



**DEVELOPMENT ON OPEN SPACE TO REAR OF MARY TATE'S ALMSHOUSES**  
**Application numbers 22/P2357 and 22/P2358**  
**November 2022**

1. Mitcham Cricket Green Community & Heritage 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. We have been closely involved in the development of the Merton Local Plan, Borough Character Studies, the Conservation Area Appraisal and Management Plan and numerous development proposals in the area. Our approach to development and change in the area is established in the Cricket Green Charter which was refreshed in 2019 with the support of London Borough of Merton and local councillors (<https://mitchamcricketgreen.org.uk/cricket-green-charter/>). The Charter has been acknowledged in the Conservation Area Appraisal and Management Plan for Cricket Green. We have also contributed to production of the Merton Heritage Strategy as a member of the Merton Heritage Forum. We are members of The Canons Steering Group delivering a £5m Lottery funded project and also undertake practical projects, organise walks and run Mitcham Heritage Day and Community on the Green. We ask that these representations are made available online through Planning Explorer.

2. Mary Tate's Almshouses<sup>1</sup> is one of the most important heritage assets in Mitcham Cricket Green Conservation Area. It is Grade II listed, strategically located by the historic cricket ground and part of the wider Cricket Green story of socially conscious benefactors addressing local needs for healthcare, homes and other support. It is a much admired and appreciated part of Cricket Green's social infrastructure and heritage, as evidenced by the level of public interest when it participates in Mitcham Heritage Day.



<sup>1</sup> There is no consistent naming used for the site locally or in the planning application. Variations include Mary Tate, Mary Tate's and Mary Tates and they are variously called Cottages or Almshouses. The National Heritage List uses Tate Almshouses. Confusingly the Design and Access Statement also refers to a non-existent Mary Tate Charities. We use Mary Tate's Almshouses throughout the representations.

**General enquiries: [info@mitchamcricketgreen.org.uk](mailto:info@mitchamcricketgreen.org.uk)**  
**Web site: [www.mitchamcricketgreen.org.uk](http://www.mitchamcricketgreen.org.uk)**  
**Twitter: @MitchamCrktGrn**

**Registered Office c/o MVSC, Vestry Hall, 336/338 London Road, Mitcham, Surrey, CR4 3UD**  
**Company registration no. 04659164 Charity registration no. 1106859**

It is the combination of the historic building and the green spaces to both the front and the rear that combine to make a positive contribution to the Conservation Area.

3. These representations address both the planning application and application for listed building consent to develop five homes, a meeting space and an office on protected open land to the rear of Mary Tate's Almshouses alongside significant changes to the boundary walls. We are disappointed by the way these plans have been developed without effective engagement of the local community or residents of Mary Tate's Almshouses. We were given the opportunity of a site visit with the Chief Executive of Croydon Almshouse Charities in September 2021 but no plans or detail of the proposed development was provided. There has been no pre-application consultation other than with Merton Council and so the development should not be looked upon favourably, in accordance with paragraph 132 of the National Planning Policy Framework that "*applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot*". The restricted approach to involving residents and the local community sits uneasily with the stated values of Croydon Almshouse Charities concerning "*openness*" and "*transparency*".

4. We strongly object to the proposals for the disproportionate harm they will cause designated heritage assets and for multiple conflicts with existing and emerging planning policy. We also identify significant omissions, errors and contradictions in the information supporting the applications which means there is no firm basis on which to make a decision to grant approval.

