

**Further Response to the proposed LDF and the Greyhound stadium, site 37**

**Summary**

The revised preferred use for site 37 mentions unspecified enabling developments for sporting intensification but no longer includes light industrial or warehousing. However, the enabling developments suggested so far are inconsistent with Merton's own planning policies and research commissioned by Merton provides no reason to exclude light industrial and warehousing. As such we request that mention of enabling developments be deleted and light industry and warehousing be reinstated. Given the difficult nature of site 37 we urge the council to undertake a first principle approach to its development which is for the benefit of the many of Merton. We also give two examples of how site 37 may be legitimately developed.



It is self evident that the Local Development Framework (LDF) should be based on planning considerations. As such the possible future uses of site 37 contained in the LDF should be based on the "Core Planning Strategy 2010" [1] together with the Draft Sites and Policies Document" of Merton Council which is in turn based on the "National Planning Policy Framework document" [2]. The Core Planning Strategy 2010 [1] document is an excellent document setting out the planning arguments which would benefit the residents of Merton. Unfortunately the revised description of site 37 contained in "F. Wimbledon; potential sites and draft policies maps, January 2013" [3] is not consistent with Merton's Core Planning Strategy 2010 document. We will now explain these inconsistencies in the order in which they arise on pages 549-552 of [3] with the subject titles as given in that document. We will give in bold face the changes that we suggest.

We refer to our previous submission [4], enclosed below, for a discussion of site 37 using the policies set out in Merton's Core Planning Strategy 2010 document [1]. The document [3] begins on page 549 with a fair assessment of some of the difficulties of site 37 and at the top of page 550 we find the suggested uses and the organisations that have suggested them. We then find the section.

**Council's preferred use**

The council gives its revised preferred use as

"Intensification of sporting activity (D2 Use Class) with supporting enabling development. Developments that facilitate more sporting activity may be enabled by more viable uses, subject to meeting planning policy, evidence and consultation".

However, the main obstacle to development on site 37 is that it is in a flood plain at highest risk (3b). It is very instructive to look at Table A.6 of the 2009 Strategic Flood Risk Assessment by Scott and Wilson to see the catastrophic consequences for site 37 of the projected flooding. One can also compare this table with the other tables given in

this survey of the flood risk in the other parts of the Wandle valley to see how severe the consequences of flooding are for site 37. As explained in our previous document [4] the Environment Agency have stated that "We do not believe that any mitigating measures can address the issues associated with the functional floodplain" in respect of residential development. The letter of the Environment Agency in response to the draft LDF of the 16 August 2012 repeated this advise and they have reminded Merton , that Merton have stated in [1] that they will abide by their advise. As explained in [4], the Technical Guidance, table 2: Flood risk vulnerability classification of [2] gives the uses that are permitted in a 3b flood zone. Such uses do include playing fields, however, the same can not be said for any of the suggested enabling developments such as housing 450-500 units or a large foodstore. Furthermore, as explained in [4], the local road network cannot support a large supermarket on site 37 and it would also not pass the required out of town sequential test required for an out of town centre supermarket. As we will explain below there are realistic developments for site 37 that would not require the type of enabling developments that are excluded.

The enabling development is not specified in the revised preferred use and so it is very vague; this is not acceptable for a document that is the final stage of the consultation.

**Since there are no enabling developments that have been shown to be consistent with the flood risk and other planning restrictions we request that the part of the revised Council's preferred use statement that begins with "with supporting enabling developments .. consultation " is deleted.**

There is another inconsistency which concerns the scale of the proposed new development and its future use. The proposed stadium is for 10,000-15,000 seated spectators, however, the gates of AFC wimbledon are well below this figure. This calls into question the long term financial stability of this proposed development even if there was an enabling development to build the stadium. Indeed there is a strong risk that having built the stadium it could only be financially viable if it was mainly used for some other purposes, such as a venue for pop concerts.

