

5

Design



Strategic Policy LP D5.1

Placemaking and design

How our streets, town centres, public spaces and neighbourhoods look and feel is important to our sense of wellbeing and safety.

The council will require all development to be of the highest design quality, supports vitality and viability of its town and local centres and long-term economic prosperity and quality of life.

a) Proposed development must demonstrate:

- i. That it is designed according to well established principles of good urban design, as referred to in the National Planning Policy Framework and practice guidance, development plan policies and existing and emerging good practice guidance;
- ii. That it has an appropriate street level presence and roofscape and a positive relationship to neighbouring buildings and spaces. enhances the townscape and landscape of the area, and is informed by bespoke analysis of the site context, including the area's character, identity and topography;
- iii. That the layout, scale, massing, height, details, landscaping and other aspects of the site have been developed in accordance with the principles of good urban design and in response to the site analysis;
- iv. That it enhances social cohesion through creating buildings and environments that are long-lasting and adaptable through time, where people will choose to dwell;
- v. That it conserves and enhances Merton's heritage assets and distinctive character;
- vi. That it is well-designed from the large scale to the detailed level, being well thought out internally and considering essential practical details early on in the process so they do not undermine quality at the construction stage,
- vii. That achieving high quality urban and building design has been considered from the outset and is not undermined by variations that individually or

collectively devalue design quality that are sought after the grant of planning permission;

- viii. That the design and management of buildings, streets and spaces provide for the access needs of all of Merton's communities, including the particular needs of people with disabilities;

Public Realm

- b) The council supports development that creates or contributes to a safe, attractive, uncluttered, co-ordinated public realm that enhances the site's setting and connection with the surrounding neighbourhood;
- c) The public realm should be designed with priority for pedestrians and cyclists in mind and encourage greater walking and cycling around the area.
- d) Public realm should be designed with permeable paving, good-quality construction materials, tree planting and landscape design which is responds positively to the character of the area and easy to maintain.
- e) Designing out crime, anti-terrorism, dementia friendly, and measures to help manage flood risk should be actively considered at the earliest stage of planning the public realm depending on the location, scale, and setting of the development.

Tall buildings

- f) Proposals for tall buildings will be permitted only within town centres in Colliers Wood, Morden and Wimbledon and only in accordance with the following criteria:
 - i. Be sized and appropriately located within Colliers Wood, Morden or Wimbledon town centre boundaries;

- ii. Ensure the ground and first floors are designed for a human scale and maximise the amount of active frontage and natural surveillance.
- iii. Be of exceptional design and architectural quality;
- iv. Be designed to mitigate against the wind effects that can be created by tall buildings, and demonstrate they do so;
- v. Demonstrate they do not undermine local character and heritage assets;
- vi. Include high quality and useable public open space, appropriate in size and location to the building and its site characteristics;

A tall building is defined is based on the site's context and any building that is substantially taller than their surroundings can be defined as a tall building.

Justification

- 5.1.1. The character, distinctiveness and viability of a successful area often lie in the quality of its built environment and public realm. High quality design of buildings, places and spaces can create a high quality and attractive environment which sets a positive context for the development of successful places and sustainable communities.
- 5.1.2. Principles of good urban design are not just applicable to the quality of individual buildings, but to the arrangement of buildings in their environment, how they relate to their context, the spaces they create and also to the way an area functions. These principles need to be applied not just to the physical appearance of a building, but also to its functions and way it relates to the surrounding area and wider public realm. Good urban design creates buildings and environments that are long lasting.
- 5.1.3. The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work.
- 5.1.4. The National Planning Policy Framework 2018 (NPPF) provides national policy guidance on design. This policy is a strategic policy, produced in accordance with para 20.d) of the NPPF. It looks to create sustainable neighbourhoods that will last well beyond the plan period and not require future public or private sector intervention to address future strategic or structural issues.
- 5.1.5. The NPPF states that good design is a fundamental part of the purpose of the planning and development process. And that plans should set out clearly the council's design vision and expectations. More specifically, the NPPF guidance on design states that policies and decisions should:
 - a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

