

Town and Country Planning Act 1990

Appeal by: Redrow Homes Limited

**Against the London Borough of Merton in relation to the site at:
265 Burlington Road, London, KT3 4NE**

PINS Reference: APP/T5720/W/20/3250440

LPA Reference: PA/19/P2387



**265 BURLINGTON ROAD, LONDON, KT3 4NE:
URBAN DESIGN + TOWNSCAPE**

by Hugo Nowell

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**On behalf of the London Borough
of Merton**

9 November 2020

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PROOF OF EVIDENCE

**265 BURLINGTON ROAD, LONDON, KT3 4NE:
URBAN DESIGN + TOWNSCAPE**

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1 Introduction

1.1 Name and Qualification

1.1.1 My name is Hugo Nowell. I hold a Masters degree in Urban Design (University of Westminster), and am a Chartered Member of the Landscape Institute (CMLI) having a BSc and MA in Landscape Design (University of Sheffield). I have more than 25 years experience of masterplanning, urban design and landscape design projects in the UK and Ireland and have lived and worked in London for over 20 years.

1.1.2 I am a founding Director of Urban Initiatives Studio, an urban design consultancy that was established in October 2012. Prior to that I was Associate Director at Urban Initiatives, a planning and urban design practice, from 2003-2012, where I led a wide range of urban projects.

1.1.3 Urban Initiatives Studio is an award winning design and planning consultancy with an interdisciplinary approach to urban design, transportation, regeneration and development planning. We work on projects throughout the UK, Ireland and overseas, and are recognised as having an outstanding depth of experience in our field. Our masterplanning and urban design projects cover a broad range including strategic planning frameworks, mixed use and residential masterplans, site capacity studies, vision and concept studies, design codes and research.

1.1.4 Urban Initiatives Studio has particular expertise in regard to tall buildings. As a practice we have prepared building height and tall buildings studies for the London Boroughs of Islington, Hounslow (focusing on the Great West Corridor) and Tower Hamlets, for the City of Westminster, for Bath City Centre, the City of Derby, Royal Borough of Windsor and Maidenhead, the Belfast Metropolitan area, Dun Laoghaire-Rathdown (near to Dublin), and Torbay. We are currently progressing studies for the City of Liverpool, and have recently been appointed to prepare a Tall Buildings SPD for the London Borough of Tower Hamlets.

1.1.5 We also support our private sector clients to promote tall buildings through the planning system and are currently progressing proposals in London and Ireland.

1.1.6 I have been the Project Director responsible for many of these commissions.

1.1.7 I am a panel member, and occasional chair, for the Haringey Quality Review Panel. I am also design advisor to a number of local authorities and organisations including the London Borough of Bromley, Vale of White Horse District Council, Canterbury City Council and for the Talbot Project (advising a charitable trust, two local authorities and Bournemouth's two Universities). I am an occasional lecturer at the Bartlett School of Planning and University of Westminster and since 2013 I have also been a tutor to students on their final project thesis at the Bartlett School of Planning at UCL.

1.1.8 The evidence which I have prepared and provide for this appeal Ref. APP/T5720/W/20/3250440 is true and has been prepared and is given in accordance with the guidance of the Landscape Institute. I confirm that the opinions expressed are my true and professional opinion.

1.2 Reason for refusal

1.2.1 The London Borough of Merton Planning Applications Committee resolved to refuse the application on 13th February 2020 with two reasons given for this refusal.

1.2.2 My evidence will focus on reason 2: Townscape and visual impact.

“Notwithstanding the 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)”

1.3 Scope of Evidence

1.3.1 My assessment will address the urban design, townscape and place making issues relating to this proposal. My evidence will focus on the scale, form and height of the proposals, the response to the existing character and context of the site and the quality of the design proposals and how they interface with the existing area. I will examine whether the scale, massing and siting of the proposed development is appropriate to its context and whether the extent of its impact is appropriate in design terms.

2 Context and Site Analysis

2.1 Site Context

2.1.1 The Appeal Site is located on the western edge of the London Borough of Merton approximately 1000m south of Raynes Park local centre and 750m north of Motspur Park local centre. New Malden town centre, is located across the A3 (Kingston By-pass), approximately 1200m to the west within the Royal Borough of Kingston Upon Thames.

2.1.2 The Site covers 2.35Ha and is currently occupied by a two-storey office building (265 Burlington Road) and a distribution warehouse with associated surface car parking. The existing development provides a poor interface with Burlington Road with existing buildings set back from the street and the access to surface car parking areas dominating the street scene.

2.1.3 The Site is bound to the east by Burlington Road, with commercial properties to the south, a Tesco Extra store to the west and Raynes Park High School to the north. School buildings are located close to the site boundary on the northern edge of the Site. The Sacred Heart Roman Catholic Primary School is located to the southwest of the Site.

2.1.4 The northern edge of the Site is defined by Pyl Brook, (a tributary of Beverley Brook) and is heavily treed and vegetated on both banks. This part of the Site is designated as a Site of Importance for Nature Conservation (SINC). There is currently no public access to Pyl Brook in the vicinity of the Site. The Brook extends westwards under the Kingston Bypass to Beverley Park.

2.1.5 To the west of the Appeal Site major road infrastructure in the form of the Kingston Bypass and Bushey Road (A298), together with associated slip roads, form significant physical barriers to movement. The Raynes Park to Motspur Park suburban railway line is aligned north to south immediately to the east of Burlington Road with a level crossing on West Barnes Lane. A pedestrian footbridge extends across the railway line at this location.

2.1.6 The Site is located within a largely suburban residential environment composed of two storey family homes either arranged in terraces or as semi-detached properties. These properties are laid out fronting onto a connected network of residential streets.

2.1.7 The topography of the wider area is gently undulating with the Site itself low lying and land rising to the east towards Grand Drive and to the north towards Raynes Park and the Coombe Lane / Kingston Hill area. The built up urban area is interspersed with a tapestry of playing fields, recreation grounds, parks and other open spaces.

2.1.8 Burlington Road extends southwards beyond the Site and turns westwards to connect with Kingston Bypass at Shannon Corner. This stretch of road is lined with a mix of commercial properties. Whilst the quality of the townscape is mixed on Burlington Road the height of buildings is consistent at between two and four storeys.



Figure 2.1: Wider context Plan indicating the suburban setting of the Appeal Site

2.2 Planning Status

2.2.1 The Site is neither within a town or local centre and has no local or strategic policy designations.

2.2.2 At a local level the Site forms part of the RP3 Site Allocation within the emerging Merton Local Plan 2015-2030 (second consultation) **(CD/3.3)**, and is identified as suitable for comprehensive redevelopment to retain the supermarket with the same floor space within a new purpose-built unit and to optimise the remainder of the site for new homes, landscaping and access.

2.3 Existing and emerging character

2.3.1 The Townscape and Visual Appraisal (TVA) prepared by Lichfields on behalf of Redrow Homes (CD/8.2 and 8.3) and submitted as part of the application, identifies four townscape character areas within the immediate vicinity of the Appeal Site. These are:

- Shannon Corner;
- West Barnes Suburban;
- Burlington Road Apartments; and
- Recreational Open Spaces.

2.3.2 The townscape character areas are identified in Figure 14 on page 13 of the TVA and are reproduced here in Figure 2.2.

