November 2020. The detailed brief for the site investigation report was shared with SE, the ECB and SCF in order to ensure it met their requirements.

The report was prepared during December 2020 and was issued to SE, the ECB, SCF and RFU in December. The report provided a comprehensive assessment of the condition of the site and set out the costs of bringing the site back into a sporting use.

January 2021- Ongoing Discussions with the Council, Sport England and Sporting Bodies

A further meeting was organised in January 2021 with SE, the ECB, SCF and the RFU. The purpose of the meeting was to review the findings of the site investigation report and understand in more detail what business case could be put forward in order to deliver a viable proposition. It was explained in the meeting that no further work had been undertaken by the ECB, SCF or the RFU since the engagement in August 2020 around which local clubs might use the site. It was agreed that the findings of the site investigation report would be shared with the local clubs so they could understand the costs associated with bringing the site back into use.



The Foundation has made a formal offer to sell/agree a long lease over part or all the site to SE, the ECB, SCF and RFU. This sits alongside the cost information which has been provided by the Foundation to outline the physical and ongoing operational costs associated with bringing the site back into sports use. Whilst SE asked whether the Foundation would be prepared to sell/lease the whole site, this option had been discussed at the January 2021 meeting. It was explained that no funding existed for this option. However, those discussions are ongoing to understand whether the required finances are in place to create a viable sports proposition on the site.

Further engagement with SE, the RFU and ECB and SCF were undertaken in May and June 2021. A position statement was shared with the organisations and a further meeting organised. At the June 2021 meeting SE explained a number of local groups had expressed an interest although no names were provided. SE explained sensitivities prevented them from giving the names of the organisations as it may prejudice the use of their current facilities. In following correspondence, the Foundation explained they were willing to enter into Non-Disclosure Agreements to allow any parties to discuss their interest in leasing or purchasing part or all of the site in seeking to fully examine whether a viable sporting use can be found.

At the time of writing SE have provided a number of contacts. The Foundation are seeking to actively engage with them to establish their interest and business case for leasing or purchasing part or all of the site as part of fully investigating whether a viable sporting use can be found.

The Foundation have supported the Council in the preparation of the PPS, and the activities of the Steering Group. The Foundation have entered into detailed discussions with SE, the ECB, SCF and the RFU and provided specialist reports to understand whether a viable sporting proposition could be delivered. That support continues with the last engagement with SE and the various sporting bodies.

Draft Local Plan- Comments and Suggested Amendments

The Foundation continues to support the draft Local Plan and its objectives. However, some detailed comments and amendments are set out below. The amendments are shown through the deletion of text and the insertion of new text in italics.

Chapter 01B- Good Growth

Mitcham Neighbourhood

The Tamworth Lane site is located within the Mitcham Neighbourhood Area. The Foundation support the vision for the area, with good growth positively contributing to reducing deprivation. The Foundation support the vision to reduce inequalities and provide a substantial number of new homes (including affordable housing). This includes making more efficient and intensive use of land.

The Foundation support the creation of new public spaces to improve health and wellbeing. The Foundation believe that the Tamworth Lane site can deliver significant public benefit to achieve this vision to the benefit of the local community by bringing the site back into use to provide high-quality housing, as well as realising further investments in the Borough's sporting facilities and potentially providing public access to the site where currently there is none.

Chapter 01C- Urban Development Objectives and Vision

The Foundation support the six strategic objectives and believe that the Tamworth Lane site can help achieve them. The Foundation do make particular comment on a number of the objectives as set out below.



Strategic Objective 2- Supporting resilience

The Foundation believe that the site allocation at Tamworth Lane can help achieve this objective. The Council will achieve Strategic Objective 2 by building more well-designed new homes, particularly affordable homes and requiring new homes to be sustainable to help significantly reduce carbon emissions. In addition, the Council will seek to ensure public access is provided to formerly private open spaces and improve access to nature and leisure facilities including opportunities for sport, physical activities, play and relaxation. The allocation of the Tamworth Lane site can help achieve this strategic objective through the provision of much needed housing together with exploring the opportunities to create public access where currently there is none. This sits alongside the current exercise to establish whether a viable sporting use can be found over part or all of the site. The provision of housing at Tamworth Lane would make a significant contribution to facilitating a viable sporting use on part of the site through an associated enhanced s.106 payment. Should a viable sporting use not be delivered on part of the site, the creation of housing on the whole site and the associated enhanced s.106 payment would make a significant contribution to facilitating sports elsewhere within Merton.

Strategic Objection 3- places for people

The Foundation supports this objective to provide new housing through physical regeneration and the effective use of space. The Foundation believes the Tamworth Lane site can play an important role in meeting this objective by delivering high quality new homes within the Mitcham Neighbourhood.

However, we would suggest the following change is made to Part a.

Delivering quality new homes, associated infrastructure and social facilities that respect and enhance the local character of the area, in ~~places with good~~ *consideration of public transport accessibility and the 20-minute neighbourhood;*

Chapter 04- Mitcham

Draft Policy N4.1- Surrounding Area of Mitcham Town Centre

The Foundation supports the vision for the Mitcham Neighbourhood. They believe the redevelopment of the Tamworth Lane site can play an important role in realising that vision to improve the quality and mix of homes, including affordable homes. Paragraph 4.1.9 states that Mitcham is projected to accommodate a range of new homes, with major development sites including Tamworth Lane. Paragraph 4.1.10 states that good quality housing could encourage young professionals into Mitcham bringing increased spending power which could have a knock-on effect in improving social and environmental effects.