- 5.1.6. It is important that design quality is considered throughout the development process, including local consultation through workshops and using design review panels. All major proposals where design is a factor will be considered for review by the council's design review panel at the pre-application stage.
- 5.1.7. The council will also use appropriately, all powers available to it to ensure design quality is not materially diminished between permission and the completion of the development.
- 5.1.8. Permission will be refused for development of poor design that fails to take the opportunity to improve the character and quality of an area and how it works. Where development clearly and sufficiently accords with relevant development plan design policies, design will not be used as a reason for refusal. Outstanding and innovative designs and high levels of sustainable development will be promoted and given weight in planning decisions. Sustainability energy and design features that will have a material impact on the visual appearance of development must be included (or have their potential locations included) in submitted plans and designs.
- 5.1.9. The New London Plan 2017 makes clear that all new development should be inclusive to all, be street-based with good active frontages and natural surveillance and be based on a clear assessment of the local context, scale and identity. Building design must be practical and flexible, i.e. sustainable in terms of urban design, and that the internal as well as the external environment of buildings is equally important in this respect.
- 5.1.10. Achieving a high quality public realm is a key component of the New London Plan. This focusses on an extensive range of factors influencing the quality of our environment. These include designing the public realm to promote active travel, decluttering, proper public access and good management, an appropriate balance of space for different modes, promoting health and wellbeing, balancing the place and movement function of streets and spaces, ensuring active frontages and natural surveillance and ensuring parking is well integrated into streets and spaces. Where the site's location, scale and setting require additional urban design
- 5.1.11. The New London Plan also includes policies on architect retention clauses, tall buildings and basements, all of which are relevant to Merton and which the council's own policies are developed from. Heritage and conservation is particularly important in Merton, particularly ensuring it is protected in a viable way for the

future. Policy HC1 in the New London Plan sets the context for the council's policies in this regard.

- 5.1.12. Tall buildings are not generally a characteristic of Merton. In line with the area-based policies in Chapter 3 of the Plan, tall buildings may be acceptable in the town centres of Wimbledon, Morden and Colliers Wood where they are sited and designed in accordance with a detailed townscape strategy and accord with the policies in this draft Plan Outside the town centres of Wimbledon, Colliers Wood and Morden tall buildings are unlikely to be acceptable.

Policy D5.2

Urban design and the public realm

This policy will aim for the creation of sustainable, efficient and high quality design and layout of the urban environment.

Proposals for all development and works to the public realm must be of the highest standard and adhere to the most appropriate policy guidance and best practice. In order to ensure this, all proposals must accord, where relevant, with the following principles of good urban design:

- a) The creation of urban layouts based on a permeable and easily navigable network of recognisable streets and spaces that link in seamlessly with surrounding development and facilitate walking, cycling and use of public transport.
- b) The creation of urban environments which are easy to understand and navigate through, by provision of legible routes, spaces and landmarks and clearly defined buildings and spaces.
- c) The creation of buildings and spaces which are economically and socially sustainable, by offering variety and choice, and by being able to adapt to changing social, technological and economic conditions without the need for future remedial intervention.
- d) The maintenance and enhancement of identified important local views, panoramas and prospects and their settings and, where appropriate, create new views. Use these to aid in orientation, and create character and local distinctiveness.
- e) The form and layout of new development should be street-based with clearly identifiable publicly accessible streets defined by buildings that front the street and maximise the number of entrances onto the street.

- f) New development should provide and reinforce a clearly identifiable network of public streets and spaces that constitute the public realm, based on the creation of defensible space and natural surveillance, creating an appropriate gradation between public and private space.
- g) Proposals for changes to and enhancement of the highway and public realm shall be designed according to best practice, minimising clutter and, depending on their scale and impact, may be subject to a design review process. Proposals should include tree planting where possible and appropriate.
- h) Development in town centres and other retail and mixed use areas must provide a mix of compatible uses appropriate to their location that together create high quality neighbourhoods, respect local character (see Borough Character Studies) and promote vitality and vibrancy across the borough whilst supporting regeneration initiatives. Proposals must also interact positively with the public realm by the creation of active and attractive frontages that promote natural surveillance through visibility between the street and the interior of the building and not create dead frontage through lack of windows or provision of advertising, shelves or screening which prevents easy visibility between the ground floor and the street.
- i) Opportunities for enhancing biodiversity in all amenity space should be taken for all development proposals where appropriate, to strengthen the green infrastructure of the borough
- j) Proposals for the conversion of front gardens for vehicle parking should not be detrimental to the character of the street or highway safety or undermine biodiversity, prevent sustainable drainage or reduce highway safety.
- k) As part of larger developments and enhancements, the council will seek to achieve innovative and interesting provision of public art in the public realm.