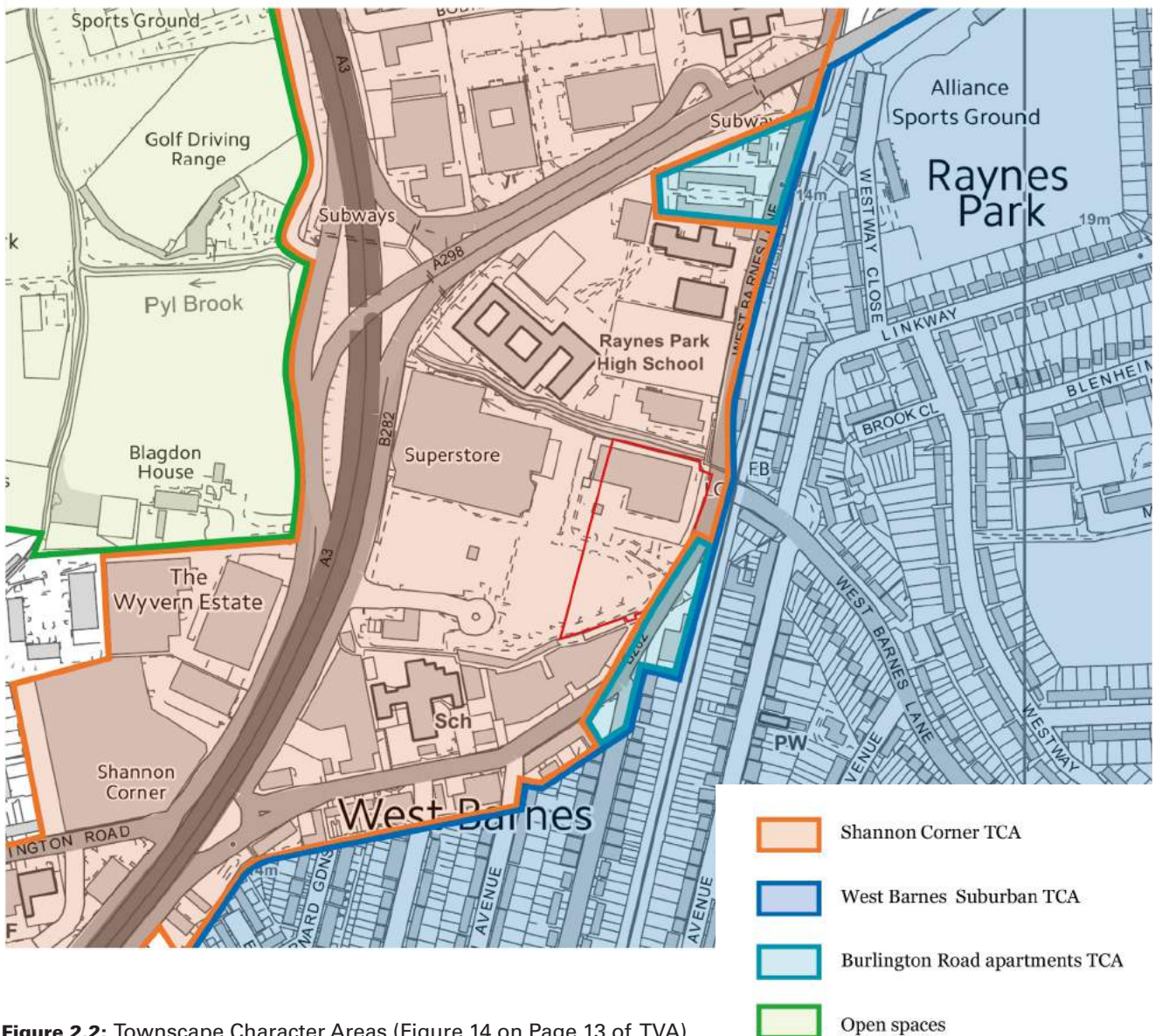


Figure 2.2: Townscape Character Areas (Figure 14 on Page 13 of TVA)

2.3.3 The Appeal Site is located within the area identified as the Shannon Corner townscape character area which extends to either side of the A3 and is described in paragraph 3.46 on page 14 of the TVA as being composed of “predominantly large retail warehouses and medium to small scale retail, industrial and employment uses that developed during the 20th century together with two schools” and a grain that “comprises medium to large building footprints”, roads with “poorly defined street frontage” and “little permeability and poor legibility in the area.” The Shannon Corner townscape character area is described as being of “very low townscape value with considerable potential for enhancement.”

2.3.4 Whilst the Shannon Corner townscape character area feels fragmented and is composed of a mix of buildings of varying quality and architectural styles parts of the area function better than others. The shopping parade on Buckingham Road, a number of the early 20th century industrial buildings and the recent residential additions (refer to paragraph 2.3.14 to 2.3.16 below) provide a positive frontage to the street that should provide design references for positive change elsewhere. Lack of investment in the public realm and street clutter diminish the quality of the existing environment and this has a significant impact on the feel of the area.

2.3.5 What is also notable about the area is its coarse grain and its lack of integration with the wider area. Whilst the surrounding residential areas are composed of a connected network of streets these do not extend through the Shannon Corner townscape character area.



Figure 2.3: Site photographs (November 2020) CLOCKWISE FROM TOP - New development at 300 Burlington Road responds to the character of the existing commercial buildings on Burlington Road; commercial premises fronting onto Burlington Road; and Burlington Parade and recent development on the junction with Claremont Avenue create a positive frontage to Burlington Road however this is undermined by a lack of investment in the public realm





Figure 2.4: Site photograph (November 2020) Suburban semi-detached houses on Linkway typical of the West Barnes Suburban townscape character area - the street views directly towards the Appeal Site

2.3.6 The West Barnes Suburban townscape character area extends to the south and east of the Shannon Corner townscape character areas. This area is described in paragraph 3.49 on page 16 of the TVA as being *“predominately from the first half of the 20th century”* and being composed of *“suburban residential development with long linear blocks of generally regular depth”* where the *“urban grain is generally fine and uniform, with long narrow plots with long back gardens and buildings consistently located towards the front of the plot”* and *“short terraced and semi-detached houses mainly of two to two and a half storeys”*. The character area is described as having a *“clear urban structure to the area with uniform and coherent characteristics in terms of use, building scale and massing and relationship to the public realm”*.

2.3.7 Many streets within the area are straight and offer views along their length. The modest scale of development in the area and the undulating landform means that views look towards more distant hills and a skyline where trees rather than buildings are prominent.

2.3.8 Two smaller parcels of land are identified in the TVA as the Burlington Road Apartments townscape character area. These areas are described in paragraph 3.53 on page 18 of the TVA as buildings of *“three to five storeys in height, with varied massing”* where the *“architectural style varies according to the age of construction”*.

2.3.9 The easternmost ‘Burlington Road Apartments’ parcel is composed of two recently completed developments; the first immediately to the east of the Appeal Site at 300 Burlington Road (Albany House) and the second a short distance to the east at the junction of Claremont Avenue with Burlington Road.

2.3.10 I would suggest that rather than treating these sites as an altogether separate townscape character area (Burlington Road Apartments) they should be considered as part of the evolving and emerging character of the Shannon Corner townscape character area.

2.3.11 Development on these sites is sensitive to their location at the interface between the finer grain West Barnes Suburban townscape character area to the east and the coarser grain Shannon Corner townscape character area to the west. At between three and five residential storeys the new apartment buildings successfully mediate between the two urban conditions whilst providing a positive frontage to Burlington Road.



Figure 2.5: Site photographs (November 2020) CLOCKWISE FROM TOP - Properties on Seaforth Road that back onto the Appeal Site; homes on Claremont Avenue close to the site; Raynes Park High School building located immediately to the north of the Appeal Site; recent development at 300 Burlington Road and at the junction with Claremont Avenue; View down Claremont Avenue towards the site; and homes on Linkway



2.4 Building height

2.4.1 Figures 2.5 and 2.6 indicate the height of buildings within the local and wider context of the site.

2.4.2 This part of south-west London is characterised by low scale suburban housing typically in the form of Victorian terraces or semi detached homes of two storeys and with occasional apartment buildings of three or four storeys.

2.4.3 Along Burlington Road, the shopping parades, light industrial uses and commercial buildings range in scale from two to five storeys. The tallest structure within the local area is the B&Q advertising column which is around 30m to the top of the totem (equivalent to approximately 9-10 storeys). This marks Shannon Corner and is highly visible from the surrounding area.