## Issues

This section appears at the the top of page 541 where we find the statement

" Facilitating improved accessibility including improving bus infrastructure, walking and cycling facilities. Resolving road network capacity, movement and safety concerns. Site access arrangements require careful scrutiny/improvement"

It was noted in [4] that a large sporting stadium involving the passage of large numbers of people to and from the ground is inconsistent with the very restricted public access to site 37 and that this access can never be significantly improved. Indeed two pages before the above statement in [3] we find the words " The site is poorly accessible by public transport (PTAL2); the road network, railway lines, river and utilities infrastructure in the wider area limit opportunities for improving access to the site." As explained in [4] the passage of so many people to and from the stadium is also inconsistent with many of the other policies given in [1].

**Clearly this can never happen on the scale required and this paragraph should reflect reality. Furthermore the Issues Section should include a statement concerning the further provision of Schools and Health facilities required**

**to accommodate the many new residents envisaged in one of the enabling developments and also a statement on the extra policing requirement to manage the passage of such large groups of people going to and from the stadium**

#### Further Research

At the beginning of this section in [3] we find that the first paragraph informs us that the majority land owner GRA Ltd have submitted new representations.

**This statement only concerns their interest in the site. It is therefore not further research containing arguments reconciling their proposed development with [1] and so it should be deleted.**

The next paragraph in Further Research states that "Research demonstrates that demand for industrial and warehousing land in Merton and across London and the south-east has been declining for two decades and there is no evidence that would support the allocation of this large site as additional industrial land. The council has therefore removed this reference to industrial and warehousing from Wimbledon Greyhound Stadium allocation".

We have examined the research in question; a key document is "Employment and Economic Land Study; London Borough of Merton 2010" [5]. In sections 4.23-29 we find that "A common view was that there would be continued demand for more small to medium sized industrial units, but some concern about the prospects of any new industrial premises being developed to meet this demand in the longer-term. Where modern stock has been provided, particularly in the form of smaller units, demand has been much stronger." The report then states that "Despite its older premises, and probably partly reflecting the lack of new provision, industrial vacancy in Merton is quite low, at 7% of the stock, suggesting that demand has held up reasonably during difficult market conditions". Furthermore "the Borough faces strong competition from neighbouring Boroughs for industrial occupiers, particularly Croydon and Kingston, both of which have a greater supply of more modern space...". In sections 4.33 we find the "Reasons cited for the movement of manufacturing firms out of the Borough include: a lack of modern premises and expansion land." and in section 6.40 that "all but one of the demand estimates produce a level of job generation which is well below the additional number of workers generated by planned housing growth and demographic change..." On page 106 we find that the recommendation (e) "upgrading the stock of industrial premises will be important to retaining a strong industrial base in Merton". We also draw attention to 11.20 which emphasises the need to encourage industrial development. We have quoted this document at length as it demonstrates that there is demand for industrial and warehousing land in Merton, especially if it meets modern requirements, and it is important that the Merton encourages such development. Hence there is no reason to exclude light industrial and warehousing on the grounds given in [3], indeed quite the contrary is the case.

We also note that light industrial is favoured by the flood risk criterion given by the Environment Agency compared to houses and retail and, as set out in [4], it is supported by many of the policies in given in [1]. Furthermore light industrial development is successfully carried out in the land surrounding site 37.

As we have explained already the enabling developments mentioned in [3] are very unlikely to be allowed by the planning requirements and it is unbalanced to rule out a

more viable development such as light industrial. We note that a few pages on in [3] we find on page 567 that light industrial is a preferred use in the Haslemere Industrial Estate. In deciding the preferred use of a site it is important to bear in mind that one is planning for the next 40 years and as [5] makes clear the demand for light industrial is very difficult to predict. Given the very severe planning restrictions of site 37 it makes no sense to exclude light industrials and warehousing.

**We ask that light industrial and warehousing be reinstated as a preferred use of site 37**

We note in [3] the sentence "The environment Agency is supportive of exploring potential mitigation measures to alleviate flood risk on the site". It is their responsibility to look into any new development and this does not mean they favour it.

