



CALL IN REQUEST
Outline application for 850 homes – Benedict Wharf, Mitcham
Merton Council reference 19/P2383, GLA reference GLA/4756

December 2020

1. Mitcham Cricket Green Community & Heritage is a registered charity that takes an active interest in the future of the Cricket Green Conservation Area and its environs. We are the civic society for this part of Merton and part of the wider civic movement through membership of the national charity Civic Voice.
2. This is a request to call in the outline planning application from SUEZ Recycling and Recovery UK Ltd to Merton Council for the development of 600 homes, amended to 850 homes, on its waste management site in Mitcham. Planning permission was refused by Merton Council's Planning Applications Committee in June 2020. This decision was supported by all three ward councillors and our MP. The Mayor of London determined in August 2020 that he will act as the local planning authority for the purposes of determining the planning application and a Representation Hearing is organised for 8 December where a decision will be made.
3. We believe that the significant conflicts with national, London and local planning policy raise issues of more than local importance, including failures to:
 - provide "*gentle density*" despite the low- to mid-density context of the surrounding area
 - demonstrate a "*design-led approach*" to making best use of the land resulting in significant overdevelopment
 - make appropriate use of tools for improving the design of the development, including excluding the community from the key design change increasing the quantum of development from 600 to 850 homes rising to 10 storeys
4. As a result the development proposals are in fundamental conflict with both national planning policy and the Secretary of State's modifications to the London Plan. They will set an entirely inappropriate precedent at the beginning of the new London Plan period. We are therefore asking the Secretary of State to call-in the application for decision.
5. We summarise the reasons why we believe a call-in is necessary below. We also enclose our representations submitted to the Mayor of London for the Representations Hearing. This includes an independent review of the proposals commissioned from Create Streets. It also provides links to our detailed representations on the planning application.

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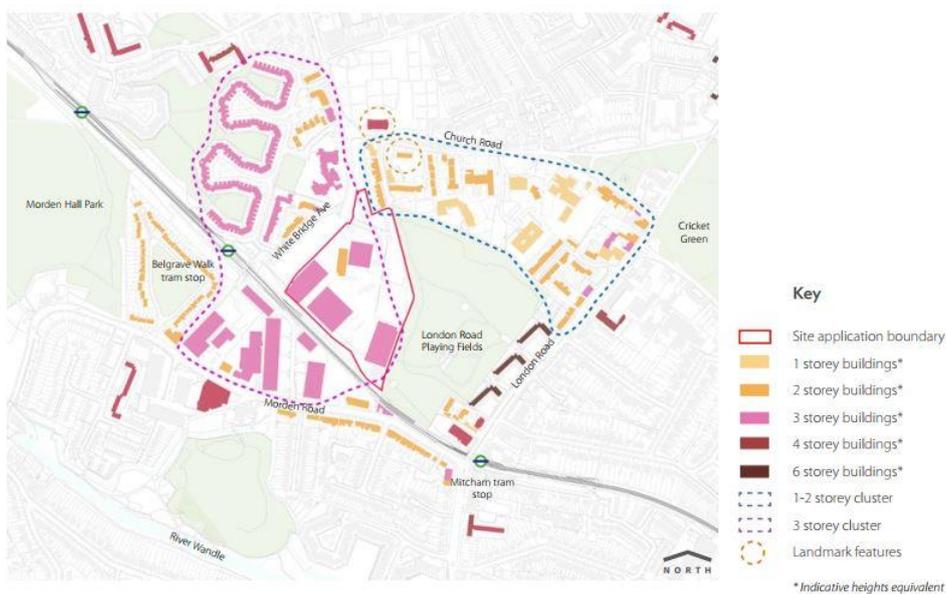
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Planning policy issues