Justification

Good urban design

- 5.2.1 Building places based on sound and established principles of good urban design is a fundamental element of successful place-making. It is a holistic approach to the physical arrangement of our environment. It encompasses issues of layout, land use, security, economic development, regeneration, community and social life and the general appearance and attractiveness of places. It is also key to achieving the sustainability of our environments by building places that have inherent longevity and an ability to adapt to changing circumstances inexpensively.
- 5.2.2 It is important that our urban environments are inclusive, publicly accessible, inviting and easy to understand. This is the form of most of our urban townscape and what works best. It enables places to function efficiently and adapt well to change over time. . Changing poor design in the future almost always requires huge upheaval and public expense. Places that work well tend to look after themselves and adapt gradually over time.
- 5.2.3 The basis for this urban environment is the traditional street, which can accommodate all types of use in a flexible manner. This is recognised in Policy D1 of the New London Plan, which states that the form and layout of a place should be street-based with clearly defined public and private environments. A street has a number of essential characteristics. It primarily has a movement function which can be adapted for use by a range of different modes; it is therefore predominantly linear in character and should be designed to indicate that it links one place to another as part of a wider network of streets.

High quality public realm

- 5.2.4 The council will be seeking high quality public realm irrespective of the existing state. The existence of poor public realm should be no justification for average or mediocre proposals for the public realm. The NPPF states that it is important to plan positively for the achievement of high quality and inclusive design for all development including individual buildings, public and private spaces and wider area development schemes. Developments are expected to ensure the establishment of a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit.
- 5.2.5 All developments irrespective of size should be able to deliver public realm improvements. Public realm improvements cannot be used to justify inappropriately large or dense proposals that do not accord with other development plan policies. Successful public realm is not solely dependent on having a mix of uses. Rather, having appropriate uses in appropriate locations will be the basis of a successful public realm. This may not necessarily require mixed use.
- 5.2.6 Local streets can take on a stronger 'place' character. Streets are physically defined by the buildings that front them and it is therefore important that they do so in a way that reinforces their linear form. Streets are, and should be, public places. The fronts of buildings and their main access points should be directly from the street. This creates a layout that defines the street as a public place and the land further to the rear more private.

Defensible space

- 5.2.7 Well-designed streets feel safe if they have ‘natural surveillance’ and an appropriate transition from public street to private building – or ‘defensible space’. Natural surveillance is created by ensuring there is an appropriate and complementary mix of uses, particularly at ground floor; by maximising the number of entrances and having clear views between the interior of non-residential buildings and the street – rather than being obscured by blinds, shutters or internal advertising.
- 5.2.8 Defensible space is important in providing a clear buffer between public and private realm. This helps create a sense of security for residents and can deter opportunistic crime. Defensible space allows for a graduation from public and private by means of landscaped amenity or garden space. This can be effectively utilised for facilities such as bin and cycle storage. Clear boundary treatments such as hedges, walls and railings are important in providing effective defensible spaces. For residential areas natural surveillance is best created by maximising entrances and having good views from habitable rooms directly from the dwelling into the street.

Safety and security

- 5.2.9 Well-designed places feel safe because they have built-in natural surveillance through the design of buildings and spaces, as well as having complementary mixes of uses and activities. Places that work well and look good also help engender a sense of belonging and local pride, which in itself encourages community participation and helps keep a place safe. Excessive and overt manifestations of security features often have the opposite effect.

Gated development

- 5.2.10 An example of this is gated development which may address security concerns, however they restrict public access and therefore choice. This is considered divisive as it reduces social, visual and physical permeability and actively works against engendering community and social cohesion. It is therefore likely that most types of gated developments will be contrary to this policy, particularly parts (a), (b) and (e) and are therefore discouraged by the council.

