

8 December 2020

Land at Benedict Wharf, Mitcham

in the London Borough of Merton

planning application no. 19/P2383

This addendum sets out various factual updates, clarifications and corrections which need to be considered in conjunction with the Representation Hearing Report originally published on 30 November 2020 (GLA ref: GLA/4756/03).

Notification / update:

1 On 7 December 2020, a holding direction was issued by the Secretary of State under Article 31 of the Town and Country Planning (Development management Procedure) (England) Order 2015. This direction prevents the local planning authority from granting planning permission on the application without specific authorisation from the Secretary of State.

Amendments to the report

2 Paragraph 2 (d) should be corrected as follows:

“In terms of housing and affordable housing, the application proposes up to 850 residential units, of which, 35% would be affordable. The industrial capacity on the site would not be reprovided on site, so the application would normally be subject to the 50% threshold for affordable housing. However, in this particular case, GLA officers consider that the application **is should be** subject to the 35% affordable housing threshold set out in Policy H5 of the Intend to Publish London Plan because there would be a net increase in industrial capacity (in terms of waste throughput) across the two linked applications and noting that its delivery would be appropriately secured via the Section 106 obligation. A significant factor in this case is also that the applicant owns both sites and has obtained full planning permission for the replacement waste management facility. GLA officers consider waste throughput is the most appropriate metric for assessing industrial capacity in this case, as the sites are both safeguarded for waste management use. The proposed affordable housing tenure mix would comprise 60% London Affordable Rent (LAR) and 40% intermediate London Shared Ownership. This complies with the tenure mix requirements of the Merton Local Plan, London Plan and Intend to Publish London Plan. As such, **whilst the application would not fully comply with the Fast Track Route criteria set out in the Intend to Publish London Plan and the Affordable Housing & Viability SPG, GLA officers consider that there are material considerations in this instance which indicate that the 35% threshold should apply in this instance**, subject an early stage viability review mechanism and provisions to ensure grant funding is explored being secured via Section 106 agreement, ~~the application would comply fully with the Fast Track Route criteria set out in the Intend to Publish London Plan and the Affordable Housing & Viability SPG.~~ The affordability levels proposed comply with the Affordable Housing & Viability SPG, Intend to Publish London Plan and London Plan AMR, and would be secured in perpetuity via Section 106 agreement, together with appropriate phasing triggers included to secure the delivery of affordable housing by tenure alongside the occupation of market housing. The scheme would therefore make a significant contribution towards housing and affordable housing delivery targets and meeting local and strategic housing need. On this basis, the application ~~accords with~~ **is supported, in accordance** with the NPPF; London Plan Policies 3.3, 3.4, 3.8, 3.9, 3.10, 3.11, and 3.12; and Intend to Publish London Plan Policies H1, H4, H5, H6, H7; H10; and complies with Merton Council’s affordable housing tenure mix requirements, as set out in Merton Local Plan Policy CS8 and DMH3.”

3 Paragraph 19 of the report should be corrected as follows:

“The outline application is supported by a design code and one parameter plan relating to building heights. This sets out maximum height parameters for the indicative development parcels across the site, as well as defining the pylon exclusion zone to the south and is shown below in Figure 2. The proposed development would be limited to up to 3-storeys to the north of the site closest to Hallowfield Way and the rear boundaries of residential properties on Church Path and would be limited to up to ~~six-storeys~~~~four-storeys~~ adjacent to the car pound to the west. Building heights up to 10-storeys are proposed in the centre of the site and on one of the indicative development parcels facing onto the London Road Playing Fields, with building heights across the remainder of the site limited to up to 8-storeys, including the majority of the development frontage adjacent to the London Road Playing Fields to the east.

4 Paragraph 219 refers to “mopheads/ scooters” – this should have read “**mopeds** /scooters”

5 The policy reference in paragraph 162 should have referred to Policy H5, rather than H4. It should be corrected as follows:

“The application proposes the loss of 3.8 hectares of industrial land which currently contains 10,988 sq.m. of industrial floorspace. capacity. Based on the 65% plot ratio set out in footnote 59 of the Intend to Publish London Plan, the site’s industrial capacity would be 24,700 sq.m. Therefore, the application does not re-provide this quantum of industrial capacity on-site, so does not comply the Fast Track Criteria set out in the Policy ~~H4~~~~H5~~ of the Intend to Publish London Plan and the 50% affordable housing threshold should apply. However, in this particular case, a novel approach is proposed to the replacement of industrial capacity whereby the existing waste management capacity on the site in terms of throughput would be replaced on an alternative safeguarded waste site, which has been vacant for 10 years and is within the same waste planning area and within the applicant’s ownership, for which, the applicant has already secured full planning permission. Whilst the approach does not fully comply with Policy ~~H4~~~~H5~~, as there would be a loss of industrial capacity, GLA officers consider that there are material considerations in this case which justify a departure from footnote 59 of the Intend to Publish London Plan in this particular case.”