#### **Principle of development**

5. We do not agree that the principle of development has been established by a planning permission granted in 2002. There have been very significant material changes in planning policy and our collective understanding of the significance of the site in the last 20 years. These include:

- Designation of the land behind Mary Tate's Almshouses as "Open Space" on the Policies Map to be protected under Strategic Policies O15.1 and O15.2 of the new Local Plan and related policies in the London Plan – in accordance with paragraph 48, National Planning Policy Framework, this designation now carries significant weight in the planning decision given the advanced stage of the Local Plan (hearing closed) and the absence of any objections to the designation at the Schedule 19 stage.
- Adoption of Mitcham Cricket Green Conservation Area Appraisal and Management Plan (July 2013) which provides new information - it identifies the character and quality of open spaces and their relationship to original, locally significant buildings as a defining "special interest" of the Conservation Area and Mary Tate's Almshouses is specifically identified as making a positive contribution.
- Recognition of the open space behind Mary Tate's Almshouses in the London Historic Parks and Gardens Trust's [Inventory](#) of historic parks and gardens.
- Adoption of the Merton Character Study (2021) as a supplementary planning document which in relation to Cricket Green identifies "*green spaces as key to its character*".
- Strengthening of national planning policy to protect both open space and heritage assets, most notably with the publication of the first National Planning Policy Framework in 2012 (e.g. "*Existing open space should not be built on.....*" (paragraph 44); "*great weight should be given to the asset's conservation....*" (paragraph 199); "*Significance derives not only from a heritage asset's physical presence, but also from its setting*" (Glossary, page 72).

6. As Merton Council officers acknowledge during pre-application discussions on the proposals "*Ordinarily the Council would likely resist development within the curtilage of the almshouses*". We believe this approach is valid as a matter of principle given the material changes in circumstances since 2002.

## **Architecture**

7. The design of the proposals fails to meet Merton Council's appropriate expectations during pre-applications discussions for development of the "*highest architectural quality*". Contrary to the assertion in the Design and Access Statement (page 8) that the 3D visuals show a scheme responding positively to its context we regard the proposals as bland and inappropriate. We agree that any new building should not seek to copy the existing almshouses but we identify:

- A disproportionate increase in the built footprint with the majority of the site's area no longer being open space.
- The lack of detail and craft necessary in the brickwork and finishing for such a sensitive site resulting in a barren, rectangular appearance out of character with its context and harming the setting of the Grade II listed building – the contrast with the existing buildings recognised in the Heritage Statement for being "*constructed at considerable expense*" and benefiting from "*architectural detailing that is uncommon on buildings constructed for lower income residents*" is significant for demonstrating how the new development does not meet the standard set by the quality and craft of the existing building.
- A lack of necessary detail to assess the material palette and ensure an appropriate colour match with existing buildings and structures.
- Significant encroachment on the existing almshouses from the proposed office and communal space which cramps the existing building and leaves an awkward space south of the eastern outbuilding.
- A communal space which is undersized for the number of residents planned and not fit for purpose.
- Inappropriate elevated pathways creating a trip hazard and reducing accessibility for the mobility impaired.
- Significant encroachment on the adjacent assembly hall with east facing windows barely two metres from a new blank elevation.

8. We have particular concerns about the impact of the office and communal space given the lack of information about how these will be managed and the significant area of land they occupy. The size of the communal space is wholly inadequate given the number of residents being proposed. The inclusion of an office and communal space means the scheme is substantially different to that consented in 2002 both in terms of land use and impact. The public benefit from providing an office space for the applicant's business use and an undersized communal space to which access will be tightly controlled is minimal and insufficient to outweigh the considerable harm they cause to heritage assets and the loss of open space. We do not support their inclusion in the scheme as proposed.

## **Open space**

9. The proposals will result in the loss of a significant area of open space designated for protection in Merton's new Local Plan. Remarkably, no detail is provided on the area of open space which will be lost and the supporting Heritage Statement does not even address the issue despite its importance to the significance of the Conservation Area. The fact that this open space is enclosed does not diminish the important and material contribution it makes to the Conservation Area.

10. On a generous estimate we calculate the loss of 67% of the existing shared green space as a result of the proposals. If the private gardens to the south of the new homes are included as part of the open space the loss is approximately 60%. As a result only around one third of the site remains as green space. This fundamentally alters the balance of land uses and is a source of significant harm to both the Conservation Area and the significance of the Grade II listed building.

11. We agree with Merton Council officer's views expressed during pre-application consultation that the "*allotment gardens....in themselves are a historic feature that contribute to the almshouses sense of place*". We do not consider it possible to provide a "*representative degree of allotment gardens*" in the space remaining.

