

# Agenda Item 13

**PLANNING APPLICATIONS COMMITTEE**  
07 November 2013

Item No:

UPRN

APPLICATION NO.

DATE VALID

13/P2575

27/08/2013

**Address:**  
**Ward**

Fair Green, Market Square Mitcham.CR4 2PG  
Figges Marsh

**Proposal**

Free-standing canopy with a gable ended roof to provide cover over part of fair green including use by market traders, including associated lighting, and hard and soft landscaping

**Drawing No's**

15791\_00\_001, 1591\_00\_002, 15791\_04\_101,  
15791\_04\_102, 15791\_04\_103, 15791\_04\_104,  
15791\_04\_105, 15791\_00\_101, 15791\_00\_102,  
15791\_01\_102, 15791\_02\_101, 15791\_03\_101,  
15791\_03\_102 revisions dated 01/10/2013,  
157\_T\_120\_01 & 157\_T\_142\_01 (guttering),  
Design and access statement, Strategy proposals  
and block plan

**Contact Officer**

Joyce Ffrench [020 8545 3045]

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**RECOMMENDATION GRANT PLANNING PERMISSION subject to  
planning conditions**

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**CHECKLIST INFORMATION.**

- S106: N/A
  - Is an Environmental Statement required: No
  - Has an Environmental Impact Assessment been submitted – No
  - Press notice – No
  - Site notice – Yes
  - Design Review Panel consulted – Yes
  - Number of neighbours consulted – 48
  - External consultations – English Heritage GLAAS
  - PTAL: 4 [TFL Planning Information Database]
  - Density – N/A
  - Number of jobs created: N/A
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**1. INTRODUCTION**

- 1.1 This application is brought before Committee for Members' consideration as the case was submitted by LBM and as a result of the public interest in the proposal

## **2. SITE AND SURROUNDINGS**

- 2.1 The application site is a paved area known as Market Square in Mitcham which is flanked to the south and west by Fair Green, to the East with retail units and to the north with retail outlets and the Grade II listed Clock Tower.
- 2.2 On the site as a permanent feature is a café (The Orange Café) with an outside seating area.
- 2.3 There are a number of trees in the vicinity none of which are protected.
- 2.4 Mitcham market has been operating in the vicinity since the early 1990's having been relocated several times.
- 2.4 The application site is in an archeological priority area; it is not in an area at risk from flooding.

## **3 CURRENT PROPOSAL**

- 3.1 The planning application involves the erection of a free-standing canopy with a gable ended roof to provide cover over part of Fair Green to include use by market traders, including associated lighting.
- 3.2 The structure will be 16m x 19m and has an overall height of 7.25 metres, 4.15metres to eaves.
- 3.3 Two trees will be removed as a result of the erection of the canopy
- 3.4 Power points and a water supply will be provided to aid the primary use as a dedicated area for market traders'.

## **4. PLANNING HISTORY.**

- 4.1 There are two relevant planning applications; reference 93/P1424 gave planning permission for alterations and refurbishment of the public conveniences on Fair Green to form a café and 95/P0442 was for an extension to Mitcham Street Market involving additional market stalls to be introduced into the pedestrianised section in London road and part of Upper Green West, Mitcham (council application)

## **5. CONSULTATION**

- 5.1 The submitted planning application was publicised by means of a site notice, and 48 individual consultation letters sent to neighbouring properties. Mitcham Cricket Green and Heritage were consulted as were the Crime Prevention Officer and local Councillors
- 5.2 As a result of this consultation 13 letters have been received objecting to the proposal and 4 in support. The letters of objection raise the following concerns:-
  - too large – taking into account the reduction in height - and over dominant for the site
  - it will tower over the Orange Cafe
  - it will obscure views of retail units
  - 'ugly' and not in keeping with its surrounds, tacky artwork on roof

- will detract from the setting of the Clocktower
  - will cause run-off of rainwater on to shoppers entering and leaving the canopy
  - wind trap
  - not suitable for alternative community uses
  - an alternative scheme for individual matching canopies to stalls would enhance the streetscene
  - it will be an eyesore which will deteriorate rapidly compromising the appearance and will attract rough sleepers
  - the number of pitches that will be available may not be filled
  - no plan for up-keep – rent for spaces may rise which may drive stallholders out of business
  - loss of public open space
  - premature application before decision made on ‘Rediscover Mitcham’
  - lack of information for proposal i.e. landscaping, paving.
  - design - William Morris owes nothing to Fair Green
  - it will not attract passing business
  - if approved a temporary condition should be imposed should it not be put to good use.
  - representations should not be accepted from parties funding the project
  - land use limited, LBM may not have the legal right to erect a permanent canopy in Fair Green.
  - market is not needed, the development is replace and developing for no sound reason
  - the late addition of documentation to the application is bad practice
  - submitted photos of ‘market days’ are disingenuous as they were not taken on ‘normal’ market days
  - the canopy should not be assessed on its own but as part of the wider scheme.
  - scheme does not provide for storage of stalls/essential equipment
- 5.3 The letters of objection also suggest that this proposal is ill conceived and the money would be better spent on a scheme to support existing and new traders. The letters also made reference to the management of the market and the type of stalls that should be allowed.
- 5.4 A letter of support was received from the GLA who are part-funding the scheme and consider the proposal will support local traders and enhance the vitality of the area which would promote the objectives of the Outer London Fund.
- 5.5. A further letter of support for the LBM commitment to local market traders has been received from Mark Atkinson at Studio Weave who represents the business support and market strategy to the Mitcham Outer London Fund steering group
- 5.6 Letters sent to the following addresses have been returned by the Royal Mail:- 1<sup>st</sup> floor flat, 8, Upper Green West (no such address), 1 Majestic Way (addressee gone away), 1<sup>st</sup> floor flat, 7, Upper Green West (addressee gone away), ground floor shop 13 – 15 Upper green

East (addressee unknown), Unit 1, 1 Upper Green East (address inaccessible).

5.7 English Heritage has been consulted as to any archaeological interest there may be in this site and consider the proposal to be low impact.

5.8 Metropolitan Police Crime Prevention Design Advisor has commented that CCTV cameras are crucial to monitor potential criminal behaviour

5.9 Transport Planning / Traffic & Highways Comments

There are no objections to the proposals. Issues associated with the servicing of the market canopy will be addressed as part of the wider town centre regeneration project. In addition, issues associated with the structural integrity of the canopy and details in relation to the lighting

5.10 Urban Design Officer Comments

The proposals are supported from an urban design perspective and officers have worked closely with the designers to achieve the solution under consideration. The market canopy is located in the same place as the current market and is more efficient in layout and therefore occupies a slightly smaller space than the defined space of the existing market.

The physical extent of the canopy is defined by some key requirements of the town centre scheme that essentially place clear limits on its coverage and size. This includes the perimeter street and its need to turn around the canopy, parking and servicing requirements, allowances for cyclists, the north – south desire line through the town centre, and the acknowledgement of the high numbers of pedestrians that will be using the area – particularly to the north of the canopy. The physical size of the building also has to be balanced with the surrounding buildings, including the relocated clock tower (subject to a separate planning application) and adjacent Orange Café. These constraints have been balanced with the need to provide a market of sufficient size to be viable and workable as a market. It also needs to be well connected to the new formal gardens to the south, accessed by passing the café.

The clock tower, café, new public toilet, formal garden, and market canopy are all new assets to the more vibrant east side of the Fair Green that need to work well and seamlessly together. If the canopy is too large, it will dominate the area and wider green. If it is too small, the market will not fulfil its full potential, and the area will be less vibrant and not make the most of the nearby facilities.

The height of the building has been determined by three practical needs. First, the roof pitch needs to be sufficiently steep to drain effectively in inclement weather, and be easy to clean. Second, there needs to be some element of side 'flank' in order to give internal weather protection so that winds do not simply blow through the building. Thirdly, these flanks need to be sufficiently above the ground to ensure good clearance for people to enter and to dissuade people

from attempting to climb on the structure. With a view to minimising the height of the building each of these factors has been kept as small as possible.

The detailed design of the roof form has been driven by a few key aims:

- The creation of a light-weight and airy feel to the building and space under it
- A limited budget for construction of the building
- Easy and affordable maintenance
- A style that clearly says 'this is a market'
- Design references relevant to the local context – such as lavender and industry as suggested at the Design Review Panel
- Creating visual interest and a sense of architectural quality through original, bespoke design

This has led to the choice of the lightweight polycarbonate material, saw-tooth roof form, flowing structural tracery and detailed elements representing lavender stalks.

In response to some of the concerns raised in relation to the scale and impact of the canopy some amendments have been made to the original design which have been supported by officers. Firstly the height has been reduced by 0.5m, secondly, the length has been reduced by one bay – 3.1m. Slight reductions in the size of the perimeter street carriageway and parking bays combine to create more space around the structure to ensure it does not overly dominate the Orange Café building.

The polycarbonate roofing material will be translucent and will ensure the building has a lightweight feel, as well as allowing significant light penetration. It will therefore have a minimal impact in terms of its physical presence, and is unlikely to be over bearing in feel.

With the exception of the café building, which is itself a small structure, the canopy is smaller than all other surrounding buildings. Shadowing will be minimal due to the roof material type, as will visual intrusion.

The 2.6m clearance to the sides, will also ensure good views through the building and ensure a pleasant and airy atmosphere inside.

#### 5.11 Outer London Fund Project Officer – Regeneration Comments

The Rediscover Mitcham project is a regeneration project with many strands. This includes business assistance, support through shopfront and parade upgrades, community engagement and outreach, town centre events to encourage footfall and trader/shopper confidence, public art, , lighting , a complete landscape re-design of Fair Green and the alterations proposed to the layout of the streets and public realm.

A key part of the project is ensuring local businesses and shops are able to capitalise and build on the benefits and opportunities offered by the project. The market is a key part of the town centre and an asset for Mitcham that other local centres do not have. The market currently suffers from a range of issues operational issues and in response to this the council undertook two reports with a view to understanding these needs (StudioWeave 2013 and Urban Space Management, 2013). Specifically, the work looked to address:

1. The current visual impact of the market area and associated confidence of shoppers in the 'market offer'
2. The impact of inclement weather on trade and, in particular, local wind conditions in the area that make it hard for traders to display goods
3. The lack of adequate storage options in the area and the subsequent need to reduce the amount of kit bought to market on a daily basis
4. The need to formalise the market to provide a greater sense of vibrancy of trade in the area
5. The need to provide improved facilities for new traders
6. The need to encourage extended trading hours to make the most of the new commuting residents moving into new development sites.

