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## **Urban Design**

### **Summary Proof of Evidence**

**265 Burlington Road**

**Planning application ref. 19/P2387**

**Appeal ref: APP/T5720/W/20/3250440**

On behalf of

**Redrow Homes (London)**

Prepared by

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## CONTENTS

<b>Qualifications and Experience</b> .....	<b>2</b>
<b>Introduction</b> .....	<b>4</b>
<b>Scope of Urban Design Evidence</b> .....	<b>5</b>
<b>Site and Surroundings</b> .....	<b>8</b>
<b>Design Policy and Guidance</b> .....	<b>8</b>
<b>Response to Draft Reason for Refusal 2</b> .....	<b>8</b>
Positive and Appropriate Response to Character .....	9
<b>Visual Amenity</b> .....	<b>9</b>
Design Quality .....	10
<b>Conclusion</b> .....	<b>10</b>

## **Qualifications and Experience**

- 1.1. My name is Colin Michael Pullan. I am National Head of Urban Design and Masterplanning at Lambert Smith Hampton (LSH). I hold a Bachelor of Arts Degree in Planning and a Post Graduate Diploma in Urban Design. I am on the executive of, and former Chair of, the Urban Design Group, a membership charity established in 1978 open to all who care about the quality of life in our cities, towns and villages and believe that raising standards of urban design is central to its improvement.
- 1.2. I have over 30 years' experience as an urban designer in the private sector, covering all design matters. I studied at the Oxford Polytechnic JCUD (now Oxford Brookes), one of the most distinguished urban design universities before moving into private practice as an urban designer & masterplanner at Thamesmead Town Ltd from 1987. From Thamesmead Town Ltd I moved into a private consultancy at Town Planning Consultancy in 1995 and then Chapman Warren Associates in 1999, during which time my experience broadened to take on national projects and more general planning and urban design issues.
- 1.3. From 2000 until 2011 I worked at RPS, a multidisciplinary practice where my responsibility as Urban Design Director was to provide urban design advice to public and private sector clients, with an awareness of both current and emerging best practice. From February 2011 until December 2019, I was an Urban Design Director at Lichfields. In January 2019 I joined LSH to head up their Urban Design team.
- 1.4. I have been the principal urban designer on many residential projects for both private and public sector clients and I have considerable experience in the preparation of layout and masterplans supported by development strategies, development briefs, design codes and design statements.
- 1.5. I have presented urban design evidence at appeal covering issues that are pertinent to this appeal, including matters of character, design quality and scale.

- 1.6. Most recently I presented urban design evidence on behalf of St William at appeal for residential development at a former gasworks in Hertford. Matters addressed included design quality, height, scale, character and context. The appeal was allowed January 2020.
- 1.7. I am very familiar with the site and its surrounding area and I have studied the relevant national, regional and local plan policy background. I was first instructed with regard to the appeal scheme in October 2018, to assist in the development of the then emerging scheme and attend a pre-application meeting at the GLA. Essentially my initial brief was to act as 'critical friend' or auditor of the design, a role I have continued to fulfill. I was appointed by Redrow Homes Ltd in February 2020 to prepare evidence in support of the appeal scheme.
- 1.8. My evidence is confined to urban design related matters. The Appellant's supporting architectural evidence prepared by Mr. Bacon of TP Bennett addresses matters of detailed design, scheme evolution and design quality. I confirm that, insofar as the facts stated in my evidence are within my own knowledge, I have made clear what they are, and I believe them to be true; and that the opinions I have expressed represent my true and complete professional opinion.

## Introduction

- 1.9. This Urban Design evidence has been prepared on behalf of Redrow Homes Ltd (“**the Appellant**”). It considers urban design matters relating to the appeal against the non-determination of a planning application that was submitted to the London Borough of Merton (**the “Council”**) for the redevelopment of the site at 265 Burlington Road, London, KT3 4PJ for:

*“Demolition of the existing buildings and erection of two blocks of development ranging in height between seven and 15 storeys and comprising 456 new homes, of which 114 will be one beds, 290 will be two beds and 52 will be three beds. 499sqm of B1(a) office space will be accommodated at ground floor level along with 220 car parking spaces, 830 cycle parking spaces, a realigned junction onto Burlington Road, hard and soft landscaping and associated residential facilities. The application also includes minor changes to the layout and configuration of the retained Tesco car park.” (“**appeal scheme**”)*