**We ask that the sentence mentioning the Environment Agency is supplemented by the advise that they have repeatedly given and Merton has already agreed to abide by.**

### School

Finally we come to the closing statement concerning the possibility of a school on site 37. On page 552 of [3] we find the statement that "The site's potential for a primary school was assessed in an external report commissioned by the London Borough of Merton, but was rejected on grounds of size and suitability for a school." This report is the Capita Symonds Report; the Greyhound stadium is on the long list for a possible school and appears in appendix 2 part M 37. Spread across various entires they make the following comments "Very large site and only a proportion of the site would be required for a new primary school. Its existing usage and size make it a difficult site to pursue. Very large site and potentially difficult planning issues. Only a proportion would be needed for a new primary school. The site is in Flood Zone 3b and an area at risk of flooding once every 100 years. Very large site, building in disrepair. Car park appears to be in constant use. Near electricity station and low grade industrial." Although the report correctly acknowledges the difficulties of the site such as flood risk, most of its reservations are related to the current use and state of the site and would not hold were the site be redeveloped as indeed it will be.

**Consequently, we find that the discussion given in [3] does not accurately reflect the report to which it refers and we suggest that a School should be included as one of the preferred uses of site 37**

### Conclusion

We find that the rewriting of the description of site 37 given in [3] is inconsistent with the planning "Sites and Policies" document [1] of Merton Council on which it should be based. It promotes developments that are excluded by planning considerations, such as housing and a large food store, and rules out developments, such as light industrial and warehousing, which are supported by many of Merton's policies. As such the revisions given in [3] do not present a balanced account of the planning arguments nor are they supported by the research on which they claim to be based. It is unfortunate that the revised future designation for site 37 given in [3] has been substantially influenced by the current owner of the site and the interests of the few rather than the many residents of

Merton. Given the difficult nature of site 37, the Council should carry out a first principle study of the possible uses of this difficult site. We now give two examples of how site 37 may be developed in a way that is compatible with planning requirements and for benefits of the many residents of Merton.

We believe that site 37 could accommodate businesses relocated from other sites within the borough, which are not subject to the many difficulties of site 37, so freeing up land for housing and other essential developments. Our first example concerns the builders merchants, dairy and self storage company currently located on the site bordered by Gap Road and the two railway lines, this site is close to the junctions with Leopold Rd and Ashcombe Road. The occupants of this site could be relocated to site 37 so releasing land more suitable for housing development. We note that this area is closer to the Wimbledon town centre and is not subject to flood risk. This swop would provide site 37 with appropriate light industrial and warehousing. it would also address the current problem of the conflict between pedestrians, including school children, on Gap Road and the heavy commercial traffic and forklifts servicing these current businesses during the peak hours. We also note that the site containing the dairy etc was discussed in a favourable light in the Capita Symonds Report as a possible site for a school provided space could be found for its current occupants.

Another example, using the same principle, concerns the Council owned Latimer Road amenity and leisure facility which is in need of upgrading and renovation. One could build a modern amenity and leisure facility, including an olympic standard swimming pool on part of site 37. This would then allow housing, or a school, on the Latimer Road site. Indeed this idea could be applied to other Council run amenities which are suitable uses for Site 37.

These ideas could also be applied in a more general context. Merton contains in the Wandle valley quite a number of sites that are subject to flood risk. Merton has so far not developed, as far as we are aware, a systematic strategy for dealing with this problem, however , the ideas we have put forward for site 37 could be applied to other areas in the flood plain at highest risk.

### References

- [1] "Core Planning Strategy 2010", London Borough of Merton.
- [2] "National Planning Policy Framework Document" , Department for Communities and Local Government, March 2012.
- [3] "F. Wimbledon; potential sites and draft policies maps, January 2013". London Borough of Merton.
- [4] Response to the proposed LDF and the Greyhound stadium, site 37 by Iain Simpson and Peter West on behalf of the Wimbledon Park Residents Association.
- [5] "Employment and Economic Land Study; London Borough of Merton September 2010". This is a technical report prepared for the London Borough of Merton by Nathaniel Lichfield and Partners.

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We now enclose our previous response to the LDF before it was revised.

### **Response to the proposed LDF and the Greyhound stadium, site 37**

Site 37 is in a flood plain which carries the highest risk of flooding and has limited transport infrastructure. As such there are a limited number of developments that can be built on the site that are consistent with national and local planning policies. Its development as an open space with playing fields and tennis courts for schools and local residents is a use which is compatible with, and supported by, such policies. The use of site 37 for light industrial is supported by many national and local policies but it is not completely consistent with the flood risk the site carries. However, the development of significant residential housing or retail on all, or part of the site, is inconsistent with national and local polices, as is the building of a major stadium. Hence, while we support the site designation of sporting intensification or light industrial for site 37, it is important that the council makes clear that it will abide by national and local policies and the consequences they imply for site 37. Below we will spell out these arguments considering the possible uses for the site one by one before concluding.