A range of options for improving the market have been considered by the project team and specialist consultants. This has included better management and providing purpose designed traditional stalls for traders. The proposal for a permanent canopy has been chosen for a number of key reasons:

- It is simple to use by traders
- It provides a clear identity to the market – and to the town centre
- It ensures traders gather together in a coherent manner
- It provides permanent protection from the poor rain and wind weather and enhances potential trading hours
- It raises the quality of provision for the market, with a quality-designed, bespoke building and fixed, power, lighting and water facilities for traders
- It provides a space into which the market can grow with new traders to support the ongoing role of that trade-type in the local economy
- It provides a flexible facility for use by the whole community outside market hours – for events etc.

#### 5.12 Trading standards response to canopy consultation

London Borough of Merton Trading Standards Service is responsible for all street trading in the borough and therefore is responsible for the management of the market area in Mitcham. In the five and a half years we have been managing the market we have gained knowledge and experience of the opportunities and challenges that market trading faces.

The proposed canopy over a large section of the market area will have a substantial impact on our management of the space in the years to come. The proposed canopy, revised layout, utilities and vehicle access will enable easier management and enforcement of the area with additional officer time being freed up to improve the market offer. Many proposals put forward regarding individual stalls and storage of equipment do not take into account the limited space available within the town centre for such works to take place. LBM does not own much land in Mitcham and therefore to provide a storage facility would be extremely difficult. The management of such a site would also add significant burden onto the authority. The proposed canopy opens up more possibilities for trade, which is the essential element in any market area or town centre. The focus of all the planned improvements in Mitcham is to increase the facilities available to residents and businesses alike. If the town centre can be more attractive and

functional it ties into all of those elements and provides the opportunity to increase employment and create jobs.

The market has long been the starting place for small start-up businesses. In recent years we have seen the type of trader approaching us change dramatically. With the current economic downturn, many people have either been made redundant or it has become necessary for them to re-enter the workplace. Our experience shows the majority of these people are female and entering into business for the first time. Single mothers, retirees or career changers all bring a different aspect to market trading than the traditional man with a van. The associated costs of starting a business can be high, with many failing in their infancy. The market is a key opportunity for start-up business in Mitcham which is demonstrated by the number of new traders having started since the Rediscover Mitcham project began. A major factor in all trading is the weather. Although anyone working outside accepts weather as a key factor in their day to day business there are ways of mitigating against it. We feel the canopy would do this for everyone. Smaller lighter stalls, with less need for heavy weights and large sheeting to protect against rain, would enable us to take on these new types of trader, whereas now they encounter many problems. If a stall does not require significant rain protection it instantly become less susceptible to wind conditions and reduces start-up costs.

The proposed layouts underneath the market have been discussed at length and the space will lend itself to alteration should the need arise. With the proposed utility and lighting improvements in the market space under the canopy market trading in Mitcham will be an attractive opportunity for any potential traders and also as a venue for other functions. Few places can offer a covered, lit, powered space in which to hold an event yet still be outside.

Market traders currently operating in Mitcham are in favour of a canopy as it will help protect them from the elements. Although still open to the wind, it is rain and snow which have the biggest impact on their ability to trade. A wet trading day can have an adverse effect on trader numbers. It is understandable for a trader to be reluctant to attend if they are going to lose most of their stock to water damage and makes no economic sense to do so. If we can keep the area dry we instantly give traders the option of going to work on a consistent basis. This consistency will benefit the town centre as a whole by providing residents and visitors with the widest possible choice of products. Keeping people shopping in Mitcham will add to the vibrancy and economic prospects of the town. It will help provide a more integrated town centre by offering a shopping experience that links Majestic Way with London Road and the Upper Greens.

The canopy would instantly say to people that the council has confidence in the way it is moving forward with Mitcham. It is a significant investment and it has to be used in the correct manner. We are under no illusions that lots of work lays ahead for the market, canopy and town as a whole but the canopy would help provide that statement of intent that Mitcham is changing for the better. That statement in itself says 'look at me'. The canopy is both functional and eye catching. It does stand out. That is what it is supposed to do. There

are so many businesses and community groups in Mitcham that are hidden away it would be an immense opportunity to put them out there for everyone to see. Although one structure on its own cannot do that, as part of a cohesive whole the potential is there.

We put our full backing behind the proposals and are interested in taking this whole project forward to its conclusion and beyond.

#### 5.13 Traffic & Highways Comments

##### Land Use Issues and Principles of Development

Enabling vibrant and vital town centres is fully supported by Traffic and Highways Services as this encourages local sustainable transport. The proposals for the canopy form part of a broader and strategic approach in Mitcham town centre and these are fully supported by Traffic and Highways Services.

The land subject to the application is Public Highway and is therefore subject to the constraints and protection of highway's legislation, primarily the Highways Act 1980, in order to both secure the liabilities of the Council as Highway Authority and to secure the rights of the broad travelling public.

The proposals are again fully supported in principle by Traffic and Highways Services but there are a number of details that would enable a greater appreciation of the application. The financial constraints upon the project's programme are appreciated and it is reassuring that the commissioning team are looking at the above-mentioned details in parallel to the planning process.

##### Technical Matters

As identified above, the area subject to the application is Public Highway and this has implications in terms of the standards of the structure, its maintenance, electrical equipment and the operating arrangements. In addition to any permission via the planning process there is a need to ensure the technical suitability of any structure and lighting equipment on the Public Highway and that the permitted activities are not potentially harmful. It would be helpful to receive further information on these technical and operational issues.

There are concerns over the potential for market traders (or other vehicles involved in the set-up of other uses) to damage the canopy and the canopy uprights. There are a number of options to resolve this however these are likely to affect the broader layout. Matters such as the stability of the structure and its ability to withstand impact or damage from the market traders' vehicles or the vehicles of other users are likely to have a bearing on the layout and appearance of the proposals and it would be useful to have an indication of how these were envisaged. Similarly, matters such as electrical supply points, the need for two or three-phase supply, may have bearing on layout and operation.



Additionally, the compilation and presentation of a copy of the Construction Design and Management (CDM) file is required to enable the Council as Highway Authority to discharge its responsibilities under the Construction (Design and Management) Regulations 2007 including any imminent revisions. It is assumed that the external design team are already aware of their responsibilities under the CDM regulations and preparing a CDM project file is in hand.

#### Operational Matters

The area of Public Highway in question is subject to a Traffic Order that effectively pedestrianises the area but enables access to market trader at prescribed times subject to a permit system.

The proposals seek to both intensify the market use and to broaden the uses of the market area. Again, whilst Traffic and Highways Services fully support these objectives however the submission contains little information as to how these intensified and additional uses will be managed.

A simple statement and plan outlining the proposed loading and servicing for the extended market and any other event, the size, the location of waiting vehicles and especially the height of permitted vehicles will be useful and help co-ordinate any changes to the operating times of the market and the times of access allowed by that order. It is envisaged that this Servicing Management Statement is likely to follow those arrangements for the existing smaller market and need not be unduly detailed. There is a potential concern regarding the risk of a vehicle damaging the canopy structure and this should be resolved through the design and management process.

Similarly, an events management statement would also be useful in demonstrating how the potential range of public events to be held under the canopy will be managed. This should consider issues such as interactions with pedestrians and other members of the travelling public, street cleaning and litter, power supply (especially for ad-hoc events), toilet (including providing for the mobility impaired), limitations on attendance and public liability. The issue of potential damage by vehicles or by any other means should be properly considered. It is also useful for this statement to contain the views of the emergency services and especially the views of the Metropolitan Police Service.

#### Summary

The proposals are fully support by Traffic and Highways Services and it is reassuring that the details relating to technical and operational issues are being progressed in parallel to the planning process.

### **5.14 DESIGN REVIEW PANEL NOTES OF MEETING Wednesday 24th July 2013**

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The below item to be read as part of the Design Review Panel notes of

**Wednesday 24th July 2013**

**Item 3: Pre-Application, Mitcham Market Canopy**

Generally the Panel were supportive of the general approach and the potential for a high quality building to be provided for Mitcham. Underlying this was a slight question mark about where the need for the canopy has come from, though this did not gain any further ground in the discussion. Three key questions were raised and discussed in relation to the design. First the physical relationship with the existing café; second the William Morris references; and thirdly, the use of decoration.

It was felt that the relationship with the café was not very successful, both in terms of their proximity to each other and that the market building did not sufficiently acknowledge the café building or pick up on its orientation in any way. Suggestions were made on how to do this by altering the shape or size of the market building and its roof form. Although no particular solution came to light, Panel members were invited to continue the discussion on this point outside the Panel should they wish to do so. This issue was felt important in relation to how the wider area worked and how the café, clock tower and associated paths worked together.

The William Morris reference was felt by some to be an over-worn cliché used too much in Merton, and did not even relate directly to Mitcham. It was suggested that the lavender connection would be more relevant to use. It was considered that the use of decorative metalwork, irrespective of its historical references, should have some structural as well as decorative role, and it was acknowledged that the applicant was attempting to achieve this. A suggestion was made that the architectural references should lean less to Morris and interior design, and more towards the structural design heritage of people like Paxton and Brunel – or perhaps integrate both ideas.

There was also detailed discussion on specific elements of design, with a wide range of views expressed. The Panel were clear in their dislike of polycarbonate as a roof material. It was stated it had a short life span, could have poor acoustics in rainy weather and could be difficult to clean. It was clear to the Panel that it was important Mitcham got a high quality building that minimised maintenance requirements and ensured it was an asset to the area and not a dud. This was seen as important for regeneration as well as addressing the view that Mitcham is often seen as the poor relation to Wimbledon.

It was also noted that it was very important to think thoroughly of all the functional aspects of the design early on and integrate them into the design, as the slender form of the proposal would be severely compromised by later 'bolt-ons'. Questions were asked about how the building would be maintained e.g. who would repaint the frame every 5-10 years, how would dust, pigeons etc. be dealt with and what the most suitable paving material was, how it would be cleaned and how issues of power supply, lighting, decorations and signage would be addressed.