- 1.10. The application submission was submitted to the Council on the 19<sup>th</sup> June 2019 and registered on the 22<sup>nd</sup> July 2019. It was reported to the Planning Committee of 13<sup>th</sup> February 2020 with a recommendation that permission be granted, subject to any direction from the Mayor of London, completion of a S.106 legal agreement and S.278 agreement and conditions.
- 1.11. However, members voted against that recommendation of the Planning Officer. Council officers provided draft reasons for refusal (**rfr**) in an email dated 17<sup>th</sup> March 2020. Within same email, they confirmed that administration issues are preventing the application from being referred to the Greater London Authority (**GLA**) for Stage 2 consideration.
- 1.12. Following conversations between the Appellant and officers at the GLA, it was confirmed that the Mayor was unlikely to take over the application as planning authority and would be content to refer it back to the Council for determination. Given the uncertainty following the Coronavirus outbreak and the delay this may have on government functions, the Appellant decided to appeal against non-determination.
- 1.13. This evidence sets out the Appellant’s urban design case, having regard to the Council’s draft rfr 2 which relates to contextual design matters:

*“Notwithstanding metropolitan planning objective of optimising housing potential, as set out in policy 3.4 of the London Plan, the proposals by reason of their size, massing and bulk, would result in an overdevelopment of the site that would be overly dominant and unduly prominent, failing to relate positively and appropriately to local character to the detriment of the visual amenities of the area and failing to deliver a housing development of the highest quality in relation to its context. The proposals would be contrary to policies 3.5, 7.4 and 7.6 of the London Plan (2015), policy CS.14 of the Merton Core Planning Strategy (2011), and policy DM.D2 of the Merton Sites and Policies Plan (2014).”*

### **Scope of Urban Design Evidence**

- 1.14. This evidence appraises the urban design merits of the appeal scheme in light of relevant national and local planning policy and guidance. It considers:
- The local character and qualities;
  - The features and merits of the appeal scheme and how they relate to the above; and
  - The urban design matters to be addressed.
- 1.15. To arrive at a balanced judgement as to whether a scheme is harmful or not upon the quality of its surroundings, it is necessary to undertake a careful assessment of the scheme in light of the urban design related policies referred to in draft rfr 2. There are a number of relevant criteria set by the policies referred to and guidance which provide the basis upon which the appeal scheme’s appropriateness can be appraised. Accordingly this evidence undertakes a review of the appeal scheme against these criteria. Having regard to draft rfr 2, the Council’s Statement of Case, the Committee Report, Committee Minutes and third party representations, I consider that the principal urban design issue to be addressed concerns:
- The effects of the proposed development upon the character of the local context and whether they are significantly harmful
- 1.16. From the outset, Redrow Homes has worked with the GLA and Council Officers to produce a planning application consistent with the aspirations of policy and the site. The appeal scheme has evolved through an iterative process with Council Officers and stakeholders and including the local community through an exhibition.
- 1.17. The Officer’s Committee Report covers the design of the appeal scheme in depth, and has been informed by the comments of other officers, statutory consultees, third parties and design review. The Committee Report concluded that planning permission should be granted.