Through the delivery of new homes at Tamworth Lane and the site's integration into the wider area, an enhanced public realm and high-quality urban design can be realised. A key part of the draft policy is making more of underused spaces to encourage investment to improve public access and support greater and more diverse usage. The Tamworth Lane site has never had public access and has remained closed and unused since March 2015. The current draft site allocation would allow a meaningful use of the site through housing, potentially creating public access and facilitating investment in sports.



Chapter 11- Housing Provision

Draft Policy H11.1

The Foundation supports this policy and believes with the provision of housing at Tamworth Lane can play an important part in delivering the objectives of policy.

The table included within the draft policy examines a number of different scenarios in delivering affordable housing. It sets a strategic 50% target with a minimum provision of 35%. It is of course the case that viability assessment can be submitted in support of applications to determine the maximum reasonable level of affordable housing deliverable on a scheme. This approach is set out in London Plan Policy H5. We request this approach is reflected in draft policy as currently the focus on viability assessments is on off-site provision and payments in lieu.

Draft Policy H11.2- Housing Provision

The Foundation supports the aim to deliver 11,732 additional homes for the period 2021/22 to 2035/36. The Tamworth Lane site can make a significant contribution to that provision.

Chapter 12- Places & Spaces

Draft Policy D12.3- Ensuring high quality design for all developments

The Foundation supports the principles of the draft policy to create high quality developments. Part Q of the draft policy requires a minimum area of 50sqm for a garden for houses and maisonettes/duplexes. The provision of an appropriately-sized external amenity space is important for the creation of high-quality developments, but a 50sqm garden for all houses and maisonettes is likely to be hard to achieve whilst balancing the requirements for achieving housing numbers on a site.

Chapter 15- Green and Blue Infrastructure

Draft Policy O15.2- Open Space and Green Infrastructure

Part C of the draft policy deals with a potential scenario where an existing open space, including playing fields, has been identified as surplus to requirements as set out in part b of the draft policy.

Part C i states that ‘the proposals are of a high-quality design and do not harm the character, appearance or function of the open space’. As currently drafted there will likely be a conflict given that buildings are likely to be constructed on the site when the tests under part b will have been met. The supporting text at paragraph 15.2.7 should be used to replace the current drafting. We would suggest Part C i is changed to:

‘the proposals are of a high-quality design and be of a scale, height and massing which is appropriate to their setting’

Draft Policy O15.5- Urban Greening

As currently drafted the policy is too definitive and doesn’t recognise the constraints to urban greening which can impact on achieving targets. Draft policy should be amended to introduce the requirement for an assessment to be carried out and for urban greening to be maximised but reflecting the individual circumstances of a site. We would suggest the following amendment is made:



- a. Require major developments to incorporate urban greening through site and building design, by:
 - i. Conducting an Urban Greening Factor (UGF) assessment in accordance with the methodology set out in the London Plan;
 - ii. *Seek to achieve*ing an UGF of 0.4 for developments that are predominantly residential;
 - iii. *Seek to achieve*ing an UGF of 0.3 for developments that are predominantly commercial.

Draft Site Allocation Mi14

The Foundation propose a series of adjustments to the draft site allocation text. The amendments better reflect the existing circumstances of the site to clarify the existing lack of any public access and design considerations which sit alongside the residential use. In addition, whilst discussions ongoing with the Council, SE and the sporting bodies on the ability to create a viable sporting use, the amendments also reflect a further possible outcome on the future use of the site for housing, with investment made in off-site sports provision within Merton.

We suggest the text is amended to reflect the below:

Site Allocation

We suggest the text is amended to reflect the below:

Creation of new publicly accessible sporting facilities on part of the site enabled by residential development. If viable sporting facilities on part of the site cannot be delivered, the Council will consider residential development on the whole site.

Design and Accessibility Guidance

'If the entire site cannot viably be used for sports and recreation, the council will consider the creation of publicly accessible and viable sporting ~~or recreation~~ facilities on part of the site enabled by residential development on the rest of the site.

Development of the site is an opportunity to bring back an unviable site into use for viable sporting activities enabled by much needed new homes.

If viable sporting facilities cannot be delivered on part of the site, the Council will consider a residential development on the whole site. The provision of residential development on the whole site would facilitate an agreed s.106 financial contribution to provide new or enhanced sports or recreation facilities on another site within the borough.

Opportunity to masterplan the site to provide publicly accessible open space, new homes and associated facilities necessary to support residential development (such as children's play space).

Currently the existing site has no public access. Development proposals ~~must~~ should seek to ~~improve~~ provide some public access with the surrounding area through discussions with the Council, adjacent landowners and surrounding residents ~~between existing public areas and open space~~ through the creation of new ~~and more direct~~ footpaths and cycle paths links.

Development proposals must protect the amenity of neighbouring occupiers.

Development proposals must mitigate parking, transport and road safety impacts on neighbouring streets and local amenity.'



We trust that the above comments will be considered as part of the ongoing evolution of the draft Local Plan. We are also continuing the ongoing dialogue with SE, the ECB, SCF and the RFU around the creation of a viable sporting use on part of the site and will update the Council accordingly.

The Foundation remains committed to ensuring that its assets can be used to invest in its charitable objectives to widen educational opportunities. It believes that the Tamworth Lane site can deliver a significant public benefit to the community in Mitcham, by providing high quality housing, including affordable homes, as well as realising further investment in the Borough's sporting facilities.

If you require any further information, then please contact Tom Sweetman of this office.

Yours faithfully,

DP9 Ltd