Overall, the Panel stresses it was very important that the Council set its own standards very high so as to be an example to others. Although the Panel felt that there were many positive elements to the design, there were a couple of

issues that were more fundamental than others and this warranted a more cautious verdict.

## VERDICT – AMBER

- 5.15 the comments of the Design Review Panel have been taken into account and are addressed in the Urban Design Officer & Case Officer comments.

## **6 POLICY CONTEXT**

### The London Plan [July 2011].

- 6.1 The relevant policies in the London Plan [July 2011] are 2.6: Outer London: Vision and Strategy & 2.16: Strategic Outer London Development Centres

### Policies retained in Adopted Unitary Development Plan [October 2003]

- 6.2 The relevant planning policies retained in the Adopted Unitary Development Plan [October 2003] are BE.15 [New buildings and extensions; daylight; sunlight; privacy; visual intrusion and noise]; BE16 [Urban design]; BE.21: Important local views, panoramas and prospects; BE22 Design of new development;; MI.1: Urban Village; MI.5: Mitcham Fair Green and street market; NE.11: Trees Protection; TC.4: Town Centre Management;

### Policies within the Merton LDF Core Planning Strategy [July 2011]

- 6.3 The relevant policies within the Council's Adopted Core Strategy [July 2011] are; CS2: Mitcham Town Centre; CS7: Centres; CS 11: Infrastructure CS 12 Economic Development; CS 13 Open Space, Nature conservation, Leisure and Culture; CS 14: Design; CS 18: Active Transport; CS 19: Public Transport; CS 20: Parking, Servicing and Delivery.

### National Planning Policy Framework [March 2012]

- 6.4 The National Planning Policy Framework [NPPF] was published on the 27 March 2012 and replaces previous guidance contained in Planning Policy Guidance Notes and Planning Policy Statements. This document is a key part of central government reforms '...to make the planning system less complex and more accessible, and to promote sustainable growth'.

- 6.5 The NPPF supports the plan led system stating that development that accords with an up to date plan should be approved and proposed development that conflicts should be refused. The framework also states that the primary objective of development management should be to foster the delivery of sustainable development, and not to hinder or prevent development.

- 6.6 To enable each local authority to proactively fulfil their planning role, and to actively promote sustainable development, the framework advises that local planning authorities need to approach development management decisions positively. Local planning authorities looking for

solutions rather than problems so that applications can be approved wherever it is practical to do so. The framework attaches significant weight to the benefits of economic and housing growth, the need to influence development proposals to achieve quality outcomes; and enable the delivery of sustainable development proposals.

## **7. PLANNING CONSIDERATIONS**

- 7.1 The main planning considerations include design, any impact on existing local traders and on the appearance of Mitcham Town Centre.

The proposed canopy is part of a larger scheme to regenerate Mitcham Town Centre. This application deals solely with the erection of the canopy, not with the wider issues.

Although not a material planning consideration, a grant has been received from the GLA as part of its plans to assist in the regeneration of outer London Town Centres. The wider scheme engenders the relocation of the Grade II listed Clock Tower and a new landscaping and seating plan to enhance the area which will lose some existing trees as a result of the works.

It is felt that the market traders' would benefit with a permanent structure to set up stalls in order to bring to Mitcham the vibrancy that attracts shoppers to other outer London markets.

### Design and scale

- 7.2 Policy CS14 within the Council's Adopted Core Strategy [2011] states that development should respect, reinforce and enhance local character and contribute to Merton's sense of place and identity. Policies BE.16 and BE.22 of the adopted Unitary Development Plan [October 2003] require proposals for development to complement the character and appearance of the wider setting with consideration of density, scale, design and materials in relation to the setting.
- 7.2 The canopy has been designed to complement the Grade II listed Clock Tower which is to be relocated as part of the ongoing Town Centre scheme. Various roof profiles were considered with the current design preferred as it adds to ease of maintenance and adds to a feeling of openness which the alternative roof profiles did not.
- 7.3 The height of the proposed canopy is 1.9 metres lower than the Fitness First building. It is considerably higher than the adjacent café, however the amended plans locate the canopy 5 metres away from the café in response to submitted objections
- 7.4 The materials of polycarbonate and steel have been chosen due to their robustness and low maintenance. The polycarbonate roof is the preferred option as opposed to glass which would require a more robust structure which would increase costs in terms of maintenance and the initial cost of the structure. The guttering system illustrated on plans 157\_T\_120\_01 & 157\_T\_142\_01 (received 25/10/2013) will prevent water spillage from the roof.

7.5 The introduction of power points and a formal arrangement for pitches will assist in providing a more uncluttered area which will, in turn, encourage more traders to set up stalls and more passing trade. An external stand pipe and tap will be provided to assist in clean up operations. This tap is part of a separate scheme to erect a public toilet.

7.6 Landscaping

A landscaping scheme has been submitted which is part of the scheme that covers the relocation of the Clock Tower and the erection of the canopy. This states that 2 trees will required to be removed in connection with the erection of the canopy; however, new trees are scheduled to be planted as part of the great scheme. The Tree and Landscape Officer has examined the scheme and commented that, in relation to the works connected to the canopy, she has no objection to the scheme.

7.7 Impact on adjacent retail outlets

During construction it has been established that traders in nearby units will not have access to their units for unloading. However, should the number market stalls increase as a result of the erection of the canopy local traders will reap the benefit in terms of additional passing trade.

7.8 Vitality of Mitcham Town Centre

Policy MI.5 reinforces LBM's commitment to the re-vitalisation of Mitcham Town and its street market. Submitted objections state that the market is poorly served by local traders and should have better management in order to assure it success. The erection of the canopy is seen as a step in that direction. The D&A statement states that the canopy would:- enable smaller stalls to set up (encouraging new traders), will protect stall holders during inclement weather thus encouraging more traders to set up and more customers to visit, will reduce the amount of equipment required to set up a stall, provide cover for a range of community events (i.e. dinners, performances) which would benefit form a covered area.

7.9 CCTV

Policy 22 of the UDP requires layouts that are safe, secure and take account of crime prevention. The 'Design out Crime' Officer has commented that trees in the vicinity should be lopped in order to maintain high visibility form street lighting. Prior to the application she advised that the monitoring by existing CCTv cameras could be compromised by the canopy which would need to be re-positioning should the scheme be implemented. She also commented that the canopy could provide shelter for those with criminal intent to congregate and that terrorist activities target crowded places with limited protective security measures. A condition will be imposed to ensure there is adequate CCTv surveillance

## 7.10 Maintenance

It is intended that the wider Town Centre Regeneration project will contribute towards maintenance funding for the market canopy over the short – medium term, with future maintenance funding expected to be generated by pitch fees and income generated by community events.

## 7.11 Archaeological Impact

The area is a designated archaeological priority zone. English Heritage has been consulted and has commented that the proposal would be considered to have a low impact on potential buried archaeology and that no further assessment will be necessary.

## 7.12 Response to Objections

- In response to the objections raised that the height of canopy would provide limited protection for community events from extreme bad weather it is accepted that the events listed in the D&A statement i.e. film screenings, music performances big lunches, may not be practical; however this applies to any outdoor event.
- The point raised with regard to the rain water run-off onto passers by is dealt with in section 1.11 of the D&A statement which references a guttering system. Further plans has been submitted (25/10/2013) confirming that the canopy will have a guttering system to prevent water run-off.
- Objections raised with regard to criminal behaviour can be addressed by the installation of strategically placed CCTV cameras
- Concerns raised as to the height of the canopy and its impact on the Orange Café have been addressed with amended plans which have relocated the canopy away from the Café and reduced all dimensions.
- A document referring to the short and long term strategy for the canopy has been submitted in response to concerns with regard to maintenance i.e. who will manage repairs and foot the bill. This states that  
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M street trading officers will maintain an active role in the management of the market and that a maintenance schedule has been developed which will be built into the schedule for the wider area and that income from pitch fees and community events will fund repairs etc.
- Concerns have been raised with regard to the lack of stalls currently trading in the market. As a result of better management and a dedicated area it is anticipated that more traders will be attracted to the area.
- The legal right to erect a canopy in this location has been raised. This will be investigated prior to commencement should the application be

approved. This is matter not governed by planning legislation and is therefore not a material planning consideration.

- The point raised regarding the 'loss of open space' refers to a document (The Draft Borough Character Study) which is currently in draft form. It has not yet been out to full consultation nor has it any committee approval.

## **8. LOCAL FINANCIAL CONSIDERATIONS**

### **Mayor of London Community Infrastructure Lev**

The proposed development is not liable to pay the Mayoral Community Infrastructure Levy [CIL], the funds for which will be used by the Mayor of London towards the 'CrossRail' project.