2.4.4 Buildings rising above the lower scale context are notable exceptions and stand out as prominent features in the townscape. These are generally restricted to town centre locations in Wimbledon and Kingston Upon Thames. More locally they include the two 16 storey towers built in the 1960's at New Malden Station, the more recent Blagdon Road development that, at ten storeys, marks the southern end of New Malden High Street and the 15 storey Civic Centre in Morden which also dates from the 1960s.

2.4.5 These taller buildings mark important locations within the wider townscape and help to aid orientation and legibility.

2.5 Public transport accessibility

2.5.1 The closest railway stations to the site are at Raynes Park (approx 1000m to the north) and Motspur Park (approx 750m to the south).

2.5.2 Burlington Road is a bus route and bus services provide connections to Kingston, New Malden, Raynes Park, Wimbledon and Motspur Park.

2.5.3 The Public Transport Accessibility Level (PTAL) across the site ranges from 2 (poor) to 3 (average) on a scale of 0 to 6b where 6b is the most accessible.

2.6 Summary

2.6.1 The Appeal Site is located within an area where positive change is welcomed; this is reflected in the site allocation in the emerging Local Plan. Existing development on the site provides a poor interface with Burlington Road with buildings set back from the streetspace and with large surface car parks delivering a somewhat bleak impression.

2.6.2 Development must however respond to the character and context of the area. The Appeal Site is located within a suburban area, does not benefit from good public transport accessibility and is nowhere near a town or even a local centre.

2.6.3 Recent development at 300 Burlington Road and at the Claremont Avenue and Burlington Road junction have brought positive change to the area. These developments have been designed with a scale and massing that responds to the existing context. Buildings step up from the two storey context to create a greater level of enclosure to the main street (Burlington Road) without overwhelming the setting of the lower scale residential hinterland.



Figure 2.6: Building heights (local)



Figure 2.7: Building heights (wider area)

3 Appellant's Proposal

3.1 Layout and massing

3.1.1 The Appellant Proposal is for 456 residential apartments provided within two urban blocks arranged to either side of a vehicular access route off Burlington Road.

3.1.2 Block A, proposed to the north of the access road, is composed of four buildings (A, B, C and D) and Block B, proposed to the south of the access road, of three buildings (E, F and G).

3.1.3 The proposed buildings are deep plan (up to 20m) and range in height from 7 to 15 storeys. Buildings C, D and G would front onto Burlington Road and are proposed at 8, 7 and 9 storeys respectively. Buildings A, B, E and F would be located to the western side of the site and are proposed at 13, 11, 15 and 9 storeys respectively. Building E, the tallest building, would be approximately 50m high and Building A approximately 43m high. These buildings would be far taller than any other building or structure within the vicinity. Figure 3.1 shows the massing of the Appellant proposals.

3.1.4 Residential apartments are proposed at podium level over ground floor car parking. A landscaped courtyard is proposed at podium level within the heart of each block.



Figure 3.1: Proposed massing of development on Appeal Site taken from DAS Addendum page 5 (storey heights indicated are the number of residential storeys over and above the podium level) (CD/9.3)

3.2 Ground floor condition / active frontages

3.2.1 Whilst the majority of the proposed ground floor space is identified for car parking, residential entrances and stair and lift cores would also be accessed at ground floor level. These, together with plant rooms, cycle stores, concierge / meeting space and a number of commercial spaces, partially wrap around the ground floor car park area. Refer to Plan E1180/D6100/P2 (CD/9.4) (Figure 3.2).

3.2.2 Figure 3.3 provides a mark up to plan E1180/D6100/P2 which indicates the locations where active frontages would be located and where frontage will be inactive or 'dead'.

3.2.3 Four commercial units are proposed on the Burlington Road frontage within Block A and these should, dependent on the occupiers, provide some animation of the streetspace.

3.2.4 The ground floor interface of Block B with Burlington Road, at the south eastern corner of the development, would however be almost entirely devoid of active use at ground floor level with car parking, a plant room and cycle store proposed to interface with the street and just one commercial unit proposed on the street corner.

3.2.5 The east - west road separating the two blocks would provide access to the residential parking areas and egress from the Tesco Extra Store. Active frontage on this east - west route would be limited to commercial spaces at the Burlington Road junction, a single commercial unit on the northern side of the route and residential entrances. The remainder of the east - west route would be lined by cycle stores, parking entrances and plant rooms providing no animation of the street space.

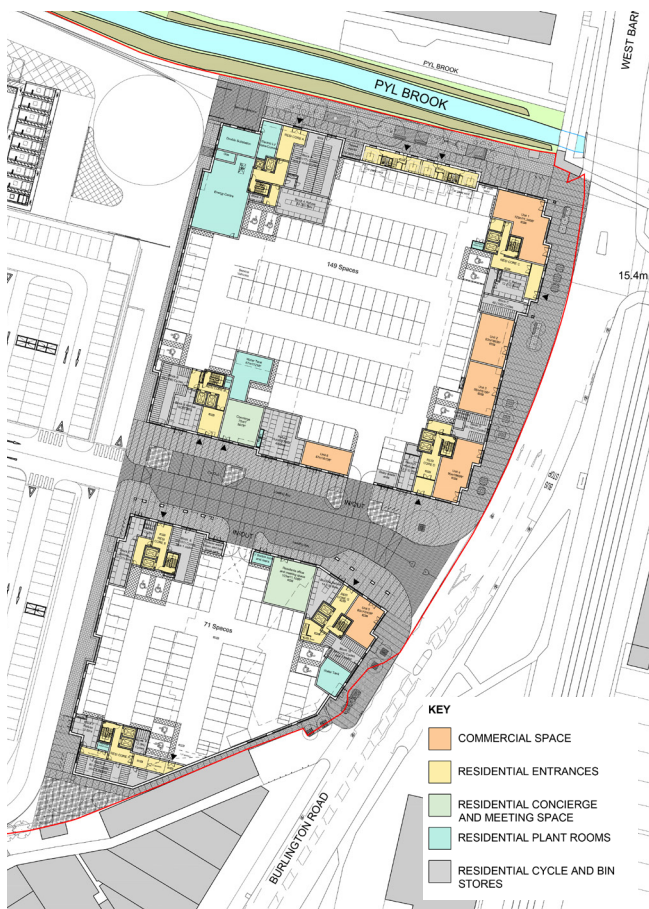


Figure 3.2: Ground floor plan of Appeal proposal (extract from drawing E1180/D6100/P2) (CD/9.4)



Figure 3.3: Ground floor plan of Appeal proposal (extract from drawing E1180/D6100/P2) marked up to show active frontages (green) and dead frontages (red)

3.2.6 Proposals for the ground floor at the western side of the development, overlooking the Tesco car park, present an inactive frontage at ground floor level across the whole 130m length of the two blocks.

3.2.7 In effect the development turns its back on the Tesco site, at least at ground floor level, and would compromise any future later phase of development on that site.

3.2.8 The lack of activity at ground floor level would impact both on the attractiveness of routes to building entrances and stair / lift cores and on the sense of safety for residents returning home, particularly after dark. This would be a particular issue in relation to Building A in the north west corner of the site which is accessed via a pedestrian route along the edge of the Pyl Brook. The approach to the entrance to Building F through the ground floor car park would be particularly uninviting.

3.3 Wider masterplan / strategic approach

3.3.1 The Design and Access Statement presents the proposals as part of a potential future wider masterplan for the site that would extend westwards across the Tesco Extra store and its car park. Figure 3.4 below indicated the masterplan represented on page 45 of the DAS (CD/8.1).



Figure 3.4: Potential Future masterplan (as presented on page 45 of the DAS)

3.3.2 This masterplan appears however to have been retrofitted to the scheme as a result of comments made by the Design Review Panel at the review meeting on 22 November 2018 (CD/7.1).