Public realm

- 5.2.11 A vital part of how we perceive our environment comes from the design, layout and appearance of our streets and spaces – the public realm. New, larger developments create new streets and spaces. Smaller, individual developments affect the appearance and perception of the existing public realm. Careful urban design consideration needs to be given to the impacts on the public realm by all development, from small scale safety and parking schemes to major town centre enhancement projects.
- 5.2.12 The council will seek to improve the quality of street furniture, lighting, landscape treatments, surfacing materials and signage in the borough either as part of the development of sites or through environmental improvement schemes.

Policy D5.3

Design considerations in all developments

Policy aim

To achieve high quality design and protection of amenity within the borough.

Policy

- a) Proposals for all development will be expected to meet all the following criteria:
 - i. Relate positively and appropriately to the siting, rhythm, scale, density, proportions, height, materials and massing of surrounding buildings and existing street patterns, historic context, urban layout and landscape features of the surrounding area;
 - ii. Use appropriate and coherent architectural forms, language, detailing and materials which complement and enhance the character of the wider setting;
 - iii. Provide layouts that are safe, secure and take account of crime prevention and are developed in accordance with Secured by Design principles;
 - iv. Ensure appropriate provision of outdoor amenity space, whether public, private or communal which accords with appropriate minimum standards, is efficiently laid out and is compatible with the character of surrounding areas;
 - v. Ensuring all residential development complies with the most appropriate minimum space standards, demonstrating efficient layouts
 - vi. Ensure provision of appropriate levels of sunlight and daylight, quality of living conditions, amenity space and privacy, to both proposed and adjoining buildings and gardens;
 - vii. Protect new and existing development from visual intrusion, noise, vibrations or pollution so that the living conditions of existing and future occupiers are not unduly diminished;
 - viii. Ensure provision of appropriate energy efficient external lighting that provides safe and secure environments while not causing light pollution that adversely affects neighbouring occupiers or biodiversity;
 - ix. Conserve and enhance the natural environment, particularly in relation to biodiversity and wildlife habitats and gardens;
 - x. Ensure trees and other landscape features are protected;
 - xi. Ensure that landscaping forms an integral part of any new development where appropriate;
 - xii. Ensure the highest practical standards of access and inclusion and be accessible to people with disabilities;
 - xiii. Ensure that construction waste is minimised and promote sustainable management of construction waste on-site by managing each type of waste as high up the waste hierarchy as practically possible;

- xiv. Ensure that the traffic and construction activity do not adversely impact or cause inconvenience in the day to day lives of those living and working nearby, and do not harm road safety or significantly increase traffic congestion;
- xv. Ensure that sustainable design to make effective use of resources and materials, minimise water use and CO2 emissions are achieved by expecting these to be incorporated in the initial design stages.
- xvi. Houses and ground floor maisonettes/duplex units will require a garden with a minimum area of 50m² as a single useable regular shaped amenity space. Flexibility may be applied to constrained sites and higher density development where justified.
- xvii. New flatted development should aim to provide an area of communal amenity space in addition to requirements for private amenity space. Site layout, privacy, overlooking and daylight/sunlight requirements should be used to determine the appropriate amount, location, shape and design of such space.

Justification

High quality design

- 5.3.1 The council will expect development to promote or reinforce local distinctiveness and encourage high quality innovative, contemporary and sustainable design. Development proposals will be welcomed that respect the character of the wider area and reinforce a “sense of place” by recognising the local distinctiveness of areas.
- 5.3.2 What defines a site and area’s characteristics should be set out in each individual proposal by means of a bespoke analysis. This should form part of the Design and Access Statement where one is required, but a similar analysis will be required for smaller developments as well. The analysis should identify positive aspects of local character and how this will be used to inform the design of the proposal.
- 5.3.3 Merton’s Borough Character Study, Conservation Area appraisals and Management Plans, Masterplans, site specific Local Plans and other available existing analysis should be used to inform the design of the proposal. Applications and Design and Access Statements should demonstrate how this has been done.
- 5.3.4 Requirements for daylight and privacy will usually require sufficient space between buildings to provide some communal space. This approach is also compatible with policies on green infrastructure, biodiversity and will help to retain the best of the borough’s suburban character whilst allowing a suitable level of intensification. For houses, the size of the garden will be expected to increase in size in relation to increases in the size of the house. A standard 3-bed family house is considered the benchmark for the 50m² requirement.
- 5.3.5 Landscaping proposals can be key to knitting buildings, streets and spaces together and should be planned from the start. However, it is not a substitute for good building design and site layout. A poor design cannot be held together by attractive landscaping that does not perform an appropriate landscape function. Landscape design should support principles of good urban design such as natural surveillance, defensible space and community engagement.

