

Matter 4: 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)

September 2022

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

Questions:

4. Policy BD2 of the Brent Local Plan has been referred to in statements and earlier hearing sessions –

a. Have the Council given any further consideration to the approach taken in that Plan?

- i. The Council will respond to this in full but it is assumed so on the basis that Policy BD2 and Brent's supporting Tall Building Strategy (March 2020) have been referred to in submitted Participant Statements and discussed as part of the Stage 1 Hearings as a comparable policy position.

b. Are the circumstances and context comparable?

- i. Yes. The Brent Local Plan ('BLP') was adopted in February 2022. Both Local Planning Authorities have therefore prepared tall building specific policies against the same national and strategic policy backdrop. In particular, in the context of London Plan Policy D9.
- ii. LP Policy D9 (B) explains how Boroughs, through local plans, should identify suitable locations for tall buildings with appropriate heights also identified.

Brent Local Plan

- iii. Policy BD2 of the BLP directs the development of tall buildings to "*Tall Building Zones*" as defined on the policies map and sets out how they "*...should be of exceptional design quality, consistent with London Plan Policy requirements in showing how they positively address their visual, functional, environmental and cumulative impacts.*" It is supported by area and site specific policies which contain individual parameters to

include minimum and maximum heights as well as design and heritage (as appropriate) considerations which are expected to inform development proposals for tall buildings.

- iv. The supporting text states that *“the heights identified for the Tall Buildings Zones, town centres and site allocations are based on a high level of analysis, rather than in many cases considering a detailed building design...Proposals will still need to be assessed in the context of other policies to ensure that they are appropriate in that location. There might however also be circumstances where the quality of design of a development and its impact on character is such that taller buildings in these locations could be shown by applicants to be acceptable”* (paragraph 6.1.15).
- v. The identification of suitable locations for tall buildings and appropriate heights in the Local Plan has been informed by Brent’s Tall Buildings Strategy (2020). The document is clear within the introduction that its role is to identify suitable locations for tall buildings and provide design guidelines. The expectation is that *“any planning application for tall buildings will need to demonstrate that the proposed design works best for the site and meets all relevant national, regional and local policies and guidance, including London Plan, Local Plan, Brent Design Guide SPD1 and this Tall Building Strategy”* (paragraph 1.11).

LBM Local Plan

- vi. Policy D12.6 similarly identifies locations and sites appropriate for tall buildings and with reference to the Strategic Heights Diagrams identify “tall building clusters” and maximum height parameters. Aside, to note the objector has been clear from previous representation that such height parameters (identified on the *“Strategic Height Diagram, Wimbledon Town Centre”*) should be “indicative” with a strong recommendation that “storey” references should be removed and that height reference in “metres” only remain on the Diagram. This has already been discussed with Inspectors at the Stage 1 Hearings but also reinstated as a continued recommendation within the objector’s submitted non participant statement on Matter 8 for these Stage 2 Hearings.
- vii. D12.6 (Part 2) then clearly sets out material planning and design requirements which should inform such development proposals. Part 3 confirms that these should be supported by detailed townscape analysis, to include consideration of any impacts on

heritage assets and will be expected as part of planning applications comprising development for tall buildings.

- viii. It is also supported by area and site specific policies, to include N9.1 and Wi11, which further reinforce the tall building strategy set out under Policy D12.6 and are to be read together with the requirements of theme-led policies (such as D12.5) in informing development proposals for tall buildings.
- ix. Similar to the BLP, the identification of suitable locations for tall buildings and appropriate heights in the emerging Local Plan has been informed by the Council's evidence base which includes the Tall Buildings Background Paper (2010), Area-specific SPD's, such as Future Wimbledon SPD (2020), and the Character Study (2021).

Comparable Position

- x. Both Policy BD2 and D12.6 are therefore compliant with LP Policy D9 (B) and provide a comparable policy and evidence-based approach to satisfying these provisions in relation to Wimbledon Town Centre, in particular.
 - xi. In accordance with LP Policy D9 (C), both Policy BD2 and D12.6 (and the evidence base underpinning them), also recognise the role of the development management stage of the planning process in determining the next level of detail. Whereby, detailed impact testing (for example, heritage impact, townscape and views and sunlight and daylight) undertaken to support development proposals for tall buildings, will demonstrate whether they are acceptable and appropriate when all the relevant policies of the Local Plan are read together.
- c. Would a similar approach in the Merton Local Plan be justified by the evidence base and would it achieve general conformity with the London Plan?

Brent Local Plan

- i. As cited at b. iv and v. above, the supporting text of BLP Policy BD2 and the Tall Buildings Strategy (2020) are both clear that the identification of suitable locations for tall buildings and appropriate heights have been derived from high-level analysis. The



detail is to be developed and tested further on the basis of this and in support of later development proposals when determined through the formal development management process. This is an entirely correct process.