## **9 CONCLUSION**

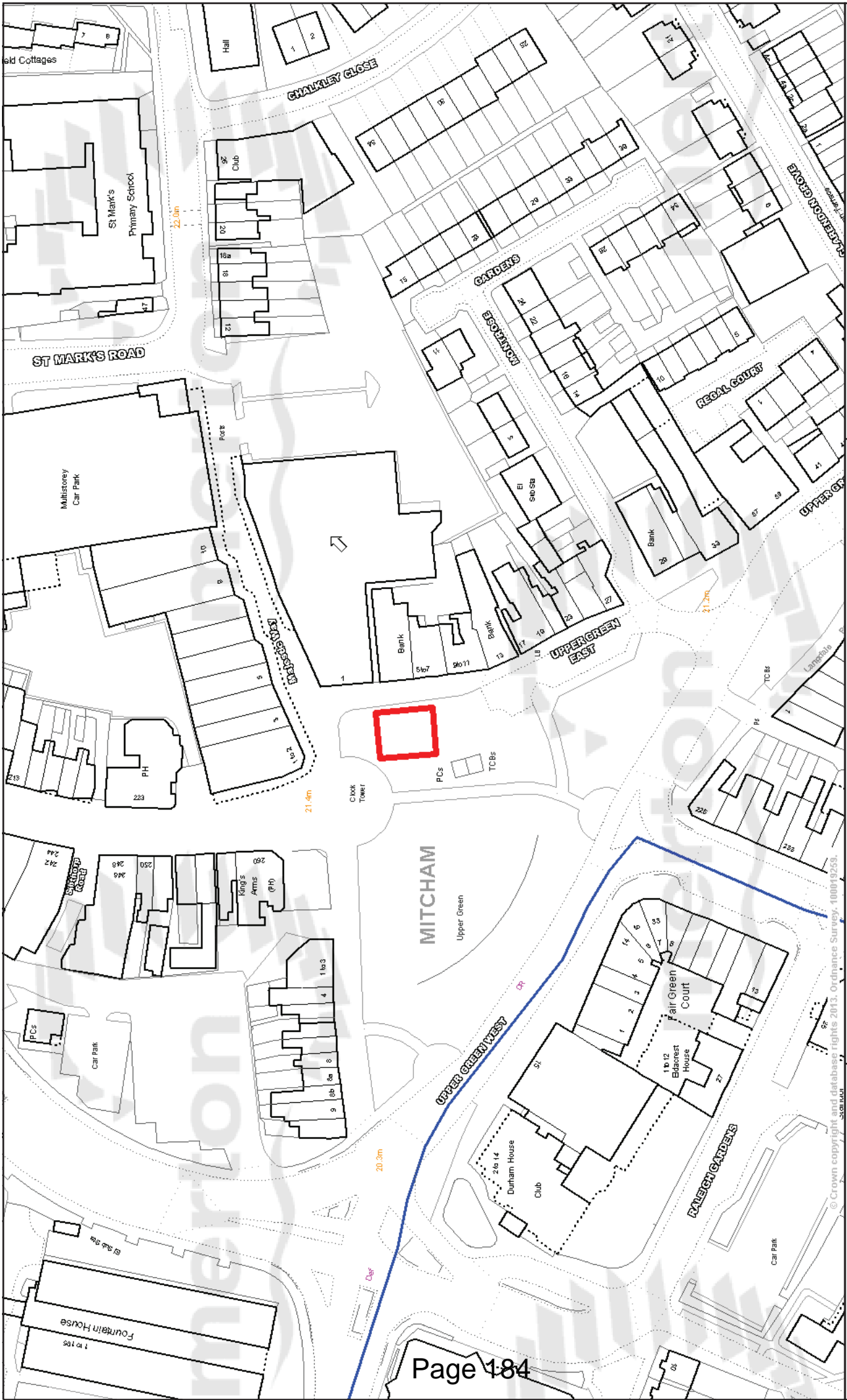
- 9.1 The proposed development, which is supported by funding from the GLA, meets the objectives of policies MI.5 of the Unitary Development Plan & CS 2 of the Core Planning Strategy which are committed to the regeneration of Mitcham Town Centre. The proposed design is considered to be compatible with the proposed use and the scheme will assist in the regeneration of this part of Mitcham in conjunction with other strategies coming forward

## **RECOMMENDATION**

**GRANT PLANNING PERMISSION subject to planning conditions.**

And the following conditions:

1. A.1 - commencement of development
2. A.7 - approved plans
3. B.1 - materials to be approved (including guttering)
4. B4 - details of surface treatment
5. Non standard condition: - Use of the development hereby approved shall not commence until active CCTV cameras have been installed, details and siting of which shall have been submitted to and approved by the local planning authority.
- 6 Non standard condition:- The 2 trees identified for removal on the Arboricultural report shall be replaced by trees as otherwise agreed with the Local Planning Authority. The identified trees shall be maintained, with replacements if necessary, to the satisfaction of the Local Planning Authority.



London Borough of Merton  
 100 London Road  
 Morden  
 Surrey  
 SM4 5DX

Scale 1/1250

Date 23/10/2013

Fair Green, Upper Green East

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DEVELOPMENT CONTROL



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Revisions:

17/07/13: First Issue  
02/08/13: Draft Issue  
07/08/13: Issued for planning

Mitcham Market Canopy  
Mitcham

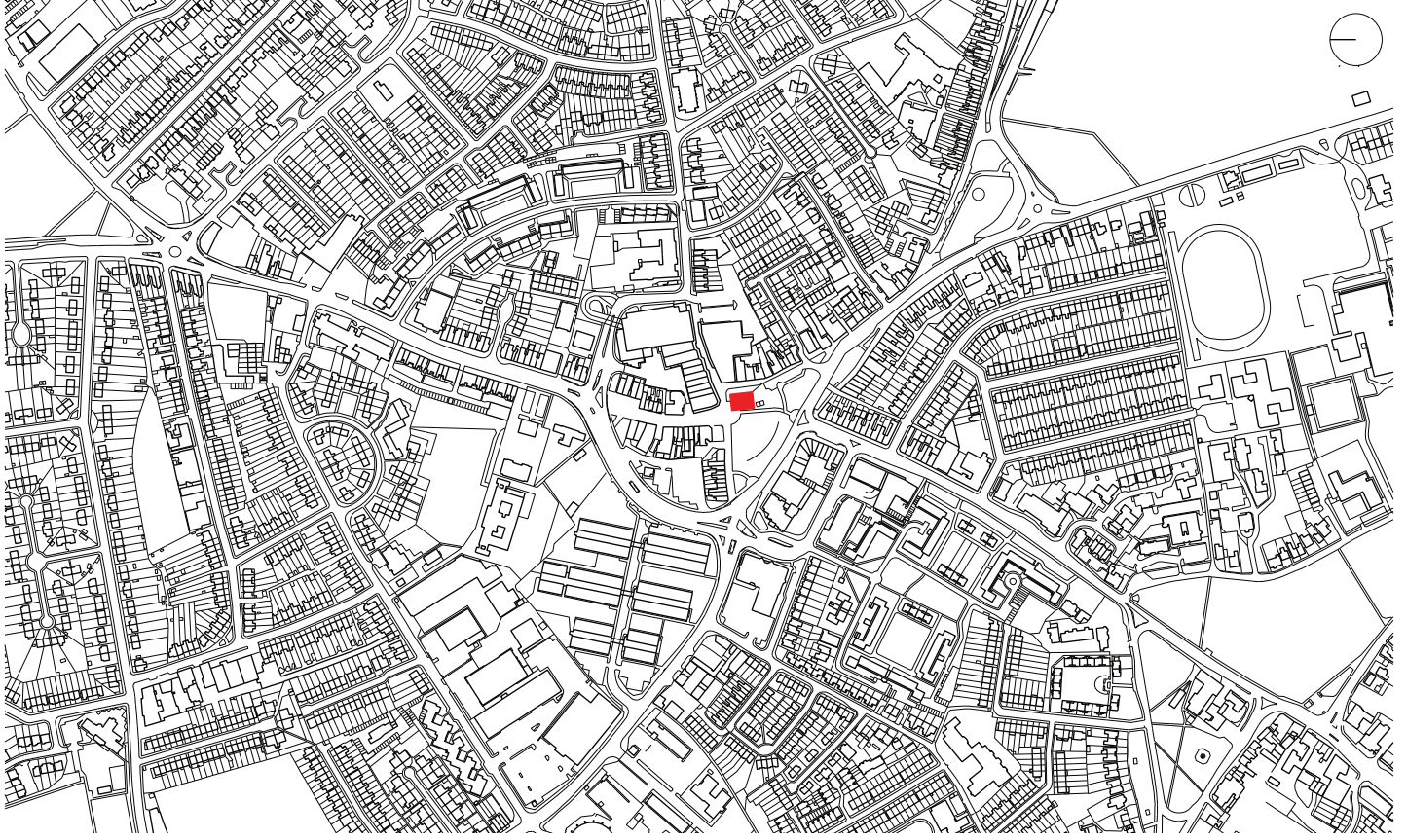
Location Plan

no. 15791\_00\_001

1:5000 at A3

drawn: 17/07/13

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hello@studioweave.com



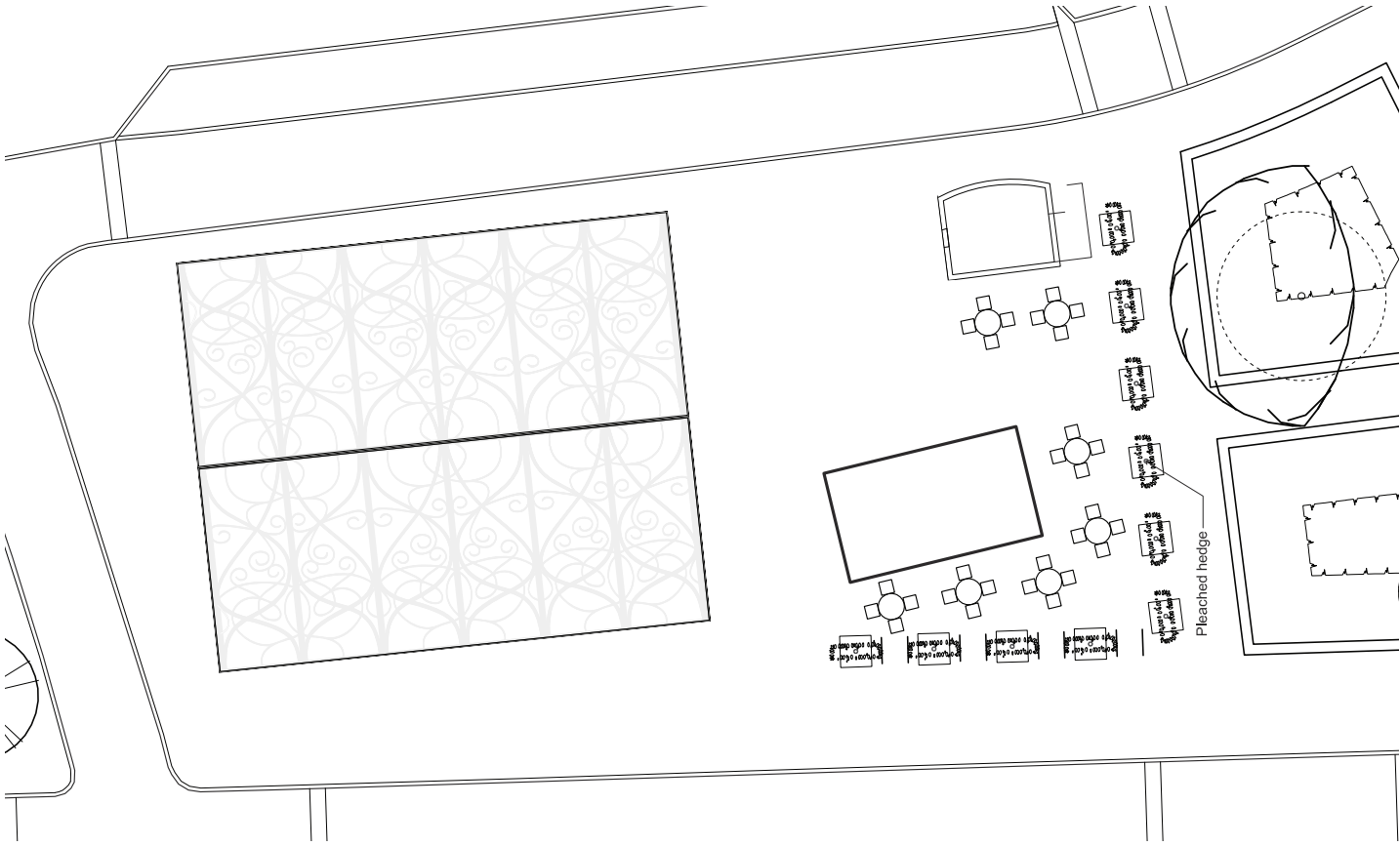
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Revisions:  
 02/08/13: Draft Issue  
 07/08/13: Issued for planning  
 01/10/13: Revised to reduced massing