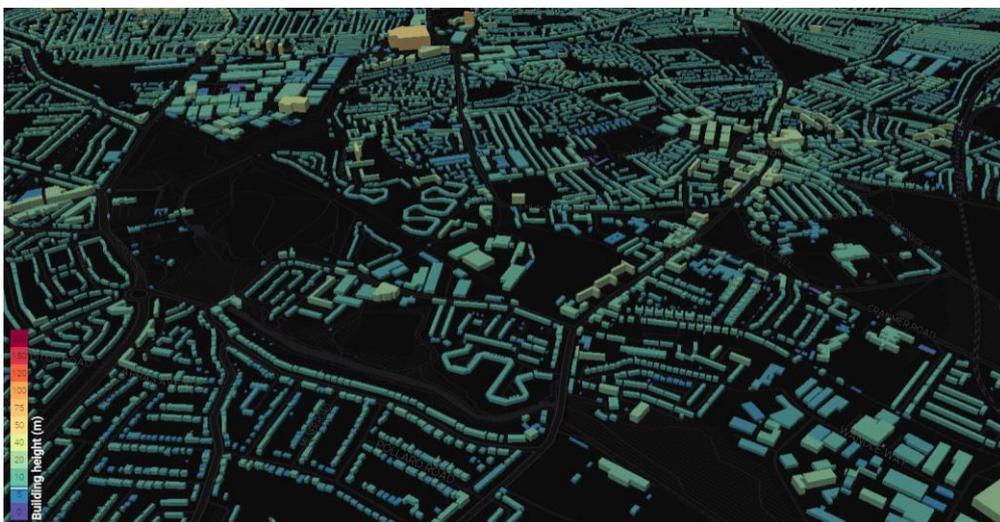
6. The National Planning Policy Framework is clear – “*Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions*” (paragraph 130). Our representations and the independent report from Create Streets clearly show that this application is of poor design and that it fails to take the opportunities available for ensuring that Benedict Wharf is developed as a natural extension of Mitcham.

Gentle densification

7. A central justification for calling in this application is the conflict with the Secretary of State’s Direction on the London Plan which amends Policy D3 to state that “*Gentle densification should be actively encouraged by Boroughs in low- and mid-density locations to achieve a change in densities in the most appropriate way.*” The site is indisputably located in an area of low- and mid- density development and there is no precedent in the area for buildings of the height proposed – see below. The change in density envisaged is anything but gentle in the context of Mitcham’s prevailing development morphology.



Design & Access Statement (2020)



Building Heights in England, EMU Analytics (<https://buildingheights.emu-analytics.net>)

8. The Heritage, Townscape and Visual Impact Assessment supporting the revised application to increase building heights to 10 storeys is irrefutably flawed. It states that the *"the Amended Proposed Development will not result in any change in the effects on the visual receptors or representative views as assessed in the original HTVIA"*. This is despite a 25% increase in height. The original assessment concluded that the development has a *"beneficial impact"* on the townscape and that the buildings do *"not appear overly dominant"*. These conclusions lack any credibility and should not be used to inform a decision on the plans.

9. One example is the assessment of the impact on Church Path. This is described as being of *"moderate and neutral effect"*. The reality based on the applicant's own assessment is starkly different as can be seen below:



10. The draft Merton Local Plan's site allocation states that *"Development proposals must be sensitive to the following.....Residential streets within 100m of the site include Church Path."* A more insensitive approach is hard to imagine.

11. This analysis is confirmed by the independent report from Create Streets. This shows that:

- Community preferences have been ignored
- The 'industrial character', the proposed scale, height and enclosure ratios, the 'landmark' buildings, and the 'gateways' of the proposed streets do not fit in with the character of the surrounding area and the studies on local detail are utterly ignored
- The quantum of housing proposed fails to create gentle density
- The lack of other uses risks creating a housing dormitory
- The scheme has significant design flaws in the poor quality use of open space, meandering paths, podium parking, missed opportunities for shared surfaces, courtyards and public spaces which fail to meet BRE's minimum guidelines on sunlight, and height to width ratios that will result in darker, more windy and colder streets than can otherwise be achieved

12. The further representations from Create Streets explain the failure of the scheme in terms of four *"levers to failure"*.