3.3.3 While the masterplan is clearly illustrative it should present a vision for the wider area that helps to justify the proposals on the Appeal site. The masterplan however lacks a vision and the proposals for the Appeal Site do not even respond to the masterplan layout appropriately.

3.3.4 As an example the masterplan indicates an open space to the west of Block A but the proposed ground floor to this block is completely inactive being occupied by plant rooms, car parking and cycle stores as referenced in paragraph 3.2.6 and Figure 3.3 of this evidence. Delivering an open space with no active ground floor uses to animate it is poor practice.

3.3.5 The illustrative masterplan fails to present a compelling vision for the Shannon Corner area and perpetuates an island approach to the Tesco Extra site where the site is accessed only at a single location from the east of the site off Burlington Road and to the west off Beverley Way.

3.3.6 The plan should at the very least:

- Anticipate the potential to establish future links southwards to Burlington Road improving connectivity and creating a connected network of routes through the area. Site Allocation RP2 could assist this approach;
- Explore the opportunities to open up access to the Pyl Brook, and integrate it into a stronger landscape strategy for the site;
- Aim to deliver a positive interface between the wider RP3 site and the land to the south; and
- Help to establish an approach to height for the Shannon Corner area that can aid the legibility of the wider area.

3.3.7 Whilst it is recognised that the masterplan is illustrative only it appears that it is the proposal for the Appeal Site that has guided the masterplan rather than the masterplan guiding the proposals for the Appeal Site and in that context it does not help to support or justify the proposals.

3.4 Design Evolution

3.4.1 Chapter 5 of the Design and Access Statement (CD/8.1) documents a number of pre-application meetings that took place with planning officers, the GLA and the Council's Design Review Panel in advance of the planning submission.

3.4.2 Whilst the proposals evolved through this process, the fundamental principles of the scheme did not. At the first pre-application meeting a scheme was presented that indicated two blocks separated by an access road and with residential development on a podium level and car parking at ground floor level. Concerns were raised in this first meeting about the lack of animation of the public realm at street level that this approach to the site development generated and of the massing of development on the site but alternative approaches to the configuration of development on the site do not appear to have been considered.

3.4.3 The Applicant presented their emerging proposals to the Design Review Panel on 22nd November 2018 and the scheme was given a RED response; i.e. the scheme was not supported and there were significant issues **(CD/7.1)**. Concerns included:

- The lack of a clear wider framework, a stronger and wider context analysis and a stronger rationale for the design, layout and heights proposed;
- The lack of a townscape or contextual justification for the heights chosen, and if this was considered acceptable, would the wider site then be able to justify even taller buildings;
- A sense that most of the attention had gone into elements of the design details and little into the wider analysis;
- The general typology of the development that used a podium with ground floor parking and entrances to the flats. This led to a very poor interface with the street, dead frontage, places for concealment, lots of different building lines and a poor public realm;
- The heavily overshadowed and effectively dead frontage facing the Pyl Brook;
- The lack of a permeable urban grain with multiple entrances in to the site and a proper street network;
- A worrying lack of a sense of place to the whole development; and
- A high level of single aspect dwellings (35%) that indicated that the scheme was too dense.

3.4.4 Following the Design Review Panel meeting some of the issues raised were considered further and the design refined. This included:

- The preparation of a wider masterplan (discussed in paragraphs 3.3.1 to 3.3.7 above);
- The preparation of Townscape and Visual appraisal (prepared by Lichfields);
- Amendments to the massing to introduce a more varied roofline design to the taller buildings creating a more dynamic roofscape from both short and distant views;
- The introduction of additional active uses to the Burlington Road and the access road frontages;
- An increase in the number of dual aspect apartments; and
- The addition of two dual aspect live/work units to the north elevation of the northern podium, opposite the Pyl Brook.

3.4.5 No further presentation was given to the Design Review Panel. The fundamental issues around the justification and rationale for the building heights proposed and the podium typology, and the consequential impacts on the relationship of the scheme with the public realm, remain unresolved.

3.4.6 The only justification within the DAS for the approach to building height would appear to be a comment made on page 60 under the heading 'Opportunity for Height' states that "*The Sites prominent location along Burlington Road creates an opportunity for a landmark building.*" **(CD/8.1)**

3.4.7 The Applicant appears to have taken the view that redistributing the height to locations where it causes less impact on the existing townscape is an acceptable and justifiable approach. This neither responds to the context and character of the area and nor does it help to establish a place that integrates successfully with its surroundings.

4 Appraisal of the Design Approach

4.1 Reasons for refusal

4.1.1 The London Borough of Merton Planning Applications Committee resolved to refuse the application on 13th February 2020 with two reasons given for this refusal.

4.1.2 My evidence will focus on reason 2: Townscape and visual impact.

“Notwithstanding the 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).”

4.1.3 The reasons for refusal can be broken down into the following sub-issues each of which are addressed in turn through my evidence:

1. 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 in their location; and
2. The proposals fail to relate positively and appropriately to local character and the context of the site to the detriment of the visual amenities of the area and fail to deliver a housing development of the highest quality in relation to its context.

4.1.4 These are addressed in turn.

4.2 Reasons for refusal 2: Sub-issue 1

4.2.1 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 in their location.

The policy position

London Plan

4.2.2 The London Plan (2016) through Policy 7.7 and Historic England Tall Buildings Advice Note (December 2015) advocate a plan led and positive approach to the location and design of tall buildings. (CD/2.1)

4.2.3 London Plan Policy 7.7 ‘Location and Design of Tall and Large Buildings,’ states that “*tall and large buildings should be part of a plan-led approach to changing or developing an area by the identification of appropriate, sensitive and inappropriate locations*” and that “*Tall and large buildings should not have an unacceptably harmful impact on their surroundings*” (7.7A).

4.2.4 Policy 7.7 (C) states that *“Tall and large buildings should:*

- *Generally, be limited to sites in the Central Activities Zone, opportunity areas, areas of intensification or town centres that have good access to public transport;*
- *Only be considered in areas whose character would not be affected adversely by the scale, mass or bulk of a tall or large building;*
- *Relate well to the form, proportion, composition, scale and character of surrounding buildings, urban grain and public realm (including landscape features), particularly at street level;*
- *Individually or as a group, improve the legibility of an area, by emphasising a point of civic or visual significance where appropriate, and enhance the skyline and image of London;*
- *Incorporate the highest standards of architecture and materials including sustainable design and construction practices;*
- *Have ground floor activities that provide a positive relationship to the surrounding streets;*
- *Contribute to improving the permeability of the site and wider area, where possible;*
- *Incorporate publicly accessible areas on the upper floors and where appropriate make a significant contribution to local regeneration;*
- *Not affect their surroundings adversely in terms of microclimate, wind turbulence, overshadowing, noise, reflected glare, aviation, navigation and telecommunication interference; and*
- *Not interfere with strategic and local views.”*

Emerging London Plan

4.2.5 The emerging London Plan (CD/2.2), Policy D9 Tall Buildings reaffirms the need for a plan led approach and places a requirement on local authorities to define what a tall building is in the context of their Borough and to identify locations where tall buildings may be appropriate.

4.2.6 In considering this, emphasis is placed on the need to consider the impacts on long, mid range and immediate views (from surrounding streets). The Policy also states that tall buildings should reinforce the spatial hierarchy of the local and wider context and aid legibility and wayfinding.

Local Policy

4.2.7 LB Merton’s policy framework takes a plan led approach to tall buildings whilst recognising the need to *“Protect the valued and distinctive suburban character of the borough by resisting the development of tall buildings where they will have a detrimental impact on this character”* (Core Strategy (2011) Policy CS14 – Design). (CD/3.1)

4.2.8 The Tall Buildings Paper 2010 (that informs this policy) (CD/3.8) provides a definition of what constitutes a tall building within the Borough having regard to the existing building heights across Merton (paragraph 3.5.15). It categorises buildings as:

- **Mid rise buildings** - Buildings that are generally between 4 and 6 storeys in height;
- **High-rise buildings** - Buildings that are generally between 7 and 10 storeys in height. Considered to be ‘significantly taller’ and will significantly change the skyline in all areas in Merton.
- **Very Tall ‘Prominent’ Buildings** - Large, prominent buildings in Merton that have a height of 11 storeys or higher. Buildings within this category are considered to be ‘significantly taller’ in all areas of Merton, and will significantly change the skyline.