Mitcham Market Canopy  
*Mitcham*  
 Location Plan  
 no. 15791\_00\_002

**DRAWING PROVIDED  
 BY LB MERTON**

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Mitcham Market Canopy  
*Mitcham*

View 1

no. 15791\_04\_101

NTS

drawn: 17/07/13

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Mitcham Market Canopy  
*Mitcham*

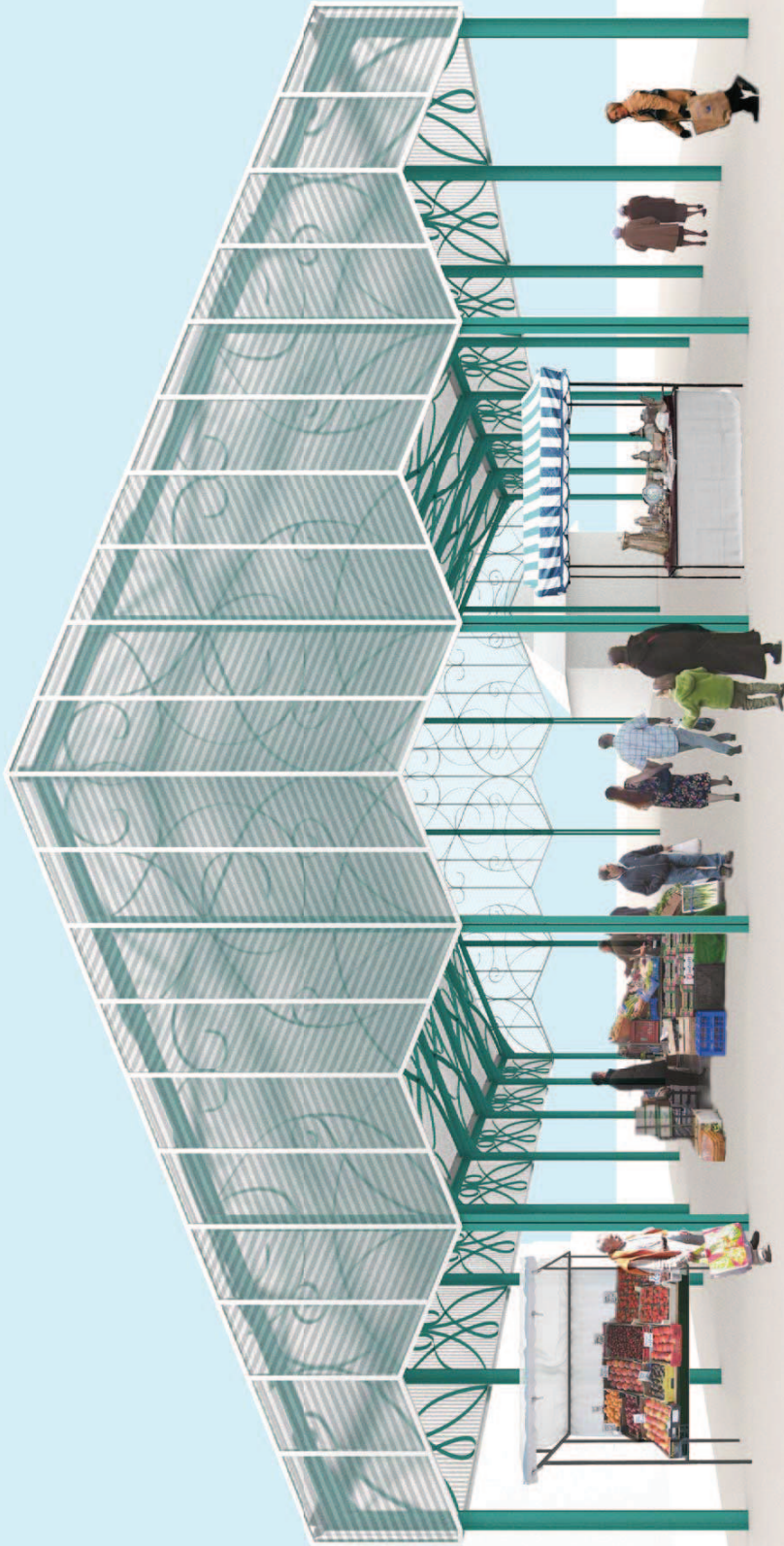
View 2

no. 15791\_04\_102

NTS

drawn: 17/07/13

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Mitcham Market Canopy  
*Mitcham*

View 3  
no. 15791\_04\_103  
NTS  
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02/08/13: Draft Issue  
07/08/13: Issued for planning

Mitcham Market Canopy  
*Mitcham*

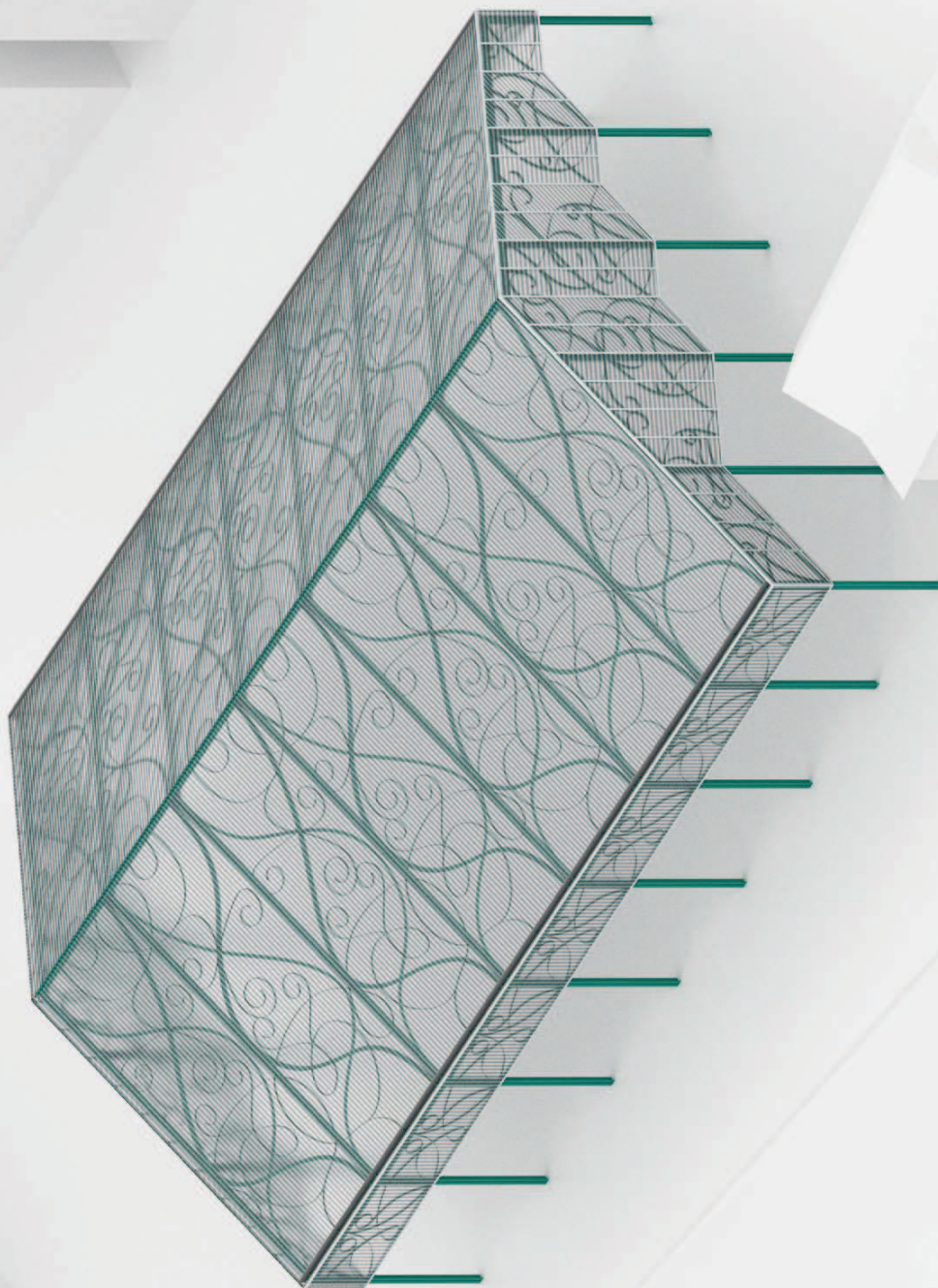
View 4

no. 15791\_04\_104

NTS

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07/08/13: Issued for planning