13. Weaknesses in the design approach have also been identified by Merton's Design Review Panel. This gave the final proposals an AMBER rating in January 2020 with some members calling for a RED. In particular it noted that *"It must be able to be clearly demonstrated in the design code that the amount of units proposed can be achieved according to policies on high quality design"*. This has not been achieved.

Lack of design-led approach

14. National planning policy is clear that *"The creation of high quality buildings and places is fundamental to what the planning and development process should achieve"* (NPPF, paragraph 124). The proposals for Benedict Wharf are in fundamental conflict with the NPPF and London Plan's expectation of a design-led approach.

15. London Plan (intend to publish version) Policy D3 states *"All development must make the best use of land by following a design led approach that optimises the capacity of sites, including site allocations. The design-led approach requires consideration of design options to determine the most appropriate form of development that responds to a site's context and capacity for growth, and existing and planned supporting infrastructure capacity..."* Insofar as a full range of design options has been considered, the scope for accommodating more homes in higher blocks (10 storeys) than those put forward in the original outline application (8 storeys) was rejected as an option in SUEZ's own Community Design Workshops (held in preparation for submission of the original 600 dwellings proposal). We emphatically dispute the suggestion that the revised plans reflect a design-led approach to the development of Benedict Wharf. We believe the evidence presented has shown that the scale of development proposed cannot be appropriately accommodated on the site without causing significant harm. This is a fundamental conflict with Policy D3.

Exclusion of community in design development

16 National planning policy is clear that *"Design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot"* (NPPF, paragraph 128).

17. Once the applicant determined to change the plans for Benedict Wharf from 600 to 850 homes and raise the heights to 10 storeys any effort at meaningful community engagement ceased. It comprised two poorly advertised 'drop in' events which the applicants informed us were staged for information only, and it was made clear that community feedback would not result in any substantive changes. The information presented at these events included false claims, such as that the Design Code had been *"agreed with the community"* when it had not. Indeed, we were not invited to make input into its preparation, or comment on a draft. We reject the new information presented as a "Consultation Feedback Report". The report presents phrases and short comments taken out of their context and cherry-picked from the full set of comments received. This displays a worst practice approach to report writing and demonstrates a disrespectful response to local public feeling.

18. Our own comments are poorly addressed in the report and we know others feel the same. Many people expressed very specific concerns, such as being unhappy with the proposed increase in density, with the overall height and massing of the buildings, and with the treatment of the access point at Church Path (among many others). This is all despite prior commitments to the local community after the submission of the earlier outline application for 600 homes that any major changes to the proposals would be informed by further design workshops (none took place). This behaviour negates the previous design consultation and the scheme does not qualify for being one to *"look on more favourably"* in terms of the National Planning Policy Framework (paragraph 128) because its engagement has not been *"effective"*.

19. It is also notable that the information presented with the planning application is

partial and not informed by the views expressed at the Community Liaison Group expressly set up by SUEZ to manage local relationships. This has repeatedly drawn attention to shortcomings with the proposals and how they have been prepared. Considering the revised plans at its meeting on 13 January 2020 the Community Liaison Group minutes record:

Overall the CLG feels the plan will not be well received by the public, especially around height of the new buildings and number of units.
Concern that the plan will not provide quality housing.

20. The independent critique by Create Streets confirms these issues. It identifies that the process *"Ignored communities. The failure to properly engage with the people of Mitcham has been detrimental to the mistakes made around the design. All but one of the drop-in sessions were held prior to the second outline application. While the process ignored ongoing concerns around the high-rise properties from the start."*

21. The plans also ignore long stated community preferences for the scale and design of development in the area. The results of a study by Merton Council in summer 2020 confirm local residents consider terraced housing as the most successful form of housing within the area, followed by lower flatted housing (38 per cent). Taller flatted housing was voted least desirable with just 7 per cent of the vote.



22. In conclusion we believe that the significant conflicts with national and adopted planning policy raise issues of more than local importance and will set a damaging precedent at the beginning of the new London Plan period. We ask the Secretary of State to call-in the scheme.