### **Housing**

We note that site 37 is in the flood plain of the River Wandle and has been assigned the highest level of risk (3b) which is defined as a "zone comprising land where water has to flow or be stored in times of flood". Furthermore the National Planning Policy Framework places extremely stringent requirements on developments in a (3b) flood zone; for example it states that "the zone should remain operational and safe for users in times of flood,

result in no net loss of floodplain storage,....” It also lists in table 2 the permitted uses which are things like ”sand and gravel working, Docks, marinas and wharves,...” These uses do not include residential housing or anything remotely related to it. Merton has stated that ”Developments will therefore need to comply with Environment Agency” (18.45). However, the Environment Agency has stated that site 37 is not suitable for residential development and in particular have stated that ” We do not believe that any mitigating measures can address the issues associated with the functional floodplain and with the critical drainage areas to minimise flood risk for the future occupiers and the potential for water pollution from the site”.

From a wider perspective we note that any substantial housing would result in an increase in new residents to the Borough of Merton and necessitate the provision of further school places, GP surgeries and any other required social amenities. Unless these were to be fully funded directly by the developer through S106 contributions, it would place a burden on the tax payers of Merton while the profits from such a scheme are diverted elsewhere. We also note that the new residents will require the provision of additional jobs in Merton which may be greater than the number created by any other developments on this site. In addition this would lead to an increase in the levels of car traffic that could not be supported by the local road system (see comments on retail and transport given below).

**We can conclude that any study undertaken is very unlikely to justify residential housing on site 37.**

### **Retail**

We now consider the suitability of a retail development including a substantial supermarket. We note that in the recent past a planning application for a supermarket on the site of the former football stadium at the junction of Plough Lane, Gap, Haydons and Dunsford Road, which is only a short distance from site 37, was comprehensively rejected on the grounds that it was an out of town centre location and it would lead to higher levels of traffic than the neighbouring road system could support. Since that time, the junction of Plough Lane, Gap, Haydons and Durnsford Roads has been improved to take account of the new housing that was subsequently built on this site and this junction can not be further improved to accommodate more traffic. Retail is also not one of the uses in a (3b) flood zone that is permitted in the National Planning Policy Framework.

The area is now well provided with supermarkets, Morrisons in Wimbledon town centre, Savacentre in Merton High Street, a new Waitrose supermarket on Alexandra Road as well as an enlarged Co-Operative on Arthur Road and a significant number of smaller supermarkets. Furthermore, there is expected to be a substantial amount of vacant retail space within the borough and any proposed retail scheme would once again fail the required sequential test demanded by the National Planning Policy Framework. Such a store would take shopping away from the existing provision in Wimbledon town centre and so be inconsistent with policy CS6 which wishes to strengthen the position of Wimbledon town centre, with policy 17.1 which places Wimbledon at the top of its hierarchy of retail centres and with table 17.2 which expects 80% of the growth to be in Wimbledon town

centre.

**The building of a substantial supermarket, or other such retail store, is inconsistent with a large number of planning policies**

## Transport

Now we consider the impact of having a development, such as a football stadium, that would generate a large number of people travelling to and from site 37 which would not only be on match days as the stadium would be used for a wide range of other events such as concerts. We note that the site is very poorly served by public transport with a PTAL score of 2 and that "the road network, railway line, rivers and utilities infrastructure in the wider area limit opportunities for improving access to the site". The junction of Plough Lane, Durnsford, Gap and Haydons Roads, despite improvements undertaken to facilitate the residential development of the adjacent site, suffers from considerable traffic congestion with very long tail backs at peak times. Although there are a number of railway and tube stations within walking distance of site 37, only Haydons Road Station can be considered as close but this is limited to a Thameslink service only. We should bear in mind that the number of car journeys is likely to increase substantially as the population grows.