4.2.9 Policy CS14 states that *“Tall buildings may therefore only be appropriate in the town centres of Colliers Wood, Morden and Wimbledon”* and where they are of *“exceptional design and architectural quality, where they do not cause harm to the townscape and significance of heritage assets and the wider historic environment, and where they will bring benefits towards regeneration and the public realm.”*

4.2.10 The Tall Buildings Paper (Paragraph 4.7.6) also identifies a number of designated industrial locations as ‘sensitive locations for tall buildings’. These are identified as *“areas of the borough where taller buildings may be appropriate where contributing to the regeneration and enhancement of employment uses, and where they will not have a detrimental impact on areas outside of the designated industrial area.”* (Tall Buildings Paper Figure 41 page 59). Whilst part of the Shannon Corner area is identified as a sensitive location, the Appeal Site is not included within this area and nor is the development proposed for the enhancement of employment uses.

4.2.11 Emerging Local Plan Policy (Strategic Policy LP D5.1) reiterates the Councils position that *“Proposals for tall buildings will be permitted only within town centres in Colliers Wood, Morden and Wimbledon”*. This emerging policy defines a tall building as any building that is substantially taller than its surroundings. **(CD/3.3)**

Theoretical visibility of the Proposals

4.2.12 Tall and large buildings by virtue of their greater height and scale are visually more prominent. When carefully planned for, and sited, they offer the potential to enhance the legibility of an area, marking important locations within the townscape and helping people to understand and navigate their way through an area.

4.2.13 As referenced in Section 2 of this evidence the local context is of low-rise buildings and the few existing taller buildings within the wider area are generally located within Wimbledon, New Malden and Kingston town centres. These taller buildings help to aid legibility with the greater height and prominence reflecting locations of greater significance in the wider townscape.

4.2.14 This principle is reflected in the London Plan Policy 7.7 (C) when it states that *“Tall and large buildings should ... individually or as a group, improve the legibility of an area, by emphasising a point of civic or visual significance where appropriate.”* **(CD/2.1)**

4.2.15 The applicant has modelled the impact of the proposed development on eight views within the context of the site and these are presented and assessed in the TVA **(CD/8.2 and 8.3)**. The locations from which these views are taken are indicated in Figure 4.3. The majority of these views (seven) are from close to the site; the eighth from a footpath in Sir Joseph Hood Memorial Fields approximately 1500m to the south. These are discussed further in paragraphs 4.2.25 to 4.2.29 of this evidence.

4.2.16 These are representative views and it is also apparent that the development will be visible from many other locations which have not been tested.

4.2.17 As a building gets higher its visibility from the surrounding area will increase. Figure 4.1 (Figure 8 taken from page 7 of the TVA prepared by Lichfields) indicates the Zone of Theoretical Visibility (ZTV) for the proposed development.



Figure 4.1: Zone of Theoretical Visibility (ZTV) of the proposed development (Figure 8 taken from page 7 of the TVA prepared by Lichfields) (CD/8.2)



Figure 4.2: Height of proposed buildings on the Appeal Site relative to context

4.2.18 The ZTV has been modeled using Lidar data and must be treated as a guide of the theoretical extent of the visibility of a development rather than the actual visibility as trees may mean that from some locations clear views will not be achieved.

4.2.19 What is clear is that the development will be visible from many of the streets within the local and wider area, from open spaces, from residential gardens (where trees do not screen views) and from the main road corridors that look towards the site including the Kingston Bypass.

Impact of proposals on the local and wider context

4.2.20 As discussed earlier in this evidence the buildings proposed on the Appeal Site would be of a scale and height that is far greater than any other buildings within the local area or indeed anywhere outside of the major centres in the Borough. Figure 4.2 indicates the heights of buildings relative to the existing context.

4.2.21 The applicant proposes to deliver a cluster of buildings ranging from 7 to 15 storeys with the tallest (Building E) at 15 storeys or approximately 50m in height and the second highest (Building A) at 13 storeys 43m in height.

4.2.22 Of the seven buildings three would be categorised as “Very Tall ‘Prominent’ Buildings” and four would be categorised as “High Rise Buildings”, using the classification set out in the Council’s Tall Buildings Paper.

4.2.23 The proposed buildings would not only be very tall they would also be broad. Buildings A and B, to the west of the site, would be linked and would collectively present themselves as a 70m wide building which steps from 13 storeys down to 11 storeys in height; Buildings E and F would be collectively 63m wide and would step from 15 storeys down to 9 storeys. To the east of the site Buildings C and D would collectively present themselves as a 72m wide building fronting onto Burlington Road and at 8 and 7 storeys these buildings, whilst more modest in height than those proposed to the west, would still be at a significantly greater height than any other building in the area.

4.2.24 The seven buildings are closely grouped and would appear as a single mass with little or no view of the sky between them. When viewed from either the east or west of the Site the buildings would present a wall of development that dominates the surrounding area and is overbearing on the local context.

4.2.25 The proposed development would have a significant and detrimental visual impact on views from suburban residential streets to the east of the Site including West Barnes Lane, an important and busy local street (as indicated in View 5 from the TVA) and from Linkway (View 6 from the TVA) and this is also likely to be the case from Blenheim Road, Brook Close and Meadowview Road; all of which are residential streets that are aligned to view westwards towards the site. Views from these streets have not been tested.

4.2.26 Similarly the development would dominate, and have an overbearing presence at the northern end of the residential streets to the south of the site including from Claremont Avenue and Cavendish Avenue. This is apparent in Views 3 and 4 from the TVA.