- 1.18. It is reasonable to expect that when recommending the appeal scheme for approval, the Case Officer was well versed with the local context, the site constraints and opportunities, having regard to all the views of consultees and local residents, design review and the requirements of design policy and guidance to come to an informed and balanced judgment. I concur with the Case Officer's support for the appeal scheme and set out my own supportive views against relevant design policies and guidance within this evidence.
- 1.19. Considering local context, the site has no local or strategic policy designations within adopted policy. It does not lie within a conservation area and does not contain any listed buildings, or is within the setting of any heritage assets or protected views. It is within an urban area - Shannon Corner - for which the principle of redevelopment and change is supported by emerging planning policy (Policy N3.4 Raynes Park: Site Allocation RP3 - Merton Local Plan 2015-2030 second consultation).
- 1.20. Neither draft rfr 2 nor the Council's Statement of Case cite harm in relation to the following matters usually associated with overdevelopment:
1. Quality of the living accommodation.
  2. Amenity provision (private and public).
  3. Outlook and privacy.
  4. Sunlight and daylight.
  5. The impact on neighbouring properties.
- 1.21. These are all matters that are comprehensively addressed in the Committee Report.
- 1.22. Furthermore, the GLA Stage 1 Report had no objections with regard to the proposed quantum/density of development.
- 1.23. Considering the effects of the appeal scheme upon the 'visual amenities' of the area, beyond stating that the difference in height and scale of the appeal scheme would not be in keeping with the context, draft rfr 2 and the Council's Statement of Case do not attempt to substantiate any harm of the appeal scheme.
- 1.24. It is acknowledged that the LB Merton is predominantly a suburban area typically characterised by predominantly two storey houses. The appeal site is within one of the few areas identified in the borough appropriate for tall buildings (Tall Buildings Paper 2010 - Page 59). The application is supported by a Design and Access Statement (**DAS**) and a



comprehensive Townscape and Visual Impact Assessment (**TVIA**), which described the surrounding character and appraised the effects of the appeal scheme upon the surrounding context. It is evident from the site appraisals in the DAS and TVIA that where there are views of the site, any development over two storeys will be a noticeable change – since much of the site is a car park and the buildings are at two storeys. However, change is emphatically not to be equated to harm.

- 1.25. The GLA Stage 1 report supported the proposed height and scale and the mediation of both considering the local context. The appeal scheme is up to 15 storeys - *lower* than the scale of development which the GLA were consulted on, and did not raise a concern with regard to scale.
- 1.26. The Committee Report concluded that the appeal scheme had no impact on visual amenities at paragraphs 7.6.31 and 7.6.65.
- 1.27. Considering matters of design quality whilst a Design Review Panel (**DRP**) ‘red flagged’ the scheme, for reasons that Mr. Bacon explains the Appellant was profoundly unconvinced as to the quality of advice being received by the DRP and decided not to resubmit the scheme back to the DRP following the various amendments which have taken place. I share the Appellant’s circumspection in this regard. . A design review can never replace the on-going dialogue that is possible to have with a well-informed case officer. The DRP was held on an evening session of 22<sup>nd</sup> November 2018 at an earlier point in the design iteration and as such, any recommendations can only be taken as a critique at a particular moment in time. There is no requirement to return to a DRP and the DRP was not invited to comment on appeal scheme. The Case Officer acknowledged in the Committee Report that matters raised by the DRP had been addressed (page 65).
- 1.28. Given that the DRP commented upon an earlier iteration of the scheme, and the consideration of the Case Officer whom carefully justified why they chose to depart from the recommendations of the DRP, as recorded in the officer’s report, I attach no significance to the concerns of the DRP with regard to this appeal scheme.

## **Site and Surroundings**

1.29. In summary:

1. The site is within a sustainable location. There is an emerging policy supporting regeneration and as such, development should seek to optimise capacity, subject always to producing a design of high quality.
1. The surrounding development pattern and grain has been shaped by residential growth to the south and east of the railway line and mixed use development of a greater scale west and within the context of the appeal site along the A3 corridor.
2. Along with other land along this part of the A3 corridor in both Merton and Kingston there is a growing interest in land and buildings and opportunities the sites can present to deliver significant new housing.
3. The townscape is not of high design quality.
4. There is no overriding character within the Shannon Corner TCA in terms of building style.
5. There are no policy designations or guidance that seeks to define a character or quality that should be preserved at Shannon Corner over and above the imperative for good design that has regard for its context.
6. There are no important views identified within the local context.

## **Design Policy and Guidance**

1.30. Relevant design policy and guidance is set out in the Statement of Common Ground and the Appellants Statement of Case.

## **Response to Draft Reason for Refusal 2**

1.31. In accordance with London Plan draft Policy D3 Optimising Site Capacity through the Design-led Approach - the development makes the best use of land by following a design led approach that optimises the capacity of the allocated site and determines the most appropriate form of development that responds to a site's context and capacity for growth, and existing and planned supporting infrastructure capacity.