6 Paragraph 175 of the report (Conclusion – affordable housing), should be amended to ensure consistency with paragraphs 2 (d) and 162 of the Hearing Report, with the following revisions made:

“Conclusion – affordable housing

In response to concerns raised by the Mayor at both consultation Stage 1, GLA officers worked with the applicant to increase affordable housing provision by more appropriately optimising the residential density of the site. ~~The revised affordable housing offer (35%) meets the applicable affordable threshold level for the proposed development, noting that the waste industrial capacity would be reprovided, with a net increase in throughput through the linked site at 79-85 Beddington Lane in Sutton which must, under the Section 106 agreement, be delivered before works can commence at Benedict Wharf.—~~**The application proposes up to 850 residential units, of which, 35% would be affordable. The industrial capacity on the site would not be reprovided on site, so the application would normally be subject to the 50% threshold for affordable housing. However, in this particular case, GLA officers consider that the application should be subject to the 35% affordable housing threshold set out in Policy H5 of the Intend to Publish London Plan because there would be a net increase in industrial capacity (in terms of waste throughput) across the two linked applications and noting that its delivery would be appropriately secured via the Section 106 obligation. A significant factor in this case is also that the applicant owns both sites and has obtained full planning permission for the replacement waste management facility. GLA officers consider waste throughput is the most appropriate metric for assessing industrial capacity in this case, as**

the sites are both safeguarded for waste management use. A policy compliant affordable housing tenure mix is proposed, taking into account the requirements of the Merton Local Plan, London Plan and Intend to Publish London Plan. As such, subject to the above-mentioned early stage viability review mechanism and provisions relating to grant funding being secured via Section 106 agreement, **GLA officers consider that, in this specific instance, the application should therefore follow** ~~would comply fully with~~ the Fast Track Route ~~criteria~~ set out in the Intend to Publish London Plan and the Affordable Housing & Viability SPG.”

7 Paragraph 178 should be amended as follows:

On this basis, the application accords with London Plan Policies 3.8, 3.9, 3.11 and 3.12; ~~and whilst the application would not fully comply with the Fast Track Route criteria set out in the Intend to Publish London Plan and the Affordable Housing & Viability SPG, GLA officers consider that there are material considerations in this instance which indicate that the 35% threshold should apply in this instance.~~

8 The follow changes are proposed to the list of planning obligations detailed on pages 7 to 9 and 98 to 100 of the Representation Hearing Report:

- a reasonable endeavours obligation and/or financial contribution in relation to the provision of a pedestrian footpath linking the south-western corner of the site to the entrance of Belgrave Walk stop at Ravensbury Path, including necessary landscaping, fencing, public realm improvements and lighting (via third party land owned by TfL ~~subsidiaries subsidiary London Bus Ltd~~);
- the submission and approval of a residential and commercial Travel Plan **(with payment of monitoring contributions to the Council)**;
- Delivery of open space and play space provision prior to occupation of a relevant phase of the development, in accordance with the site wide phasing plan **with the ability to deliver play space off-site, or pay a contribution towards the same, if sufficient play space cannot be delivered on-site or it would be beneficial to deliver play space off-site;**
- Ongoing management and maintenance of open space and public access;
- **Payment of carbon offset contribution**
- **An obligation to ensure appropriate management, maintenance and access in relation to estate roads**
- **Payment of monitoring contribution**

To update:

9 The following additional conditions are proposed which should be added to the list at paragraph 7 of the Hearing Report. The draft wording of all conditions is published alongside this addendum report.

- Arboricultural Method Statement and Tree Protection Plan
- Private open space
- Refuse strategy
- Fire strategy
- Odour
- Cycle parking
- Circular economy statement

10 The following text should be added to paragraph 95 of the report:

Further written representations were received from Local Councillor Owen Pritchard and MP Siobhain McDonagh which repeated the objections set out above. Two additional written representations were also received from local residents covering objections raised above in relation to height, the visual, landscape, townscape and heritage impact, overshadowing, excessive density, design quality, the principle of development and proposed land use change, social infrastructure capacity and impact, site access, car parking, local services and highways safety. The applicant SUEZ also provided a written summary of the points they wish to raise during the Representation Hearing.

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