12. Our concerns are exacerbated by the lack of detail of how the open space which remains after the new building will be managed. No plans, drawings or landscape information is provided to suggest it will be other than a manicured lawn thereby removing the remaining physical evidence of the historic use as allotments serving the almshouses. Vague statements of intent that some of the land will be used as an allotment do not provide the level of assurance required given the importance of this historic use.

13. The loss of open space is also important to the occupiers of Mary Tate's Almshouses. The positive benefits of regular contact with nature are now fully acknowledged and there will be a significant and collective loss.

### **Bin storage**

14. It is proposed that the existing outbuildings are used for bin storage and a member of staff will ensure bins are correctly positioned for collection. This is presented as a continuation of the current position. In reality no bins are currently stored in the existing outbuildings and waste contractors come round to the rear of the building to collect the bins. This is significantly further than Merton Council's normal restriction of bins being no more than 10m from collection vehicles.

15. A visual inspection of the existing outbuildings during our site visit confirms they neither have the capacity nor are they suitable locations to use as bin stores. A majority of the bins would be inaccessible within the outbuilding even before considering that many of the residents are mobility impaired. It would also require some residents to carry refuse significant distances from their home to the bin in a distant outbuilding. A Eurobin arrangement would not be suitable. One of the outbuildings is also used as a tool store and shed for managing the allotments. Continuing this historic use is a priority and the loss of an outbuilding would put it at risk.

16. There are already 12 wheelie bins on site. It is estimated an additional five homes would generate a need for a minimum of six additional wheelie bins for recycling and residual waste. It is more likely that ten would be provided so each home had its own arrangements. These could not physically be located in the outbuildings given their size.

17. The proposals do not satisfactorily address the arrangements for refuse storage and collection. This is symptomatic of the wider issue that the proposals represent an overdevelopment.

### **Access**

18. This is a highly constrained site. An access route with a new western gate is proposed. The scheme is dependent on this being deliverable yet no information is provided that there is a legal right of access to the new gate from Cricket Green road in perpetuity.

19. The new access will also result in the removal of a section of Grade II listed wall despite Merton Council officer's observation during pre-application discussions that "*The Council would be reluctant towards the removal of a greater proportion of the wall*". The historic integrity of the Grade II listed wall is already at risk from the substantial demolition and rebuilding proposed for a majority of its length and the direct loss of even a short stretch is highly significant.

20. The earlier proposals considered first the need for on-site parking and then the need for a vehicle drop off point within the site. Constraints on access have resulted in

both options being dropped from the final proposals. It is, however, unclear how the need expressed for vehicle access are met by the final proposals and, as a result, the scheme is likely to unacceptably increase the prevalence of fly parking on Cricket Green road.

21. We do not consider the side access route to the rear of the new homes to be fit for purpose. The eastern route narrows to less than 1.5m.

### **Standard of accommodation**

22. We do not consider the internal layout of the proposed homes meets the minimum space standard of 51.5 sq. m gross internal floor area and storage. The gross internal floor area for each home is 50.1 sq. m and no storage is provided (contrary to London Plan policies D6 and H13). This is before consideration of the particular needs of the future occupiers with a significant proportion needing space to store wheelchairs and mobility scooters. No external storage or charging points for mobility scooters are provided, contrary to London Plan Policy H13.

### **Sustainability**

23. The proposals offer only limited sustainability benefits and aspects of their design are inadequate. This is despite the expectations of planning policy and Croydon Almshouse Charities stated value of "*sustainability*". The issues include:

- Provision of gas boilers rather than use of electricity – the intention to make these "hydrogen ready" does not address the reality that the development will perpetuate use of gas and a more effective heating strategy should be provided which anticipates the imminent phasing out of gas boilers.
- Room designs which have front doors opening directly onto living quarters resulting in significant heat loss during winter – the scheme consented in 2002 provided entrance halls.
- Inadequate provision of renewable energy – the solar panels proposed for the rear roof generate just 0.02 megawatts for use across the whole site.

