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# MERTON LOCAL PLAN

INNOVATIVE INFILL SUBMISSION

01.02.2021



# PRINCIPLES OF POLICY AND CHARACTER

Previous planning policies restricted back garden development in the residential suburbs

Character of these areas remains little changed, because it *could not* change

New policies are more open to back garden development subject to specific criteria

But if existing character remains sacrosanct, new policies become meaningless in practice

*"You cannot build that here  
Because nothing like  
that has been built here before*

*(Even though you were not  
allowed build anything at all here before...)"*

# PRINCIPLES OF POLICY AND CHARACTER

Previous planning policies restricted back garden development in the residential suburbs

Character of these areas remains little changed, because it *could not* change

New policies are more open to back garden development subject to specific criteria

To meet small sites targets, '**different**' approaches must be assessed on merit

And 'character' needs to be understood **beyond** a simple view of '**what is already there**'

# PRINCIPLES OF POLICY AND CHARACTER

## Defining 'local' character

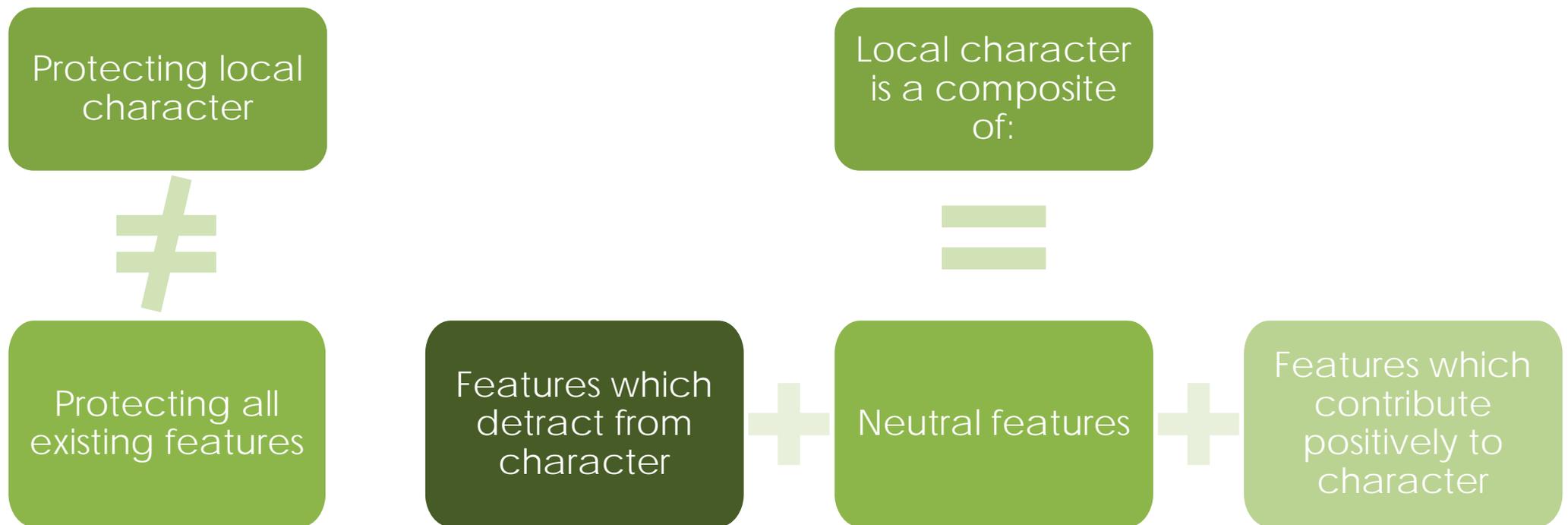
If defined too narrowly / literally only in terms of what already exists in the immediate surroundings:

Arbitrary basis for decision making – policy becomes hostage to **random actions** of previous owners

If defined more broadly as those features which may **reasonably be expected** in a similar setting:

More robust decision making – policy reflects **wider norms** found across similar character areas

# PRINCIPLES OF POLICY AND CHARACTER



*Regardless of whether on this precise site, or a typologically similar setting several streets away*

# PRINCIPLES OF POLICY AND CHARACTER

Protect & *enhance*  
character

Features which  
detract from  
character

Neutral features

Features which  
contribute positively  
to character

Change:  
Opportunity to  
enhance

Change:  
Open to  
consideration

Change:  
Protect / respect /  
reflect / replicate

# PRINCIPLES OF POLICY AND CHARACTER

Protect & *enhance*  
character

Features which  
detract from  
character

Neutral features

Features which  
contribute positively  
to character

Eg: low grade  
boundary treatments  
and outbuildings,  
haphazard parking

Eg: voids / ruptures/  
differences in existing  
urban grain and  
pattern

Eg: consistent spatial  
qualities and  
architectural features  
of housing stock

# PRINCIPLES OF POLICY AND CHARACTER

Features which contribute positively to character

*As defined by the Merton Characterisation Study. But in summary, consistent frontages, spatial patterns and architectural features of repeating house types of generally high build quality.*

## 6 Cottenham Park Character Area

### Issues & Guidance



Cambridge Road



Cambridge Road



Devas Road



Richmond Road



Hunter Road



Cambridge Road



#### Issues

##### Public Realm:

- Loss of grass verges on Richmond Road.
- Loss of front garden and/or boundary wall in places.

