



MITCHAM SOCIETY

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Mitcham Society Comments November 2019

ERECTION OF A 5-STOREY MIXED USE BUILDING COMPRISING COMMERCIAL GROUND FLOOR SPACE IN FLEXIBLE A1 (RETAIL), A2 (PROFESSIONAL & FINANCIAL SERVICES), A3 (RESTAURANTS & CAFES) AND A5 (HOT FOOD TAKEAWAY) USE WITH 19 x SELF-CONTAINED FLATS ABOVE

Mitcham Society has considered the proposals for the above development and has the following comments.

- 1) This is an extremely important site and all new build in in this area must be of the very highest quality. It directly borders Mitcham Cricket Green Conservation Area. Merton Council has a duty to ensure development on the edges (environs) of a Conservation Area both does nothing to detract from it and positively enhances it. It is a gateway to Mitcham's historic Cricket Green and cricket ground, and opposite the Grade II Listed Burn Bullock pub. The immediate surroundings contain excellent examples of buildings including some going back to Tudor times. The buildings in the parade the site is on, and those across the Broadway Gardens junction are all much lower in height with a very notable domestic scale. This sets the immediate context for height and design, and should be respected. While some poor quality development can be found in the immediate surroundings, its existence is not a reason to allow further deterioration in design or build quality. Indeed the opposite pertains. New build should lift standards and be the exemplar for the future.
- 2) The National Planning Policy Framework (NPPF) states "It is important to plan positively for the achievement of high quality and inclusive design", and provides several relevant criteria including requiring that "planning policies *and decisions* [our italics] should aim to ensure that developments:
 - "will function well and add to the overall quality of the area, not just for the short term, but over the lifetime of the development
 - "establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit



- “respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation
 - “are visually attractive as a result of good architecture and appropriate landscaping”
- 3) Community engagement. The NPPF states “Applicants will be expected to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community.” We have not been approached by the developer at any time. We are aware that discussions were held with Merton Council’s Design Review Panel regarding this site in April 2019. We do not regard this as working closely with those directly affected by proposals to evolve designs. Nor were members of the public even allowed to attend the April 2019 Design Review Panel meeting. Merely carrying out a planning notification to the immediately affected neighbourhood does not constitute engagement. There has been no significant attempt at community engagement prior to the submission of this application. The developer has failed to work within the NPPF requirements, and this proposal should therefore not be looked on favourably.
- 4) The proposed development would dwarf the immediately adjacent building which provides retail plus two storeys of residential above. It also dwarfs all the existing buildings along London Road which the Design and Access Statement uses as reference points. A reference point of a pre-application stage proposal for the former Kwik Fit site is also used. This proposal is, we understand, still being reviewed by the developer and is therefore an inappropriate, inaccurate and irrelevant reference point. Any planning application for that site may vary significantly from the drawing used in this application. It should not be considered in evaluating this application.

4.6 APPEARANCE: PROPOSED ELEVATIONS



Context Elevation 01 - London Road South of Site



- 5) The inset upper two storeys of the proposal are a gratuitous overdevelopment of the site. They are incongruous with the design of the lower three storeys and do not fit visually with the rest of the design. The balcony design of the upper two storeys is completely out of place with other designs locally, and with the lower two residential storeys. In NPPF terms

the upper two storeys do not “add to the overall quality of the area”, do not “respond to local character and history” in any way, and do not “reflect the identity of local surroundings and materials”.

- 6) The proposed development would tower over the two storey homes in the Broadway Gardens cul-de-sac. There is no mitigation for the sense of enclosure and loss of access to open views that a building of this height would impose on the residents of Broadway Gardens. This would be a significant, permanent loss, which could have a negative effect on individual and collective wellbeing.
- 7) Windows and balconies on the rear elevation will impinge on the private amenity space (back gardens) of homes on Broadway Gardens. The image below clearly shows that they will facilitate overlooking. This loss of privacy will affect Broadway Gardens residents’ ability to use their own garden space freely. It is not acceptable.



- 8) Balconies collect clutter. This would be detrimental to the street scene, on what is, as we have already noted, an important gateway site to Mitcham’s historic cricket ground and Conservation Area, and opposite the Grade II Listed Burn Bullock pub. They are entirely inappropriate for this site. If balconies are incorporated in this development, the developer will need to have, and enforce, a ‘clear balconies’ policy or find some other way of ensuring items on balconies are not visible from the street.
- 9) The viability assessment states that it is not possible to include affordable homes in this development and offers a sum of £120,000 to Merton Council in mitigation to set towards providing affordable homes in the borough. Too often developers are allowed to forego their role in providing affordable housing, going against Merton Council’s policy on this matter. We support mixed tenure on principle, and believe Merton Council should stick to its policy on this matter. We do not believe this development displays the ‘exceptional

circumstances' under which Merton Council can accept a financial contribution rather than provision on site.

10) This application contravenes a number of policies. Specific clauses are highlighted below where appropriate:

- a. CS 2 Mitcham Sub-Area policy – this application fails particularly on:
 - i. CS 2 i “Ensuring that development conserves and enhances the historic environment, for example around Cricket Green and Mitcham Common
 - ii. CS 2 j “Enhancing the public realm through high quality urban design and architecture
- b. CS 8 Housing Choice – this application fails particularly on the requirement of developments of 10 units or more to provide 40% affordable housing. The provision requirement clearly states that this housing should be provided on site, and that “Only in exceptional circumstances will the council consider the provision of affordable housing off-site or financial contributions in lieu of provision on site and this must be justified.”
- c. CS 14 Design, which states “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”. This application fails particularly on:
 - i. CS 14 b iii “improves Merton’s overall design standard”
 - ii. CS 14 b iv “responds to heritage assets and the wider historic environment to enhance local character and distinctiveness”
- d. DM D1 which is clear that “Development proposals must impact positively on the character and quality of the public realm”
- e. DM D2 which focuses on high quality design. This application fails particularly on:
 - i. DM D2 a) i “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”
 - ii. DM D2 a) ii “Use appropriate architectural forms, language, detailing and materials which complement and enhance the character of the wider setting”

iii. DM D2 a) vi “Protect new and existing development from visual intrusion..... so that the living conditions of existing and future occupiers are not unduly diminished”

f. DM D4 which focuses on heritage assets. This application, being adjacent to Cricket Green Conservation Area has a negative effect on this heritage asset.

11) A general comment about development in Mitcham: The NPPF stresses the importance of design codes and local design review. Mitcham is experiencing considerable development pressure, and we see increasing numbers of proposals which are inappropriate for the area in scale, size and design quality. We urge Merton Council to work with the local community in the development of a design code, and to open up design review to a wider community base for schemes of more than a domestic scale, in order to help discourage further inappropriate proposals coming forward.

12) This development should be refused. It is too tall, too dense, an overdevelopment of the site, would introduce seriously detrimental balcony clutter to the street scene and seriously affect the privacy and wellbeing of residents in Broadway Gardens through overlooking and blocking out of views. It contravenes many of Merton Council’s planning policies. The developer has failed to engage with the community during the design process, thereby flouting NPPF guidance. The proposal is entirely inappropriate for a development on the gateway to Mitcham Cricket Green Conservation Area and to the historic Cricket Green itself. A scheme comprising retail at ground level and two residential storeys above is appropriate for this site. Any scheme for this site must include affordable housing within the site, and not simply pay a premium to avoid this responsibility.