1.32. There are no special circumstances in the local context to determine density or height.

1.33. The appeal site is within an urban area for which the principle of redevelopment and change is supported by emerging planning policy (Policy N3.4 Raynes Park: Site Allocation RP3 - Merton Local Plan 2015-2030 second consultation).

### **Positive and Appropriate Response to Character**

- 1.34. There is an expectation that change within the local context will occur, and how the area is perceived from the suburban surroundings will change. Consistent with allocation RP3 and NPPF Paragraph 130, the design accords with the clear expectations in plan policies to regenerate the area with regard to its surroundings.
- 1.35. With regard to the Council's tall buildings policy (D9) and supporting paper, the proposed buildings will contribute positively to the streetscene and make a powerful contribution to the quality and vitality of their setting, contributing to sustainable urban development.
- 1.36. The appeal scheme will enhance the Shannon Corner local character, replacing poor quality buildings and a car park along Burlington Road with an attractive frontage of apartments with ground floor activity. In accordance with the supporting text to London Plan Policy 7.4 (paragraph 7.14) the appeal scheme will help reinforce a sense of meaning and civility through: the layout of buildings and streets; the natural and man-made landscape; the density of development; and the mix of land uses at Shannon Corner. In accordance with Policy 7.6 Architecture: the appeal scheme will make a positive contribution to a coherent public realm, streetscape and wider cityscape. It will incorporate high quality materials and design appropriate to its context.
- 1.37. In accordance with the objectives of draft Policy DM.D2, the appeal scheme relate positively to the siting, rhythm, scale, density, proportions, height, material and massing of surrounding buildings on Burlington Road. It will reinforce the street pattern along Burlington Road and relate through design to the historic context. The architectural form is considered appropriate, having regard to Albany House and the red / brown brick language and elevation detailing that complements and enhances the character of the wider setting. The design and appearance are well referenced to the local vernacular and appropriate to the location.

### **Visual Amenity**

- 1.38. There are no important views identified within the local context. Views will change looking towards the appeal site. This change is accepted and anticipated as part of the emerging policy that supports regeneration of the Shannon Corner TCA. The TVIA concludes there would be a major beneficial effect within the site itself.

- 1.39. Having considered the appeal scheme in its setting, I find that the buildings will be an attractive and well-designed addition to the local context and will enhance rather than detract from the visual amenities within the area, consistent with the objectives of Policy D9 Tall Buildings

### **Design Quality**

- 1.40. Considering matters of design quality, neither the Committee Report nor the reasons for refusal provide any substantive evidence.
- 1.41. Consistent with London Plan draft Policy D4 Delivering Good Design, the scheme has been informed by its context and evolved through engagement. I consider that this will be a high quality scheme which will enhance the character and appearance of this area.

### **Conclusion**

- 1.42. This evidence provides a commentary on national and local design policy, an appraisal of the appeal site context and an assessment of the appeal scheme against the context and issues raised by the first reason for refusal.
- 1.43. The appeal scheme has evolved through an iterative process with Council Officers. It has been prepared by a development team with experience of delivering quality schemes.
- 1.44. The Case Officer's Committee Report covers the design of the appeal scheme with regard to the policy and design framework in depth. It draws upon the comments of other officers, third parties and others.
- 1.45. It is reasonable to expect that when recommending the appeal scheme for approval, the Case Officer came to an informed and balanced view. I concur with the Officer's support for the appeal scheme.
- 1.46. The appeal scheme will create an attractive place that respects and enhances local distinctiveness. Views along street spaces will change, but the appeal scheme will be seen as reinforcing/enhancing the emerging character and qualities of the Shannon Corner TCA.
- 1.47. The imperative for seeking to secure 'high quality' design or 'design excellence' is set by the NPPF at Section 12, the National Design Guide and in the context of this appeal, underlined by Merton Local Plan Policy CS14. In my opinion, the appeal scheme is a well-designed and

contextual proposal. In my view draft rfr 2 is not justified. The appeal scheme is of a high standard of urban design and the requirements and guidance on good design have been met. It is demonstrable that the design has been carefully considered with reference to architectural forms and details found within the local context to ensure that this will result in a high quality scheme which will enhance the character and appearance of this area.