### **Missing information**

24. There is a significant amount of information missing which is necessary to inform a planning decision. This includes information requested by Merton Council officers during pre-application discussions. The missing information includes:

- *Walls* – there is no evidence provided that substantial stretches of the existing Grade II listed wall are "*unsafe*". While a cursory visual inspection of the existing wall would indicate a need for significant conservation and repair work, the boundary wall is a nationally designated heritage asset and any proposal for its demolition and replacement needs significantly more justification. This should include a detailed survey and assessment of the wall's condition. An equivalent recent proposal relates to works at The Canons where a detailed condition survey was undertaken (see [summary](#)). We note that the 2002 application also involved proposals to demolish and replace the wall. This suggests the wall has been allowed to remain in an unsafe condition for over 20 years even though it borders a school. This is wilful neglect. The future conservation of the wall can and should be achieved by serving a Listed Building Repair Notice on the owners and is not dependent on a successful outcome for this planning application. National planning policy is also clear that "*where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision*" (paragraph 196, NPPF). We believe there to be clear evidence of neglect over at least 20 years.
- *Occupation criteria* – The basis on which future residents would qualify for occupying the new dwellings remains unclear. Mary Tate's wishes specified use only by women and that they had to be from within the Mitcham area. We understand the intention now is to provide mixed accommodation, including couples, drawn from the whole of Merton. The basis on which these changes to

the original wishes are being made is unknown. Merton Council officers have stated that *"it would be helpful if these criteria could be provided within any future application"* but no clarity has been provided.

- *Trees* – the planning application form recognises that there are trees on the development site and it is located in a conservation area yet no tree survey has been provided and no trees are shown on the plans. We understand efforts are being made to secure Tree Preservation Orders at the rear of the site and the plans do not include retention of the existing trees along the rear wall. There is no evidence of new planting or any mitigation for tree loss. Any such mitigation should be as a minimum on a like for like basis and there should be a net increase in tree canopy.
- *Cycle storage* – Merton Council officers note that information needs to be provided to demonstrate that meeting London Plan standards for cycle storage can be reduced and state that there is an expectation of some cycle provision being made. No information is included with the application and no cycle storage is provided.
- *Allotment use* – It is stated that a proportion of the remaining open space will be given over to allotments and this may be related to intergenerational projects with the local school. Merton Council officers have emphasised the need to *"ensure a representative degree of the allotment gardens are retained"*. Despite this no detail on the location or area of any proposed allotments in the remaining open space is provided and we understand there are no agreements with the adjacent school regarding future projects. This does not provide the assurance needed given the historic importance of this use.
- *Acoustics* – The pre-application discussions note the potentially significant impact of the school playground adjacent to the new development and advise having *"acoustic noise dampening installed"*. It is unclear that this is included in the plans and no acoustic assessment has been provided to demonstrate the homes will be habitable. A recent equivalent proposal for homes adjacent to Tooting and Mitcham football ground was supported by a detailed acoustic assessment.
- *Urban Greening* – The proposal is stated as having an Urban Greening Factor of 0.41. No information on how this has been calculated is provided. This is essential as it only marginally exceeds the minimum requirement of 0.4 for residential development (London Plan Policy G5) and involves the loss of a significant area of open space. The assessment should also start from a position before the recent unauthorised felling of fruit trees on the site despite its location in a Conservation Area.
- *Construction* – No details are provided on how the construction will be undertaken and how the impact on existing residents will be mitigated. This is a physically extremely constrained site with highly vulnerable existing occupants giving rise to significant health (dust, noise) and public safety (mobility impairment, frailty, dementia) considerations. This is further exacerbated by a majority of residents being confined to their homes much more than in other residential areas. The practical difficulties of constructing the new buildings and undertaking works on the walls in a manner which is appropriately respectful of the area and sensitive to existing residents are significant enough to require evidence that they can be satisfactorily overcome prior to a planning decision made. It is not sufficient simply to condition provision of a construction method statement. We find the lack of attention given to the impact on existing residents particularly problematic given the charitable purpose of the applicant.
- *Fire safety* – The highly constrained nature of the site and the vulnerability of its residents puts a high premium on fire safety. The application lacks detail on how London Fire Brigade will access the site or on the evacuation routes for residents in the new building in the event of a serious incident in the existing building which blocks access to Cricket Green road.