As a result, such a development is not consistent with Policy 26.14 that requires "that proposals that generate a significant number of trips are located in areas of good public transport accessibility ..." , and also with Policy 26.19 which states that "planning applications are supported where they demonstrate that the existing public transport levels sustain the public transport needs generated by the development .... ". It is also in conflict with policy CS19 which states that developers must demonstrate that " their proposals are adequately served by a varied of modes of transport and that the proposals do not have an adverse effect on transport within the vicinity of the site".

It is acknowledged in policy 16.18 that in Wimbledon town centre the "pedestrian access and movement is restricted" and the passage of large number of pedestrians going to and from this station will have adverse effects that are not compatible with policy CS20 (e) that requires "developers to demonstrate that their development will not adversely affect the pedestrian and cycle movements, safety, the convenience of local residents or the quality of bus movements and/ or facilities; on street parking, traffic management." The resulting disruption in Wimbledon town centre will inevitably have an adverse effect on the retail and other activities in the town centre as it will strongly discourage visits to the centre and it is not likely that the pedestrians going to the events at site 37 will make use to any great extend of the retail and other facilities in the town centre. Consequently such a development would have a very negative effect on Wimbledon town centre and it is in conflict with the strategic goal (Policy 17.1) of strengthening the position of Wimbledon town centre.

The same considerations apply to the use of Wimbledon Park tube station which is situated on the Arthur Road shopping centre that has been selected as one of the local shopping centres that is to be preserved see table 17.1 and Haydons Road station which is in a residential area. The Earlsfield railway station and the Tooting Broadway tube station

are at some distance from the site, but many of the same comments apply, we expect that Wandsworth council will comment on this.

The large numbers of pedestrians who will be passing through the surrounding residential areas situated on the route to the stadium will inevitably lead to a deterioration in the peace and quiet of the local area and the anecdotal evidence from the time when Wimbledon Football club played in their old stadium at Plough Lane is not encouraging. We also note that recently built football stadiums have necessitated the redesign of local transport hubs to enable effective policing and safe passage of supporters. One relevant example where football supporters were a consideration in the planning and design of a new London underground station is Fulham Broadway. Rebuilt in 2001 as part of a retail development, the final design incorporated separate access arrangements to and from the tube station specifically for the home and away fans to allow effective policing, ensure the safe passage for supporters directly to and from the Chelsea football ground next door and enable shoppers and local residents to live and enjoy Fulham Broadway on match days without unnecessary negative impact on their streets and amenities. We note that Wimbledon town centre and its railway station, Wimbledon Park station and Haydons Road station have not been designed with football crowds in mind and, with the exception of the latter which has a poor service, are remotely located in relation to site 37. It is difficult to envisage how the well policed and safe movement of supporters would be possible without negatively impacting on the local residential areas and shopping centres and we do not believe this could be achieved in relation to site 37.

We also note that site 37 is on the main route between St George's Hospital and the large shopping and residential areas of Wimbledon town centre and Wimbledon Hill and the presence of large numbers of pedestrians attending sporting events and concerts will inevitably lead to an increase in car traffic which will impact negatively on the free passage of A&E ambulances going to and from the hospital.

**The development of a stadium accommodating many thousands of people is incompatible with so many of the policies set out in Core Planning Strategy that it is difficult to see how it can be justified.**

### Light Industrial

Light industrial is not specified as a permitted use in a (3b) flood zone, however, it is much more appropriate than housing and retail. Site 37 is surrounded by land which is in a designated industrial area and as such should really be considered for this use. This use is consistent with the National Planning Policy Framework which in paragraph 21 which requires local planning authorities "to set out a clear economic vision and strategy for their area which positively and proactively encourages sustainable economic growth;... identify priority areas for economic regeneration ,..... ". Such policies can be found in the Core Planning Strategy document of Merton. For example, policy CS12 which requires plans that are "protecting and managing the designated Strategic Industrial Locations and maintaining and improving our Locally Significant Industrial locations...". Policy 20.13 states that "Merton has low levels of industrial land relative to demand .." and Policy 20.14 which 'substantially protect and where possible improve the quality of the borough's Strategic Industrial Locations". Furthermore it is in the Wandle valley corridor

which is regarded in policy 27.34 ” ....as a key business corridor”. In addition such a development would bring additional employment to the borough without introducing new residents and so create a net increase in the number of jobs for local people as required in policies CS12 (a,b) and (c iii) and policy 20.3.