##### Built Form:

- Loss of original features such as windows is widespread.
- Installation of multiple rooflights on front roof elevation creates visual clutter.

#### Guidance

##### Public Realm:

- Reinstate grass verges on Richmond Road.
- Retain front boundaries and/or garden where present.

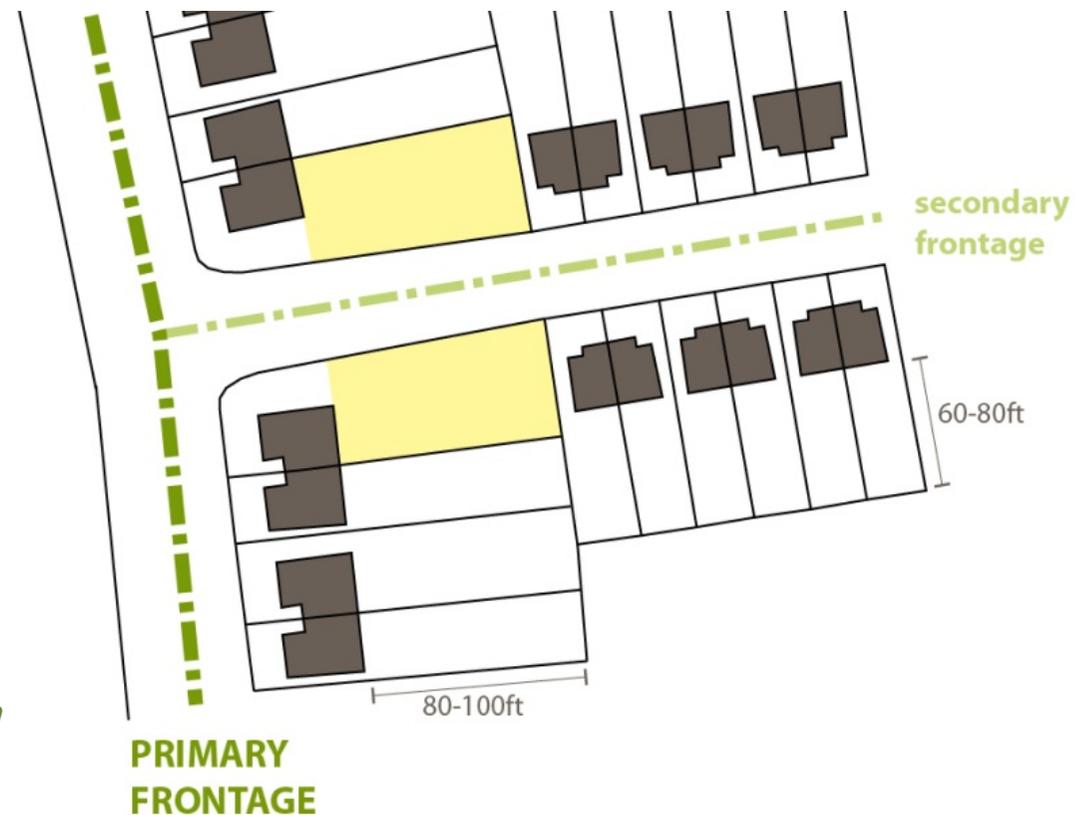
##### Built Form:

- All alterations to properties to be informed by the original detailing and materials.
- Rooflights should be located in an unobtrusive location, away from the front elevation.
- Original windows should be retained if possible, any replacement windows should match the glazing pattern of the original.