Mitcham Market Canopy  
*Mitcham*

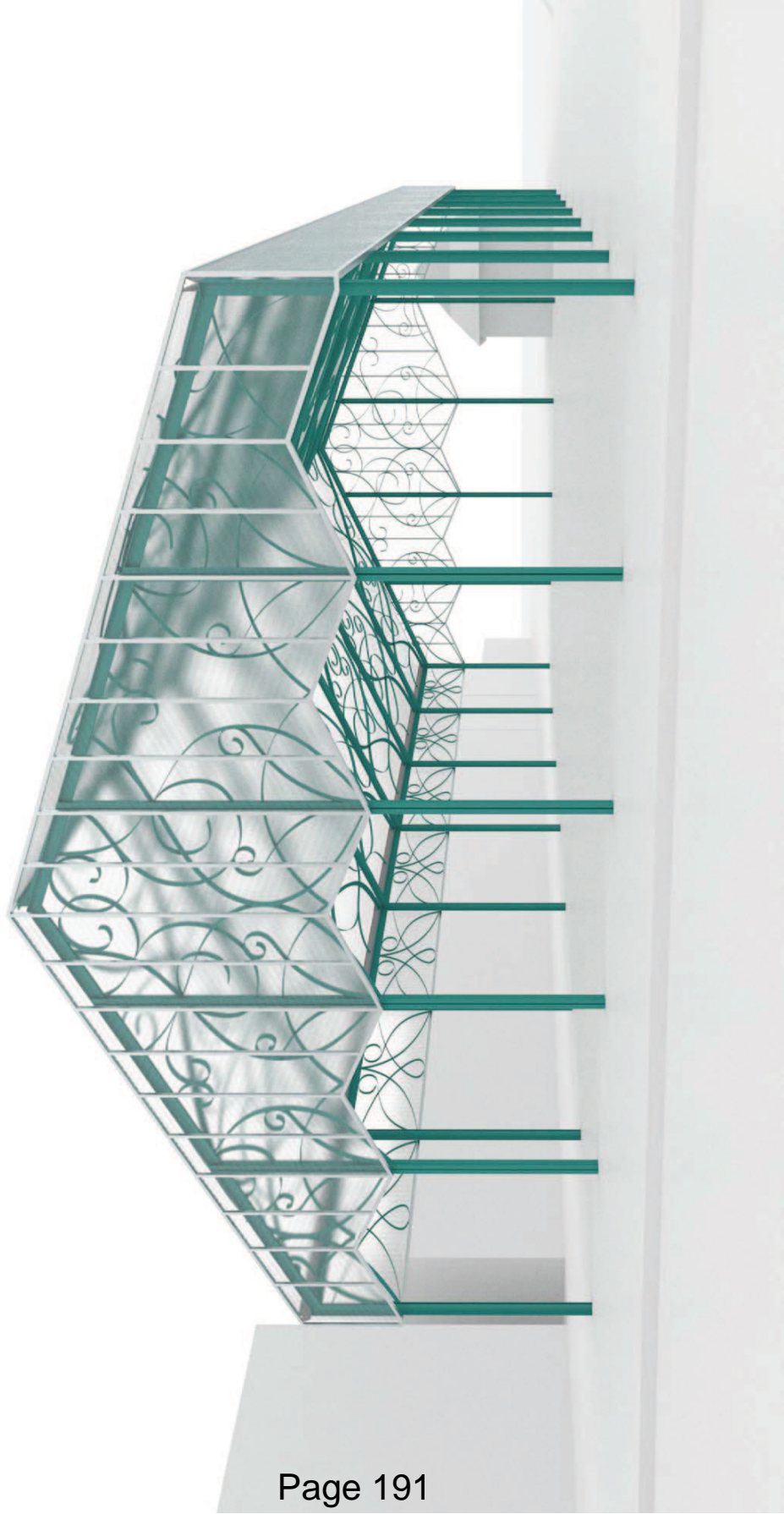
View 5

no. 15791\_04\_105

NTS

drawn: 17/07/13

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Mitcham Market Canopy  
*Mitcham*

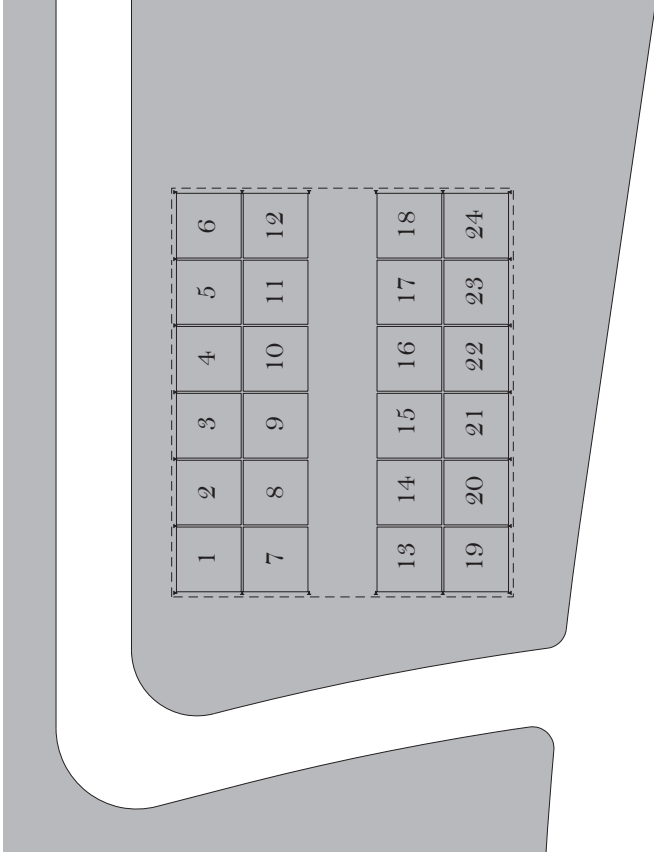
Layout Plans

no. 15791\_00\_101

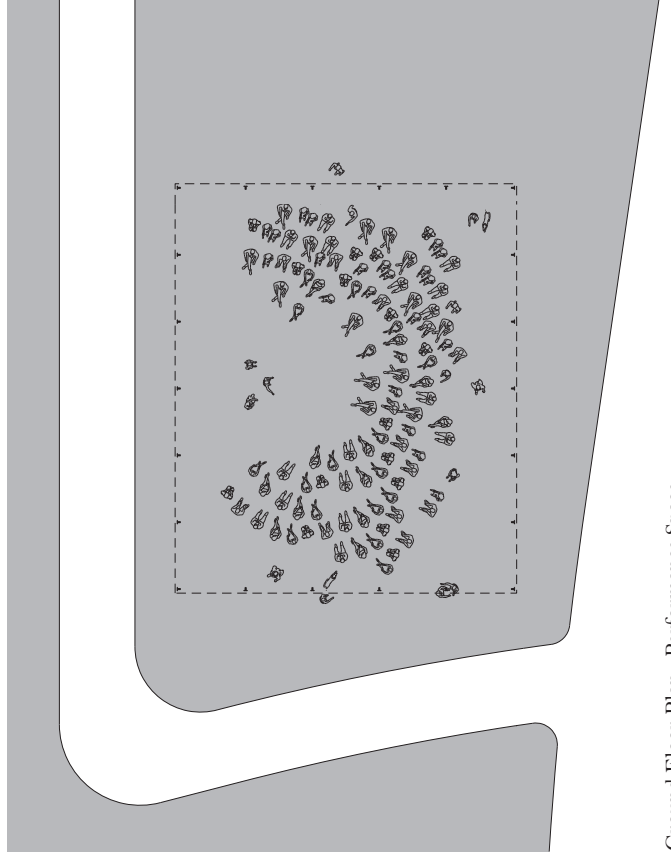
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drawn: 17/07/13

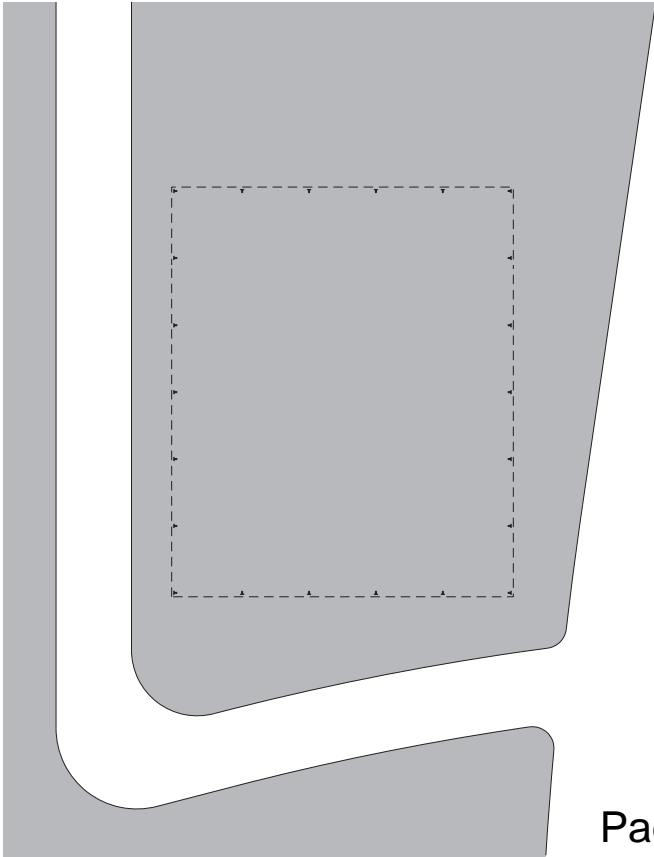
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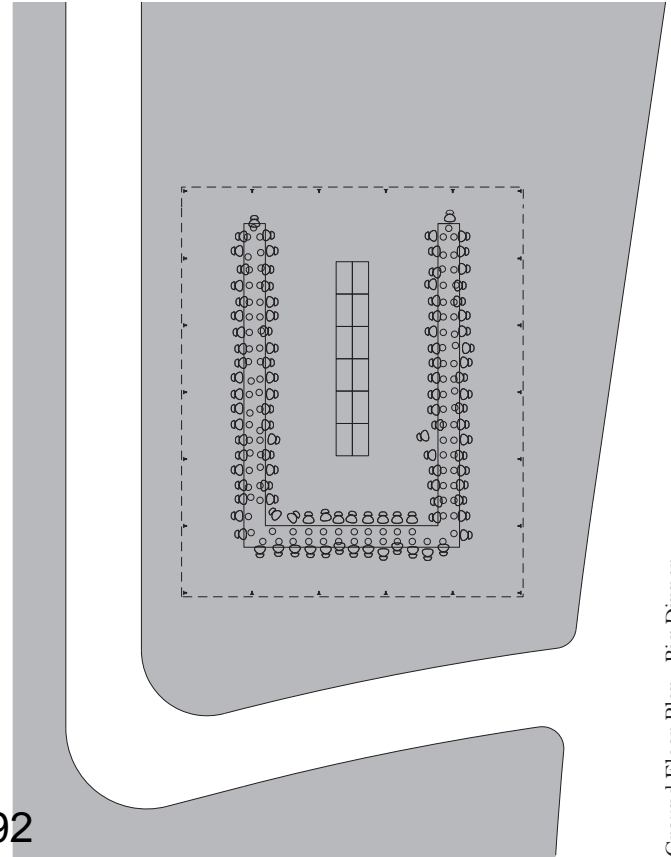
Ground Floor Plan : Stalls