- ii. The Tall Buildings Strategy (2020) provides the starting point of this analysis as an assessment of the capacity of identified growth areas. It gives consideration to existing building heights and townscape context, to include important and protected views, as well as levels of accessibility. At pages 56/57, it sets out 'Design Criteria' for tall building development proposals which aligns with the four main impact considerations set out under London Plan Policy D9 (C). A very similar approach has been taken within LBM's Character Study (2021), in terms of impact considerations, and an identified framework of "assessment criteria" (aligned with the London Plan 2021) for benchmarking later development proposals when under due consideration.
- iii. In the examination of the BLP, and in considering Policy BD2 against the tests of soundness (NPPF35), the Inspector gave regard to the evidence base available against the expectations of the London Plan. It concluded that whilst the level of tall building analysis undertaken at this stage may be limited "*...the assessment identifies areas with the greatest potential to accommodate tall buildings, taking into account site constraints and the implications of tall buildings on the area concerned. The evidence base is considered to be sufficiently robust to direct development towards suitable locations which can accommodate tall buildings. Overall, the approach adopted does, in our view, present a proportionate approach towards guiding the policy towards the location of new tall buildings within Brent*" (paragraph 154).
- iv. As such, and notwithstanding the need for some modifications to the wording of Policy BD2 and omission of one Tall Building Zone which was considered contrary to the Tall Buildings Strategy, the approach was considered to achieve general conformity with the London Plan.

LBM Local Plan

- v. In the same way, Policy D12.6 and the Strategic Height Diagrams are supported by a combination of local evidence in considering baseline potential for and high-level impacts of tall buildings. This comprises the Council's Tall Buildings Background



Paper (2010), Area-specific SPD's such as the Future Wimbledon SPD (2020) and the Character Study (2021).

- vi. The Character Study (2021) identifies corridors for intensification and confirms opportunity for “*re-examining*” character with transformational interventions to “*intensify the most sustainable locations*”.
- vii. In terms of tall buildings assessment, it 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 to: the existing local character (to include existing built form and typologies and existing heights); key physical opportunities and constraints across sub-areas of centres; 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.
- viii. 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” is also provided which factors in all these considerations and identifies suitable locations for tall buildings to include Wimbledon Town Centre.
- ix. The “assessment criteria” conforms with the relevant impacts identified for consideration under London Plan Policy D9 (C) and its supporting paragraph 3.9.1. For Wimbledon Town Centre, this has also assisted (beyond evidence set out above) to inform the Strategic Heights Diagram and the site locations (to include Wi11) identified as appropriate for “tall” buildings under Policy D12.6. Tall building clusters around the station, in particular, is a principle well established within the Future Wimbledon SPD.

Comparable Position

- x. The evidential backdrop to Policy D12.6 in respect of Wimbledon Town Centre is comparable to that underpinning BLP Policy BD2. It provides a sound and



proportionate analysis of locations considered to be suitable for tall buildings and identifies appropriate indicative heights. This is consistent with London Plan Policy D9 (A) and (B).

- xi. However, similar to Brent's Tall Buildings Strategy (2020), the Character Study and other relevant LBM evidence base documents do not seek to predetermine, at this stage, any greater level of detail. This is on the basis that both approaches acknowledge that this can only be understood through technical impact work which will give consideration to requirements of the Local Plan policies as a whole in support of any future development proposals for tall buildings.
 - xii. Instead both the Brent Tall Buildings Strategy (2020) and LBM's Study sets out a design "framework criteria" for the assessment of tall buildings at application stage. In terms of LBM, this has also been reflected in the wording of Policy D12.6 (Part 2) so together is consistent with the expectations and approach set out under London Plan Policy D9 (C).
 - xiii. The LBM approach is therefore similarly considered to be sufficiently robust and justified in relation to the tall buildings approach for Wimbledon Town Centre, in particular. Overall, the policy approach for this area is underpinned by a sound and proportionate evidence base which is in conformity with the London Plan.
- d. If taken forward in this Plan would a similar approach assist in the objective of ensuring that the Plan provides a strategy which, as a minimum, seeks to meet the area's objectively assessed needs, in a way that makes as much use as possible of previously- developed or 'brownfield' land (per paragraph 119 of the Framework)?
 - i. Yes. The Council's strategy for the delivery of tall buildings in Wimbledon Town Centre, in particular, as a well-established, recognised area for substantial growth is supported. The approach considers how appropriate densities can be achieved through regeneration and change in line with NPPF124 (d)) and will "*promote and support the development of under-utilised land and buildings...*" (NPPF 120(d)).
 - ii. As set out at NPPF125, and evident from c. v. – x. above, the approach is underpinned by a borough-wide Character Study which has considered the capacity for growth within existing built-up areas. This has identified potential locations for

greater height and densification in the context of identified housing and wider borough needs to “...*ensure that land is used efficiently...*”. For Wimbledon Town Centre in particular, it is complemented by a vision masterplan document (Future Wimbledon SPD) which seeks to provide high level guidance on design principles to ensure they are “...*creating beautiful and sustainable places...*”.

- iii. These have been translated into the Wimbledon Town Centre locations identified for tall buildings set out under Policy D12.6 (Part 1) and the associated design considerations set out under Part 2. Thereby, it is considered that the tall buildings’ analysis supporting the Local Plan paired with the provisions of Policy D12.6 which encourage a design-led approach to tall building delivery at the development management stage “...*set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously developed or “brownfield” land*” within Wimbledon Town Centre, in accordance with NPPF119.