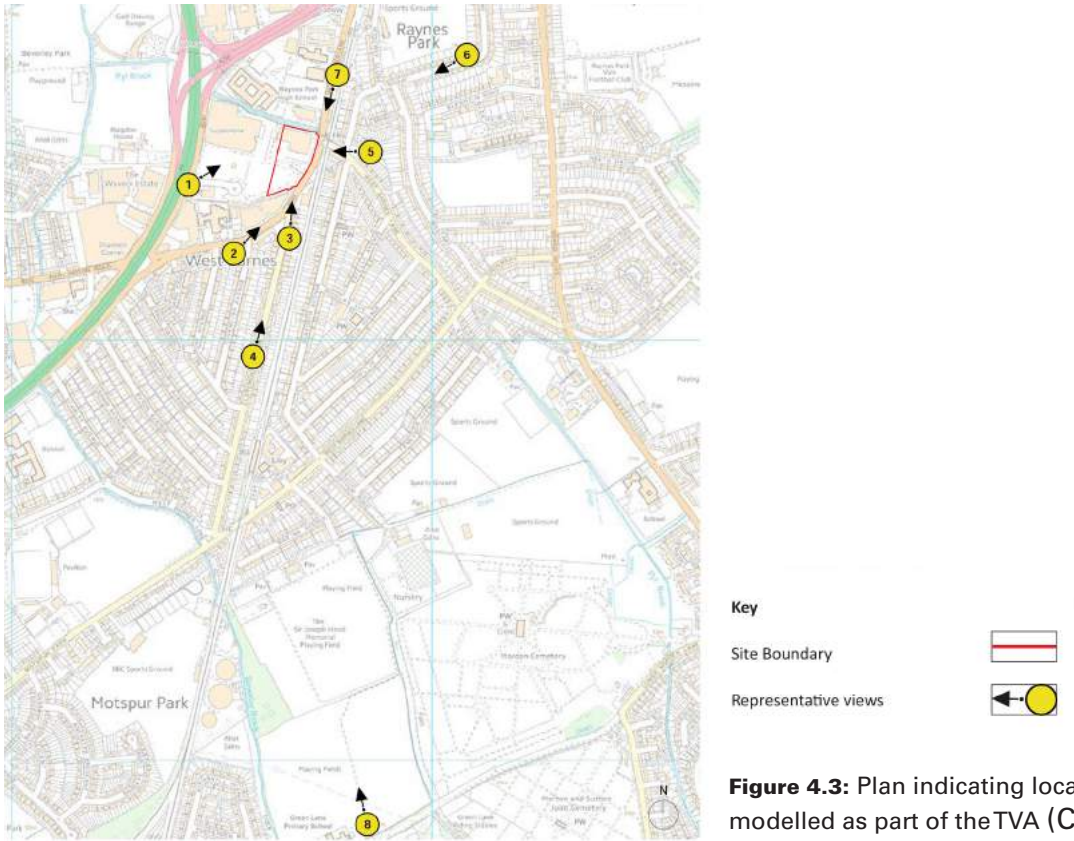


Figure 4.3: Plan indicating location of views modelled as part of the TVA (CD/8.2)

4.2.27 It is also clear from the ZTV that the development is likely to be visible from many private residential rear gardens in the area including from properties on West Barnes Lane, Seaforth Avenue, Estella Avenue, Adela Avenue, Linkway, Blenheim Road, Brook Close, Meadowview Road, Westway and Greenway to the east of the Site and Claremont Avenue, Cavendish Avenue, Belmont Avenue, Barnard Gardens to the south of the Site. This would bring unwanted visual intrusion to private residential environments.

4.2.28 TVA View 7 shows the proposed development when viewed from the north on West Barnes Way. From this location the proposal would look completely out of scale with its context and present a poor and unharmonious composition when viewing along the street. The two storey school building on the southern edge of the Raynes Park High School site would be completely dwarfed by the proposed development which would loom over, and overshadow classrooms and the school sports pitch. No attempt is made to step development down at the interface with the school and not surprisingly the school has objected to the proposals.

4.2.29 TVA View 8, taken from a footpath that crosses the Sir Joseph Hood Memorial Playing Fields demonstrates that the proposal will be visible from this open space some 1500m from the Appeal Site. Whilst views from other open spaces have not been tested the ZTV indicates that the development may also be visible from many other publicly accessible open spaces within the wider area including Beverley Park, Blagdon's Sports Ground, Raynes Park Memorial Ground, Raynes Park Recreation Ground, Morden Cemetery, Cannon Hill Common and Joseph Hood Recreation Ground. Many of these open spaces are much closer to the Appeal Site and the visual impact and intrusion of the development on these spaces would be likely to be greater.

4.2.30 Many of the open spaces are set within a residential landscape in which open spaces offer a sense of tranquility and escape from the built up environment. The visibility of large-scale buildings will present an unwelcome intrusion into these spaces.



Figure 4.4: View 3 Proposed - Claremont Avenue (North) from TVA



Figure 4.5: View 4 Proposed - Claremont Avenue (South) from TVA



Figure 4.6: View 5 Proposed - West Barnes Lane / Linkway junction from TVA



Figure 4.7: View 6 Proposed - Linkway from TVA



Figure 4.8: View 7 Proposed - West Barnes Lane (North) from TVA



Figure 4.9: View 8 Proposed - Public footpath Sir Joseph Hood Memorial Fields from TVA

The Appeal Scheme – justification for proposed height and mass

4.2.31 The proposals for the Appeal Site are completely out of scale with the surrounding context on Burlington Road and the design proposal, with its close clustering of tall building elements, is more akin to what might be promoted within a town centre location, but without the mix of uses or ground floor activities that would bring life to the area or deliver a sense of place.

4.2.32 The Burlington Road site does not meet any of the criteria set out in London Plan Policy 7.7 C as a site suitable for tall buildings. It is not located within the Central Activities Zone, is not a designated opportunity area or an area of intensification and the site is not located within a town centre that has good access to public transport. Nor is the site a point of civic or visual significance.

4.2.33 No reasonable or acceptable justification for this proposed height is presented in the Appellants Design and Access Statement.

4.2.34 As has been demonstrated above (paragraphs 4.2.20 to 4.2.30) the proposals will be highly prominent in both the local and wider area but without any meaning that would justify this prominence. The proposals do not emphasise a point of civic or visual significance or enhance the skyline and image of London (as it is suggested tall buildings should in London Plan Policy 7.7).

4.2.35 In placing such significant height at this location, rather than reinforcing the spatial hierarchy of the local and wider context and aiding legibility and wayfinding (as suggested within the emerging London Plan Policy D9) the tall building cluster would undermine legibility by placing undue prominence where it is not merited.

Summary

4.2.36 The Appeal Site offers the potential to establish a new character for the Shannon Corner area and to deliver residential development that can provide a greater density of development than the modest scale suburban residential areas that surround the site. This is demonstrated through the recently completed five-storey development at 300 Burlington Road.

4.2.37 However what is proposed is of much greater height and massing than at 300 Burlington Road and is excessive in the context of the lower scale development within the vicinity of the site and its' suburban location within south-west London. The development would be over bearing on the lower scale context of the surrounding area, excessively prominent in views both locally and from further afield and would have a significant detrimental impact on the character and setting of residential properties within the surrounding area.

4.2.38 The Appellant Proposal conflicts with the NPPF requirement that development should be "sympathetic to local character and history, including the surrounding built environment and landscape setting" (paragraph 127) **(CD/1.1)** and with London Plan Policy 7.7 **(CD/2.1)**.

4.2.39 Furthermore the proposals are contrary to LB Merton Core Strategy (2011) Policy CS14 – Design **(CD/3.1)** which resists "the development of tall buildings where they will have a detrimental impact on this character" and which guides tall buildings to the town centres of Colliers Wood, Morden and Wimbledon and emerging Local Plan Policy (Strategic Policy LP D5.1) which reiterates the Councils position in this respect. **(CD/3.3)**

4.2.40 It is my opinion that the proposals are of a scale, height and massing which is not proportionate to the site's location outside of a town centre location, that is inappropriate within the site's context, that would be overly dominant and over bearing on the lower scale suburban residential environment and will be unduly prominent in views both locally and from further afield.

4.3 Reasons for refusal 2: Sub-issue 2

4.3.1 The proposals fail to relate positively and appropriately to local character and the context of the site to the detriment of the visual amenities of the area and fail to deliver a housing development of the highest quality in relation to its context.

Policy context

Responding to character

4.3.2 The NPPF states that *"The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities."* (NPPF February 2019, paragraph 124) (CD/1.1)

4.3.3 The NPPF identifies overarching objectives for development including that it is *"sympathetic to local character and history, including the surrounding built environment and landscape setting"* (Paragraph 127)

4.3.4 London Plan Policy 7.4 (B), reinforces the role of the existing character of an area, as setting the context to which development should find a *"high quality design"* response. This includes having *"regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass"*, being *"human in scale, ensuring buildings create a positive relationship with street level activity and people feel comfortable with their surroundings"*, allowing *"existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area"*, and being *"informed by the surrounding historic environment."* (CD/2.1)

4.3.5 In areas with poor or ill-defined character Policy 7.4 (A) indicates that development should *"build on the positive elements that can contribute to establishing an enhanced character for the future function of the area."*

4.3.6 LB Merton Core Strategy Policy CS 14: Design re-affirms the importance of responding to character stating that *"All development needs to be designed in order to respect, reinforce and enhance the local character of the area in which it is located and to contribute to Merton's sense of place and identity"*. (CD/3.1)

4.3.7 The need to respond to character is reiterated in respect of Raynes Park and the surrounding area (within which the Appeal Site is located) where development is required to *"respect local character and amenity in surrounding residential neighbourhoods"* (Core Strategy Policy CS 4 part h).