Ground Floor Plan : Performance Space



Ground Floor Plan : Empty



Ground Floor Plan : Big Dinner



Notes:

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Mitcham Market Canopy  
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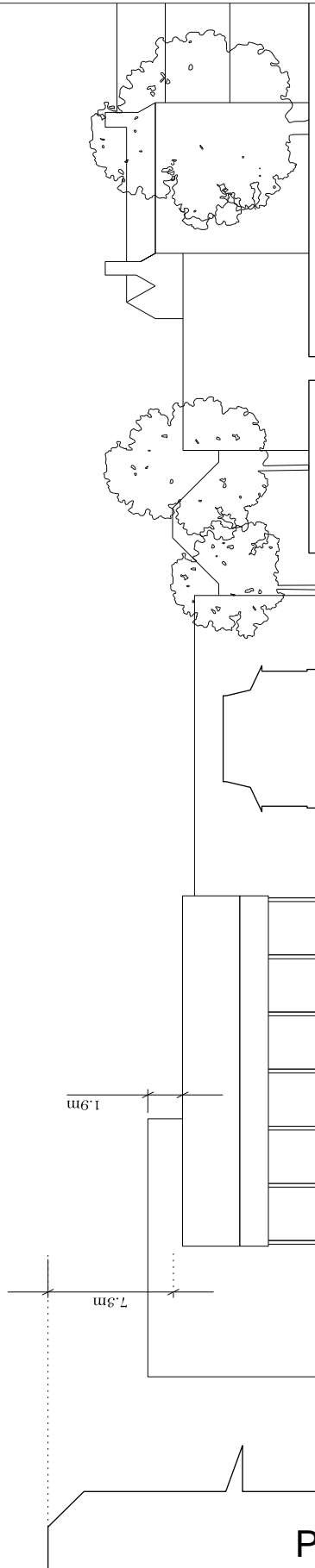
Site Section

no. 15791\_00\_102

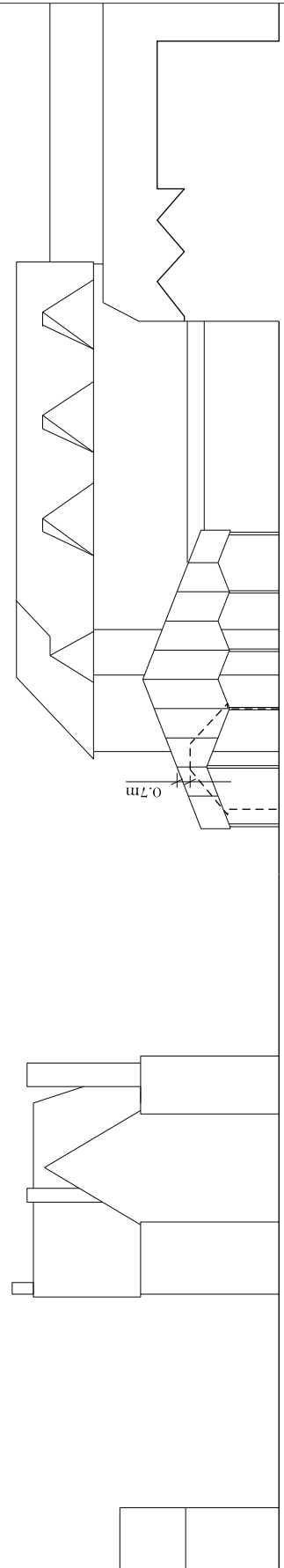
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Site Section North-South



Site Section East-West

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Mitcham Market Canopy  
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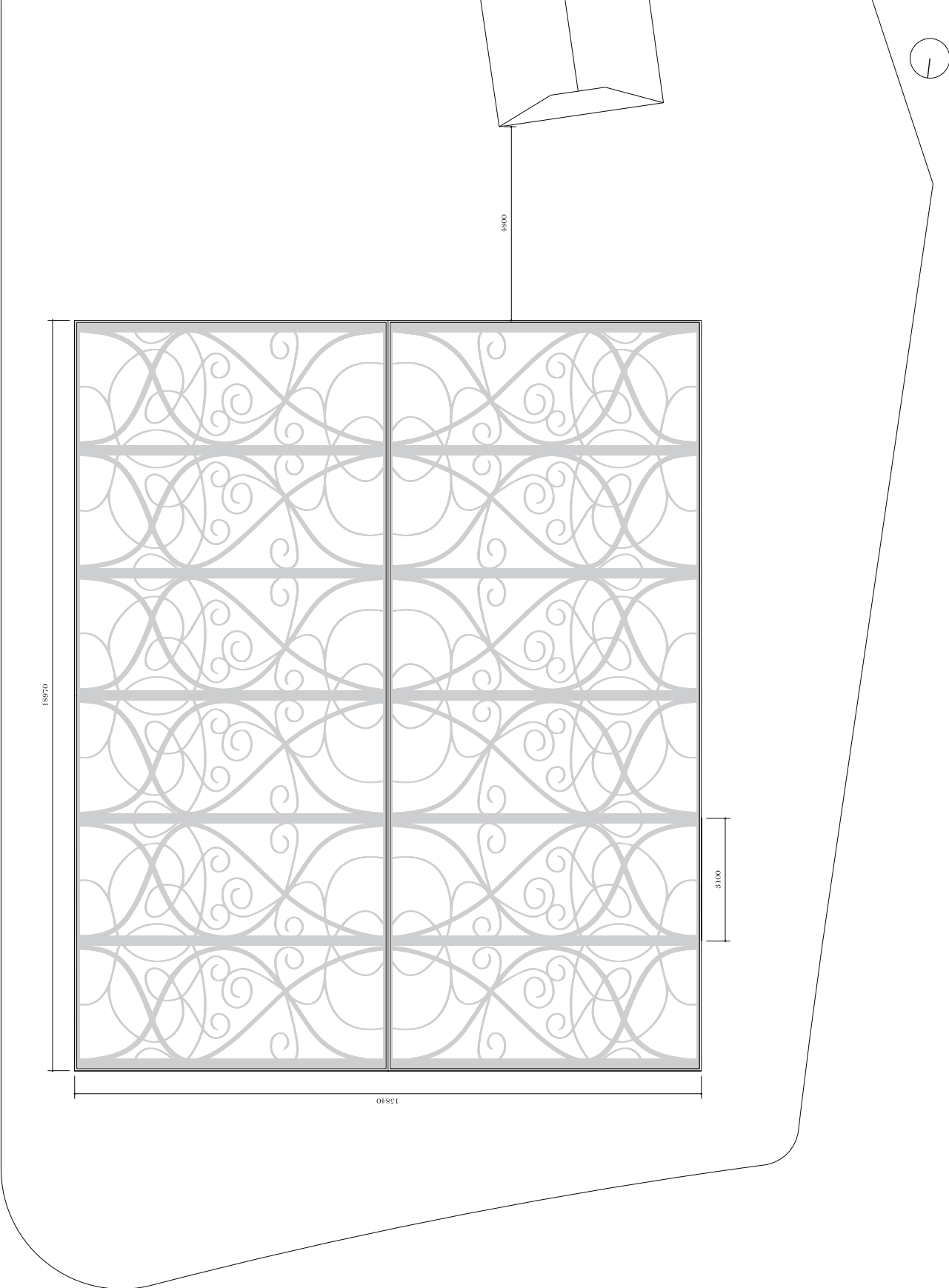
Roof Plan

no. 15791\_01\_102

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Mitcham Market Canopy  
*Mitcham*