**Light industrial on site 37 is supported by many national and local policies, however, such a development would have to comply with the fact that the site is in a floodplain.**

### Conclusion

Site 37 has no specific designation in the current UDP, however, in the LDF its proposed designation is ”Intensification of sporting activity (D2 Use Class) or industrial (B1(c), B2 Use class) and warehousing (B8 Use Class) on cessation of sporting use”. The main justification for this would appear to be that site 37 is in a flood plain and to give continuity with its use as a Greyhound Stadium.

Site 37 is not an easy site to develop; it is in a flood plain at highest risk (3b) and is inadequately served by public transport and the surrounding roads are subject to considerable traffic congestion. Also it is isolated from the rest of Merton by a railway line and the River Wandle severely limiting the possible improvements in transport. In recent years the consequences of building on floodplains have become only too apparent. It would clarify matters if Merton could clearly state, at least for this site which is situated on the border of the borough, if it intends to comply with the policies in the National Planning Policy Framework and the advice of the Environment Agency.

As we have mentioned, the National Planning Policy Framework places very strong constraints on what one can build on a floodplain at highest risk. However, one of the allowed uses is ”outdoor facilities and recreation and essential facilities such a changing rooms...” This is the ideal use for this site. Some of the site could be used for playing fields for local schools and residents. This would have the by product that it could help local schools meet the inevitable increase in demand for school places. Another part of the site could be turned into a green area which could be used for walking, tennis and other sporting uses by local residents. We note that local councils are to take over the responsibility for public health from the NHS and the provision of areas in which local residents can exercise could form an important part of this strategy. It would of course also be consistent with the Olympic legacy in that it would encourage residents to undertake sporting activity. If the designation of sporting intensification is taken to mean playing fields for residents and schools, tennis courts etc then this is compatible with local and national planning polices and would be a very good use for site 37. Such a development would also fit very well with the proposed Wandle Valley Regional Park. We would encourage the council to actively engage with organisations that might help to bring this possibility about.

However, the same cannot be said if the sporting intensification designation is used to support the development of a major football stadium, especially if it is in conjunction with residential housing or a supermarket. The latter are excluded by national and local policies that relate to the fact that site 37 is a floodplain in the highest risk category. In addition building a major stadium at site 37 is also inconsistent with the policies in Merton’s Core Planning Strategy document taking into account the inadequate transportation

infrastructure and the considerable adverse effects on the residential areas, Wimbledon town centre and the Arthur Road local shopping centre. It is difficult to find a planning policy that could support such a development. We note that the National Planning Policy Framework states in paragraph 174 that "Where safeguards are required to make a particular development acceptable in planning terms (such as environmental mitigation or compensation), the development should not be approved if the measures required cannot be secured through appropriate conditions or agreements."

The continued use of the site as a Greyhound Stadium has the merit that it provides continuity with the existing use with which local residents are familiar and by-and-large have not found to have an adverse effect on the surrounding residential area and Wimbledon town centre. This is due to the limited number of people travelling to and from the site for their events. Furthermore, being the last remaining dog track in London, such a stadium would be of national importance and so bring kudos to Wimbledon as a whole. While there is an ongoing issue with the noise due to stock car racing, this can presumably be restricted as part of planning conditions imposed on a new development. However, the building of an associated large supermarket is excluded by the national and local policies, as we have documented above.

Light industrial has the merit that it is consistent with many of the policies in the National Planning Policy Framework and the Core Planning Strategy document of Merton. It would not adversely affect the local area, indeed it would enhance it as it would be bring employment to the area. While there is some conflict with the area being in a floodplain this is greatly reduced as compared to residential housing and retail. Thus we feel that light industrial is an acceptable use for this site.

Local residents are almost completely unaware that Merton was in effect carrying out a consultation about the possible uses for site 37 and as a result this document has been prepared at relatively short notice. We hope to present a more comprehensive response for the next round of consultation.

**To summarise; to develop playing fields for use by residents and local schools as well as other spaces that local residents can use for exercise on site 37 would be consistent, and very much supported by, local and national policies. As would the use of the site for light industrial provided such a development could be shown to be compatible with the flood risk of the site**

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