Gardens and internal space standards

- 5.3.6 The council will assess planning applications based on the London Plan to set the internal space standards for new homes, hostels, hotels and other residential accommodation. This includes the space standards required for a proportion of units to be wheelchair accessible.
- 5.3.7 For all new houses, the council will seek a minimum garden area of 50 sq.m as a single usable regular shaped amenity space. This requirement may be applied flexibly for higher density developments or constrained sites but this would have to be fully justified in the planning application. For flatted dwellings, a minimum of 5sqm of private outdoor space should be provided for 1-2 person flatted dwellings) and an extra 1 sq.m should be provided for each additional occupant.
- 5.3.8 Meeting space standards alone does not ensure a design is high quality or fit for purpose. Regular shaped layouts are likely to be most efficient and these are the basis of minimum space standards. Irregular and awkward shaped spaces are likely to be inefficient in their use of space and may severely limit a room's usability and fitness for purpose, despite meeting or even exceeding space standards. This is made clear in the Draft London Plan Policy D4.
- 5.3.9 External amenity space is an important element in achieving high quality design and pleasant and attractive places to live. The NDSS prescribes private amenity space for flats.
- 5.3.10 External amenity space of all kinds must also be fit for purpose, have sufficient privacy, preferably be of a regular shape and receive as much as daylight and sunlight as possible. Communal amenity space provides breathing space between buildings and an opportunity for neighbours to meet and socialise.

Safety

- 5.3.11 Personal safety and security are important concerns for people in the borough. It is therefore important that the design of development must take account of these requirements, by providing well designed public areas and routes and facilitating the natural surveillance of the public realm from adjacent buildings.

Lighting

- 5.3.12 Good quality lighting at its basic level is required to provide an appropriate level of safety and security. Beyond this, lighting has a legitimate role to play as a part of landscape design and influencing the character of the public realm. Lighting can contribute towards improving the safety and security of areas. Careful consideration is needed to ensure that places and spaces are appropriately lit and there is an appropriate balance between issues of safety and security and reducing light pollution. Lighting can extend the hours of use of outdoor sporting facilities, especially in the winter months, and can be used to advertise or exhibit particular buildings, landscapes or features. Innovative lighting solutions will be encouraged that maintain a basic safety function, relate well to the function of the street and space and take into account the needs of people with different visual acuity. However, inappropriate and unnecessary lighting or lighting which is insensitively used can adversely affect amenity in terms of light pollution to neighbouring occupiers and to the night sky. When considering light proposals the council will seek

to ensure that unacceptable levels of illumination are controlled by conditions or that unacceptable proposals are refused planning permission.

Species, habitats and landscape

5.3.13 Developments should not cause significant adverse impacts on species, habitats and landscape. Back gardens are an important element in the borough's wildlife habitat provision and biodiversity. New developments should provide for sufficient space for new planting or existing planting to grow. They should incorporate opportunities including green roofs, roof gardens, terraces, permeable surfaces, window boxes and climbing plants.

5.3.14 In considering applications for development, good use of all intrinsic site features will be sought. Existing site characteristics prior to the commencement of development will be evaluated. The council will normally impose planning conditions requiring any landscape scheme to be implemented within a specified period following completion of the main building works.

Climate change

5.3.15 Applicants will need to demonstrate how their development proposal makes effective use of resources and materials, minimises water use and CO2 emissions is required. This is most effectively and efficiently done by considering these matters at the start of the design process. Considering these issues at the end of the design process can result in unnecessary technological solutions being added to buildings that cost more and do not make most effective use of resources.

5.3.16 The management of waste on construction sites can save costs and result in waste being treated in the most sustainable manner, thereby contributing to the development's attainment of the applicable sustainable design and construction standard.

Design and access statements

5.3.17 All applications shall be accompanied by a Design and Access Statement (DAS) to demonstrate how the design has been arrived at.

Policy D5.4

Alterations and extensions to existing buildings

Policy aim

To achieve high quality design and protection of amenity within the borough.