# PRINCIPLES OF POLICY AND CHARACTER

## Neutral features

*Areas where the Characterisation Study is silent, eg, voids and ruptures in the otherwise consistent pattern of the built environment. Never consciously **designed** – these gaps are merely the result of the market demands of 1930s homebuyers. While sometimes cited as offering ‘a welcome sense of openness,’ such weak urban planning would not be permitted in a contemporary development today.*



# PRINCIPLES OF POLICY AND CHARACTER

Features which detract from character

*A foreground of timber fences and garages in varying states of repair, enlivened only by the occasional light-absorbing leylandii. Beyond which, a landscape of rear elevations disfigured by permitted development rights. **An opportunity to enhance...?***



# SPECIFIC POLICY MEASURES

## **PROPOSED POLICY D 5.3 i**

Proposals for all development will be expected to meet all the following criteria:

- a. 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;

## **PROPOSED CHANGE**

*ADD: "For the avoidance of doubt, this does not preclude the use of innovative approaches which differ from existing patterns of development, but which still achieve the same objectives through the use of high quality design. A proposal which is otherwise policy-compliant will not be refused on the grounds that it is the first example of a new pattern of development."*

## **JUSTIFICATION**

A high number of refusals have historically been justified on the grounds the proposal harmed local character simply by virtue of being different from existing patterns of development. This creates a catch-22 situation, where proposals which are compliant with the new policy environment are refused simply because nothing of a similar nature has previously been granted.

## SPECIFIC POLICY MEASURES

### **PROPOSED POLICY D 5.3 i**

Proposals for all development will be expected to meet all the following criteria:

- b. Use appropriate and coherent architectural forms, language, detailing and materials which complement and enhance the character of the wider setting.

### **PROPOSED CHANGE**

*ADD: "Enhancement of character in this context may include the replacement or improvement of existing features which currently detract from the character of the area."*

### **JUSTIFICATION**

A high number of historic refusals have assumed that 'what is already there' is the same thing as 'character,' and therefore anything that changed 'what is already there' was deemed harmful to character. The Merton Characterisation Study is an excellent starting point by identifying both positive and negative features, but it also should not be seen as ultimately definitive.

## SPECIFIC POLICY MEASURES

### PROPOSED POLICY D 5.3 iii

Ensure trees and other landscape features are protected;

### PROPOSED CHANGE

ADD “Ensure trees and other landscape features *which make a significant positive contribution to biodiversity or amenity are protected*”

### JUSTIFICATION

The policy, as currently worded, can give grounds for refusal of any proposal which involves removal of trees, hedges or even fences, even if those are of limited or even negative biodiversity or amenity value – eg, overbearing leylandii trees or hedges and dilapidated fences which are patently of nil habitat value and which can actually detract from local amenity.

The principle of proportionality must also be respected – in the example cited above, it would be disproportionate for the case officer insist on an arboricultural report. Such reports should only be requested when the information provided by the applicant is insufficient for an experienced environmental officer to make a recommendation on the matter.

## SPECIFIC POLICY MEASURES

### PROPOSED POLICY D 5.3 ix

Houses and ground floor maisonettes/duplex units will require a garden with a minimum area of 50m<sup>2</sup> as a single useable regular shaped amenity space. Flexibility may be applied to constrained sites and higher density development where justified.

### PROPOSED CHANGE

*ADD "Flexibility may be applied to constrained sites and higher density development where **quality, usability and amenity value of the approach can be justified.**"*

### JUSTIFICATION

For new houses on constrained sites, it can be necessary to split the amenity area without detriment to the amenity needs of future residents. Eg, a terrace or balcony accessed from the kitchen specifically designed for outdoor dining, with a second outdoor space for child's play, which might be accessed directly from a bedroom.

## SPECIFIC POLICY MEASURES

### **POLICY STATEMENT 5.3.16**

The analysis should identify positive aspects of local character and how this will be used to inform the design of the proposal.

### **PROPOSED CHANGE**

*ADD: "The analysis should identify **all aspects which contribute to local character – positive, neutral and negative** – and how this will be used to inform the design of the proposal.*

### **JUSTIFICATION**

A high number of historic refusals have assumed that 'what is already there' is the same thing as 'character,' and therefore anything that changed 'what is already there' was deemed harmful to character.

Applications should only to respect the features which contribute positively to local character, but may also seek to improve local character by removing and improving features which currently detract from character.

# MONITORING ARRANGEMENTS

## **PROPOSED CHANGE**

*The Merton Annual Monitoring Plan will record statistics on the total number of applications and the total number of residential units refused permission and the reasons for refusal, citing the relevant policy sections and subsections against which the application was deemed to be deficient. The Head of Service for planning will provide an accompanying narrative to outline the measures the Council is taking to improve the success rate of residential applications, including a specific commentary in respect of those policy sections or subsections giving rise to the highest number of refusals.*

## **JUSTIFICATION**

Experience across many boroughs shows that changes in planning policy can take a long time to filter through to decisions made by officers in Development Management. Careful reading of officer reports display a tendency to continue to make decisions on the basis of approaches internalised over years of enforcing more restrictive policies, contrary to the intentions of the new policy environment. A positive monitoring arrangement can help to identify blockages early and improve the rate of approval of policy compliant new homes.