### **Errors and inconsistencies**

25. We have identified multiple errors and inconsistencies in the information supporting this application. Each of these may be significant and collectively they



undermine confidence in the quality of the information and evidence provided and the reliance which can therefore be placed upon it in reaching a planning decision.

26. The errors and inconsistencies include:

- Identifying the site as being in Mitcham Urban Village – a policy dating to Merton’s Unitary Development Plan in 2003 and replaced over 10 years ago by the Core Strategy (2011) and subsequent Sites and Policies Plan (2014).
- Stating on the application form that there will be no partial demolition of any listed structure – yet the proposals involve permanent loss of a stretch of Grade II listed wall for a new opening and the demolition and rebuilding of a majority of the remaining Grade II listed boundary wall.
- Stating on the application form that there will be no loss, gain or change of use of any open space despite the loss of a significant area of protected open space being one of the most significant impacts of the proposals – remarkably the applicant provides no information on the area of open space to be lost as an area and/or percentage anywhere in the supporting information.
- Stating on the application form that the proposals involve no harvesting of rainfall or re-use of grey water and then identifying both as happening in the remaining supporting information (e.g. page 12, Design & Access Statement).
- Stating that “*current refuse collection arrangements are not proposed to change.....On collection days a member of staff will position the bins for collection.*” The current arrangements are managed by residents with waste contractors accessing the side and rear of the existing almshouses to reach the wheelie bins. Bins are not stored in existing outbuildings and no support is provided by staff at the time of collection.
- Incorrectly describing Cricket Green as “*landscaped parkland*” when explaining the context for the proposals in the Design and Access Statement (page 6).
- Providing contradictory statements that the purpose of the proposal “*is to provide additional Almshouses to the community of Mitcham*” (page 2, Design and Access Statement) and yet also stating “*our ambition to provide an additional five almshouses for older, vulnerable single people or couples who are in financial need with a link to Merton*” (cover letter) – it is essential to maintain the original link to Mitcham as specified by the original donor, Mary Tate.
- Inconsistencies between the accompanying drawings – these include marked variations in the colour of bricks to be used and variations in the brickwork detail below the windows of the proposed dwellings and the location of rainwater goods which are both presented differently in Drawing PL-200 (upper) and the 3D visualisation (lower).



## **Conclusions**

27. These representations identify a series of weaknesses, errors and omissions in the information supporting the planning application. It is important to recognise that addressing these will not overcome the fundamental reasons why permission should not be granted. The proposals irreversibly change and harm the character of Mary Tate's Almshouses. They develop a large area of protected open space and cause demonstrable harm to the significance of the Grade II listed building and Conservation Area. The site area of Mary Tate's Almshouses changes from being predominantly open space to predominantly developed. The evidence of seeking to extract too much from the site is also apparent in the undersized homes, lack of internal storage, restricted access routes, inadequate bin storage and cramped meeting space. There may also be insurmountable issues relating to the construction of the new buildings given the restricted site and vulnerability of existing residents. We find this all particularly problematic given the caring mission of Croydon Almshouse Charities and the circumstances of the existing and any future residents.

28. We object to the plans and in terms of the balancing exercise required by national planning policy consider the harm they cause to designated heritage assets (Grade II listed building, Conservation Area) to significantly outweigh the public benefit of the scheme. Additionally the proposals result in the loss of a significant area of protected open space and are in conflict with existing and emerging development plan policy, including London Plan policies D5, D6, D7, D12, H13, HC1, G1, G5 and T5, Local Plan policies CS2, CS13, CS14, DM O1, DM O2, DM D1, DM D2, DM D4 and emerging Local Plan policies O15.1 and O15.2.