Design Quality

4.3.8 The importance of good design and the need to respond to context to achieve this is set out in the National Design Guide (CD/1.3). It states in paragraph 1 that *“Places affect us all – they are where we live, work and spend our leisure time. Well-designed places influence the quality of our experience as we spend time in them and move around them. They have been shown to affect our health and well-being, our feelings of safety, security, inclusion and belonging, and our sense of community cohesion.”*

4.3.9 The National Design Guide goes on to state that *“An understanding of the context, history and the cultural characteristics of a site, neighbourhood and region influences the location, siting and design of new developments. Its means they are well grounded in their locality and more likely to be acceptable to existing communities. Creating a positive sense of place helps to foster a sense of belonging and contributes to well-being, inclusion and community cohesion.”* (paragraph 38)

4.3.10 And that *“Well-designed new development is integrated into its wider surroundings, physically, socially and visually. It is carefully sited and designed, and is demonstrably based on an understanding of the existing situation, including (amongst other things) patterns of built form, including local precedents for routes and spaces and the built form around them, to inform the layout, form and scale.”* (paragraph 42)

4.3.11 The quality of design and architecture is critical to the creation of a cohesive built environment that enhances the experience of living working or visiting an area. This is recognised in London Plan Policy 7.6 Architecture which states that *“Architecture should make a positive contribution to a coherent public realm, streetscape and wider cityscape”* and that it should *“be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm”* and should *“provide high quality indoor and outdoor spaces and integrate well with the surrounding streets and spaces.”* (CD/2.1)

4.3.12 London Plan Policy 3.5 Quality and Design of Housing Developments reinforces this position and states that *“Housing developments should be of the highest quality internally, externally and in relation to their context and to the wider environment”* and that *“the design of all new housing developments should enhance the quality of local places, taking into account physical context; local character; density; tenure and land use mix”*.

4.3.13 Local Plan Policy CS 14 requires all development to *“be designed in order to respect, reinforce and enhance the local character of the area”* and the design expectations are detailed further in Sites and Policies Plan Policies DM D1 Urban Design and the Public Realm and DM D2 Design Considerations in all Developments. (CD/3.1)

4.3.14 Policy DM D1 aims to ensure high quality design of buildings and places in the borough. In particular it requires development proposals to create *“urban layouts based on a permeable and easily navigable network of recognisable streets and spaces”*; to *“interact positively with the public realm by the creation of active and attractive frontages that promote natural surveillance and not create dead frontage”*; to *“impact positively on the character and quality of the public realm”* and to *“enhance biodiversity”* and *“strengthen the green infrastructure of the borough.”* (CD/3.2)

4.3.15 Policy DM D2 aims to achieve high quality design and protection of amenity and expects development to (amongst other things):

- *“Relate positively and appropriately to the siting, rhythm, scale, density, proportions, height, materials and massing of surrounding buildings and existing street patterns, historic context, urban layout and landscape features of the surrounding area;*
- *Use appropriate architectural forms, language, detailing and materials which complement and enhance the character of the wider setting; and*
- *Provide layouts that are safe, secure and take account of crime prevention and are developed in accordance with Secured by Design principles.”*

4.3.16 These principles are reiterated in the emerging Local Plan through Strategic Policies LP D5.1, 5.2 and 5.3. Policy D5.1 Placemaking and Design states that *“How our streets, town centres, public spaces and neighbourhoods look and feel is important to our sense of wellbeing and safety”* and requires that development must demonstrate that it *“has an appropriate street level presence.” (CD/3.3)*

4.3.17 The National Design Guide (CD/1.3) states that *“The quality of the spaces between buildings is as important as the buildings themselves”* (paragraph 99) and that a well-designed movement network defines a clear pattern of streets that *“promotes activity and social interaction, contributing to health, well-being, accessibility and inclusion”*; and *“incorporates green infrastructure, including street trees to soften the impact of car parking, help improve air quality and contribute to biodiversity.”* (paragraph 76)

Development grain and response to character

4.3.18 The Appeal Site is located within an area where two townscape character types interface (refer to Paragraphs 2.3.1 to 2.3.11 of this evidence). To the south and east of the site the area is characterised by low scale, fine grain development arranged to front onto a network of connected streets (West Barnes Suburban townscape character area). The Appeal Site is located within a more fragmented area where the grain of development is coarser, where building footprints are larger and where routes lack street frontages and permeability is poor (Shannon Corner townscape character area).

4.3.19 The different character is reflective of historic development and the uses that evolved in these areas with the coarser grain townscape area providing a mix of commercial and educational uses and the fine grain area residential.

4.3.20 Both national and local policy require development to respond to character and context or, in areas with poor or ill-defined character, to *“build on the positive elements that can contribute to establishing an enhanced character for the future function of the area.”* London Plan Policy 7.4 (A) (CD/2.1)

4.3.21 As has been established there is potential for the character of the Shannon Corner area to evolve and change but in doing so any proposals should aim to address the weaknesses of the current area, the lack of permeability, the poor relationship of development to streets and the inconsistent frontages and to deliver development that responds to, and integrates with the pattern and grain of surrounding streets and spaces, to the scale, proportion and mass of existing development and to ensure that buildings create a positive relationship with the street.

4.3.22 The proposals for the Appeal Site are based on a design approach where a number residential buildings rise from the top of a podium and where homes are separated from street level with car parking located at ground floor level.

4.3.23 This development concept maintains the course grain of the Shannon Corner townscape character area rather than exploring the potential to develop a more fine grain arrangement of streets and connections that is characteristic of residential development within the wider area and is encouraged through both national and local policy.

4.3.24 As has been discussed under Sub-issue 1 the proposals are of a significantly greater scale, height and massing than is characteristic of the area. Even if we take the context height of the area as three storey (and most buildings in the area are actually two storey) the Appeal scheme promotes development of more than five times that height. The development would feel entirely out of place within this location, dwarfing suburban homes and being entirely alien to its context.

Public realm and sense of place

4.3.25 As has been demonstrated through paragraphs 3.2.1 to 3.2.8 and in Figure 3.3 of this evidence the design approach, with homes at podium level and car parking located at ground floor level, would result in much of the street level interface being dead frontage with plant rooms, cycle stores and views into, and access from, car parking areas.

4.3.26 The access road between the two blocks offers the only public route into the site off Burlington Road and this route will also serve as an egress from the Tesco Extra store car park. The design of this access road appears compromised by the need to incorporate loading bays, car club spaces and facilitate access to the ground level car parks. This is unlikely to become a street that “*promotes activity and social interaction*” (a characteristic of a successful street identified in the National Design Guide) but rather one to walk through quickly to move away from the traffic.

4.3.27 A second pedestrian access adjacent to the Pyl Brook will not be publicly accessible and will be overshadowed by tall buildings on its southern edge. This will not celebrate or take advantage of one of the positive features on the site that could add distinctiveness to the development. Nor has the opportunity been taken to deliver significant biodiversity gains through a landscape led approach to the environment around the watercourse.

4.3.28 No pedestrian access is provided from Burlington Road at the southern edge of the site with the development footprint brought tight up against the existing commercial building (259 Burlington Road). The entrance to the stair / lift core to building F, at the south-western corner of the site, is compromised as a result, with access through the ground floor car park or at deck level. Neither are legible solutions.

4.3.29 As referenced earlier in this evidence the development presents a dead frontage to the western side of the site (facing onto the Tesco site) at ground floor level.

4.3.30 This lack of animation at ground floor level, together with the articulation of the building facades creates concealed spaces and opportunities for anti-social behaviour.

4.3.31 Tree planting is proposed on Burlington Road but only on one side of the access road and rather than this feeling like an attractive route into a new urban quarter (surely the longer term aspiration) the provision of just three street trees within this street and one at its junction with Burlington Road would appear to show a lack of ambition.