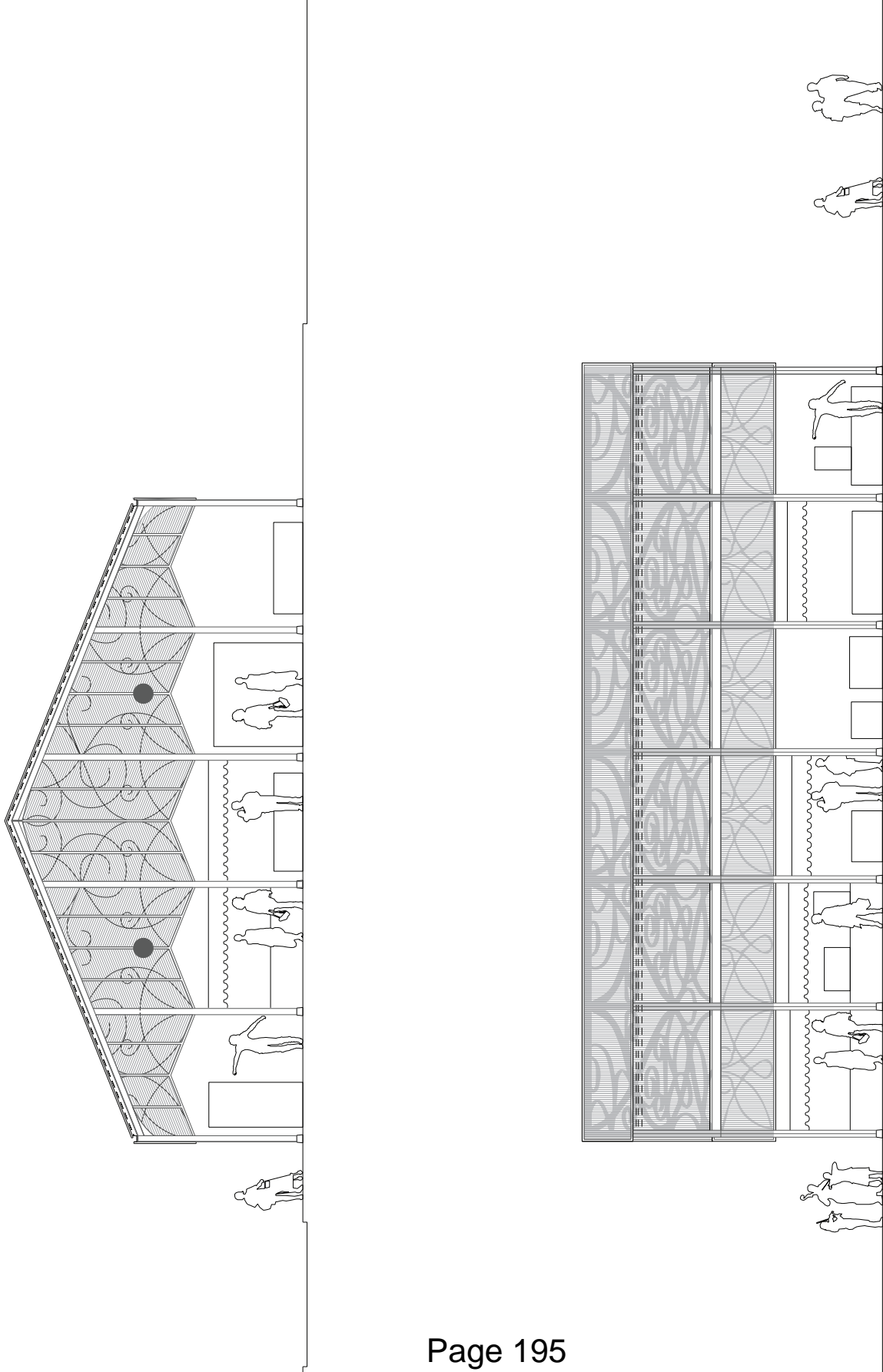
Sections

no. 15791\_02\_101

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*Mitcham*

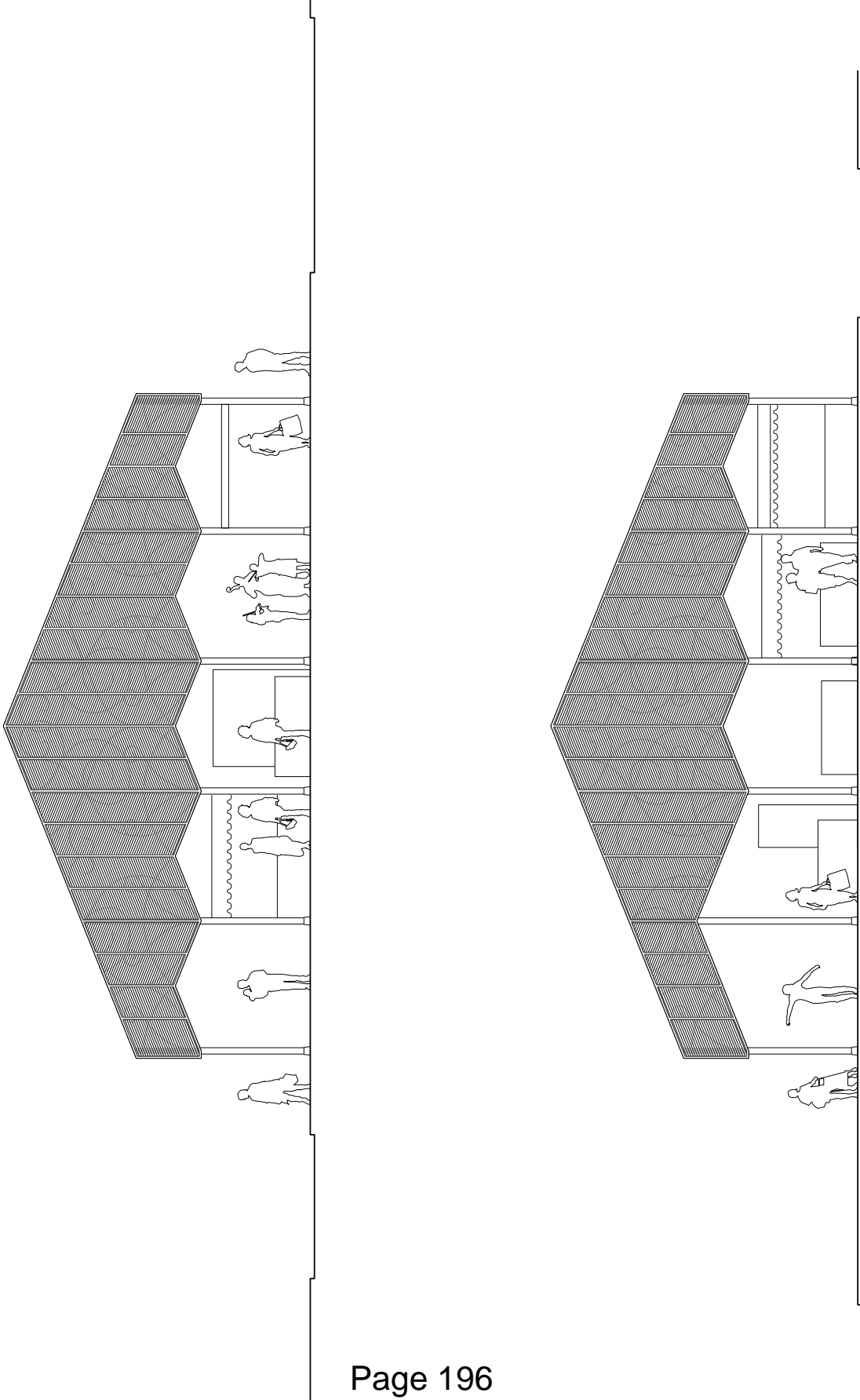
Short Elevations

no. 15791\_03\_101

1:100 at A3

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Mitcham Market Canopy  
*Mitcham*

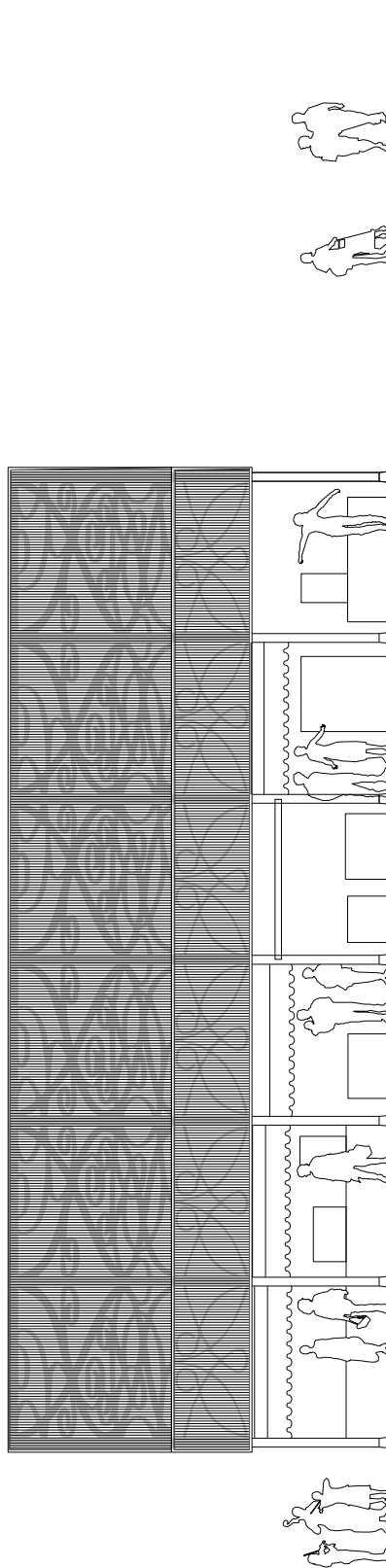
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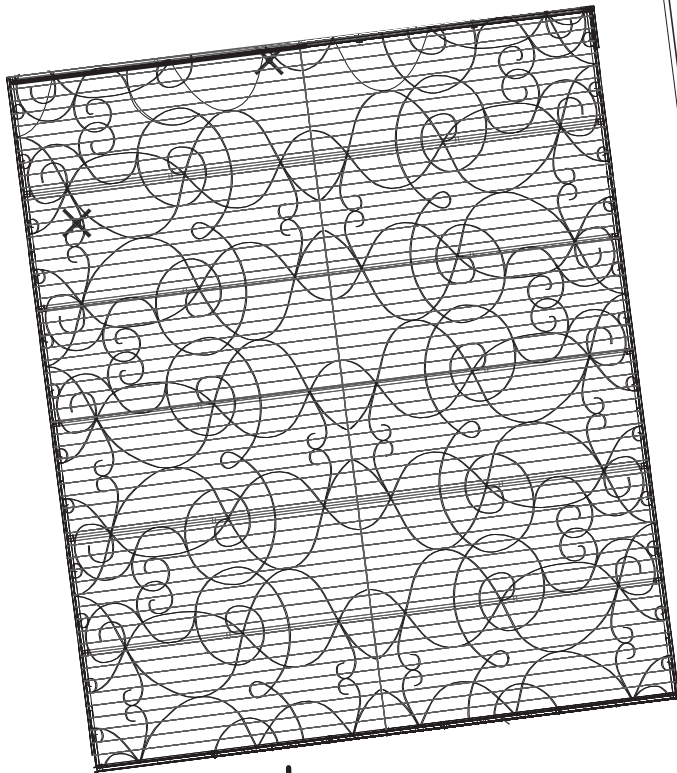
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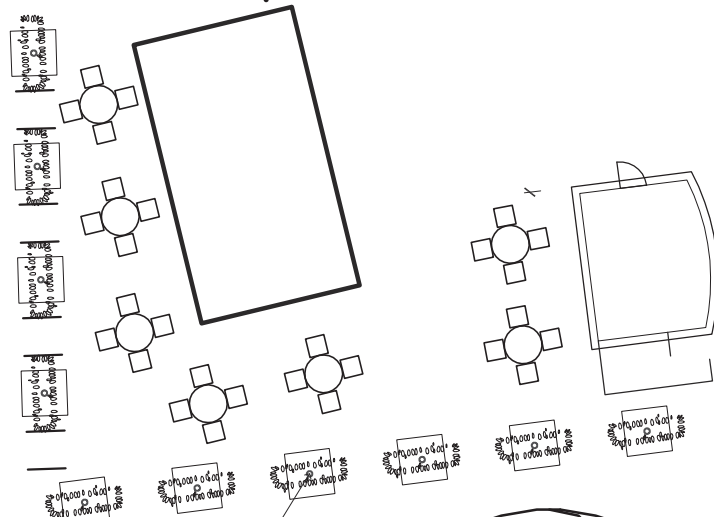
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5.1m



Pleached hedge