4.3.32 The courtyard spaces delivered as part of the scheme are at podium level and will be neither visible, or accessible to the public, and the scheme will deliver no wider public amenity for the surrounding area.

4.3.33 It appears that the overriding objective in the design of the scheme was to maximise the built footprint and floorspace to the detriment of the public realm offer and the quality of place that would be delivered.

4.3.34 The Design Review Panel were concerned at the meeting on the 22nd November 2018 that there was *“a worrying lack of a sense of place to the whole development”* (CD/7.1) I agree with that view.

Summary

4.3.35 The National Design Guide states that *“The quality of the spaces between buildings is as important as the buildings themselves.”* (CD/1.3)

4.3.36 National, London wide and local policy requires development to be *“sympathetic to local character”*; *“make a positive contribution to a coherent public realm, streetscape and wider cityscape”*; to *“interact positively with the public realm by the creation of active and attractive frontages that promote natural surveillance and not create dead frontage”* and that *“the design of all new housing developments should enhance the quality of local place.”* The proposals for the Appeal site deliver poorly against all of these requirements.

4.3.37 **In my opinion the proposals fail to relate positively and appropriately to local character and the context of the site to the detriment of the visual amenities of the area and fail to deliver a housing development of the highest quality in relation to its context.**

4.3.38 The proposals would be contrary to policies 3.5, 7.4 and 7.6 of the London Plan (2016), policy CS.14 of the Merton Core Planning Strategy (2011), and policy DM.D2 of the Merton Sites and Policies Plan (2014).

4.3.39 They would also be contrary to policy CS.4 of the Merton Core Planning Strategy (2011), policy DM.D1 of the Merton Sites and Policies Plan (2014) and to the Strategic Policies LP D5.1, 5.2 and 5.3 of the emerging Local Plan.

5 Conclusion

5.3.1 The Appeal Site is located on the western edge of the London Borough of Merton approximately 1000m south of Raynes Park local centre and 750m north of Motspur Park local centre.

5.3.2 The Site is bound to the east by Burlington Road, with commercial properties to the south, a Tesco Extra store to the west and Raynes Park High School to the north. School buildings are located close to the site boundary on the northern edge of the Site. The Sacred Heart Roman Catholic Primary School is located to the southwest of the Site.

5.3.3 The Site is located within an area where positive change is welcomed; this is reflected in the site allocation in the emerging Local Plan. Existing development on the Site provides a poor interface with Burlington Road with buildings set back from the streetspace and with large surface car parks delivering a somewhat bleak impression.

5.3.4 The Site is located within a suburban residential environment composed of two storey family homes either arranged in terraces or as semi-detached properties with occasional apartment buildings of three or four storeys. Residential properties are laid out fronting onto a connected network of residential streets.

5.3.5 The Site does not benefit from good public transport accessibility and is nowhere near a town or even a local centre.

5.3.6 The Appellant Proposal is for 456 residential apartments provided within two urban blocks arranged to either side of a vehicular access route off Burlington Road. The blocks are composed of seven buildings that would range in height from 7 to 15 storeys, where the tallest buildings would be approximately 50m (Building E) and 43m (Building A) high. These buildings would be far taller than any other building or structure within the vicinity.

5.3.7 Furthermore all buildings are deep plan (up to 20m across) and some buildings would be linked so that they present themselves as a single mass of up to 70m wide.

5.3.8 Buildings proposed on the Appeal Site would be of a scale, height and massing that is far greater than any other buildings within the local area or indeed anywhere outside of the major centres in the Borough, and that would be completely out of scale with the surrounding context and character on Burlington Road. With its close clustering of tall building elements, the Appellant proposal is more akin to what might be promoted within a town centre location, but without the mix of uses or ground floor activities that would bring life to the area or deliver a sense of place.

5.3.9 The seven closely grouped buildings would appear as a single mass with little or no view of the sky between them. When viewed from either the east or west of the Site the buildings would present a wall of development that dominates the surrounding area and is overbearing on the local context.

5.3.10 The proposed development would have a significant and detrimental visual impact on local views from suburban residential streets to the east of the Site including West Barnes Lane and

Linkway and this is also likely to be the case from Blenheim Road, Brook Close and Meadowview Road; all of which are residential streets that are aligned to view westwards towards the site.

5.3.11 Similarly the development would dominate, and have an overbearing presence at the northern end of the residential streets to the south of the site including from Claremont Avenue and Cavendish Avenue. The development is also likely to be visible from many residential gardens bringing unwanted visual intrusion to private residential environments.

5.3.12 The two storey school building on the southern edge of the Raynes Park High School site (located immediately to the north of the Site), would be completely dwarfed by the proposed development which would loom over, and overshadow classrooms and the school sports pitch.

5.3.13 The proposals will be highly prominent in both the local and wider area but without any meaning that would justify this prominence.

5.3.14 The Appellant Proposal conflicts with the NPPF requirement that development should be *“sympathetic to local character and history, including the surrounding built environment and landscape setting”* (paragraph 127) **(CD/1.1)** and with London Plan Policy 7.7 (C) **(CD/2.1)** which states that tall and large buildings should *“Relate well to the form, proportion, composition, scale and character of surrounding buildings, urban grain and public realm”* and to *“individually or as a group, improve the legibility of an area, by emphasising a point of civic or visual significance where appropriate and enhance the skyline and image of London.”*

5.3.15 Furthermore the proposals are contrary to LB Merton Core Strategy (2011) Policy CS14 – Design **(CD/3.1)** which resists *“the development of tall buildings where they will have a detrimental impact on this character”* and which guides tall buildings to the town centres of Colliers Wood, Morden and Wimbledon and emerging Local Plan Policy (Strategic Policy LP D5.1) which reiterates the Councils position in this respect. **(CD/3.3)**

5.3.16 The Appellant Proposal locates residential apartments at podium level over ground floor car parking. Residential entrances and stair and lift cores would be accessed at ground floor level. These, together with plant rooms, cycle stores, concierge / meeting space and a number of commercial spaces, partially wrap around the ground floor car park area.

5.3.17 The development would only activate the Burlington Road frontage for part of its length with the street interface on Block B (the southernmost block) presenting ‘dead’ frontage for most of its length. There would be little active frontage on the access road and the western side of the development would be entirely devoid of active interface. This would not only be detrimental to the quality of place that would be delivered now but would also impact on the potential to deliver a coherent urban quarter across the remainder of the RP3 site allocation in the future.

5.3.18 This lack of animation at ground floor level, together with the articulation of the building facades creates concealed spaces and opportunities for anti-social behaviour conflicting with LB Merton Sites and Policies Plan Policy DM D2. **(CD/3.2)**

5.3.19 Furthermore the development perpetuates the course grain of its immediate environment rather than promoting a more fine grain arrangement of streets and connections that is characteristic of residential development within the wider area.

5.3.20 The Appellant Proposals conflict with London Plan Policies 3.5, 7.4 and 7.6 **(CD/2.1)** that state that *“the design of all new housing developments should enhance the quality of local places,”* that development should have *“regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass,”* and be *“human in scale, ensuring buildings create a positive relationship with street level activity”* and *“Architecture should make a positive contribution to a coherent public realm, streetscape and wider cityscape”*. It also conflicts with LB Merton Sites and Policies Plan Policy DM D1 Urban Design and the Public Realm **(CD/3.2)** that requires development proposals to create *“active and attractive frontages that promote natural surveillance and not create dead frontage”*.

5.3.21 The proposals were presented to the Design Review Panel on 22nd November 2018 and the panel were concerned at the meeting that there was *“a worrying lack of a sense of place to the whole development”*. *(CD/7.1)* I agree with that view.

5.3.22 In my opinion the proposals fail to relate positively and appropriately to local character and the context of the site to the detriment of the visual amenities of the area and fail to deliver a housing development of the highest quality in relation to its context.

5.3.23 It is my opinion that the Appeal should be dismissed.