Policy

- a) Alterations or extensions to buildings will be expected to meet the following criteria:
 - i. Complement the design and character of the original building with respect to its materials, form, scale proportions and massing;
 - ii. Complement the form, layout and character and appearance of the wider setting;
 - iii. Ensure that noise, vibrations or visual disturbance resulting from the development do not diminish the living conditions of existing and future residents;
 - iv. Where the proposal incorporates a new or altered roof profile, this must be complementary to and sympathetic to the original building and the local context;
 - v. Ensure proposals for dormer windows do not dominate the existing roof profile and are sited away from prominent roof pitches, unless they are a specific feature of the area. Generally dormers on the front of houses are inappropriate and will not be permitted;
- b) High quality contemporary extensions in a contrasting architectural style to the original may in some cases be appropriate. The council will welcome these on a case by case basis. They must be of the highest architectural quality and thoroughly reasoned in relation to the host property and immediate context.

Justification

Well-designed buildings

- 5.4.1 Well-designed buildings make an important contribution to the character and quality of an area. Extensions must be as well designed and architecturally competent as new buildings. Whether visible from the street or not, all extensions should be of a high quality design. Generally, extensions to be sited to the rear of the building and have a minimal impact on the street scene. Side extensions and those on street corners which will be visible must exhibit particular care in their design and how they relate to both the host building and the street scene.
- 5.4.2 The council's Borough Character Studies, Conservation Area Character Appraisals to guide applicants. The borough has a few examples of high quality contemporary infill

development and wishes to promote this further in the right context. It will therefore encourage new extensions to be contemporary in form where the architectural quality is exceptional and the building and context can sustain this without having a negative impact on the host building or adversely affecting a positive prevailing street character.

Design and Access Statements

- 5.4.3 Development proposals should be based on an assessment of character and recognise the local distinctiveness of areas and emphasise a positive local sense of place. Planning applications shall be accompanied by a Design and Access Statement (DAS) to demonstrate how the design has been arrived at.

Policy D5.5

Managing heritage assets

Policy aim

To conserve and where appropriate enhance Merton's heritage assets and distinctive character.

Policy

- a) Development proposals affecting a heritage asset or its setting will be required to be in accordance with the following criteria:
 - i. Principles set out in the National Planning Framework 2018 and the detailed guidance set out in the accompanying Historic Environment Planning Practice Guide, the London Plan, and further Historic England guidance;
 - ii. Merton's published conservation area character appraisals and management plans and the guidance statements set out in the Borough Character Studies.
- b) All development proposals associated with the borough's heritage assets or their setting will be expected to demonstrate, within a Heritage Statement, how the proposal conserves, and where appropriate enhances the significance of the asset in terms of its individual architectural or historic interest and its setting.
- c) Proposals that will lead to substantial harm to the significance of, or the total loss of heritage assets will only be granted in exceptional circumstances where substantial public benefits outweigh the harm or loss in accordance with the NPPF or that all of the following apply:
 - i. the nature of the heritage asset prevents all reasonable uses of the site; and,
 - ii. no viable use of the heritage asset itself can be found that will enable its conservation; and,
 - iii. conservation by grant funding or some form of charitable or public ownership is not possible; and,
 - iv. the harm or loss is substantially outweighed by the benefit of bringing the site back into use.
- d) The loss of a building that makes a positive contribution to a conservation area or heritage site, should also be treated as substantial harm to a heritage asset.
- e) Outline applications will not be acceptable for developments that include heritage assets.

- f) Proposals affecting a heritage asset or its setting should conserve and enhance the significance of the asset as well as its surroundings and have regard to the following:
- i. The conservation, or reinstatement if lost, of features that contribute to the asset or its setting. This may include original chimneys, windows and doors, boundary treatments and garden layouts, roof coverings or shop fronts. In listed buildings, internal features such as fireplaces, panelling, ceilings, doors and architraves as well as the proportion of individual rooms may also be of significance.
 - ii. The removal of harmful alterations such as inappropriate additions, non-original windows and doors and the removal of paint or pebbledash from brickwork.
 - iii. Where there is evidence of deliberate neglect or damage to a heritage asset, the current condition of the heritage asset will not be taken into account in any decision.

Justification

- 5.5.1 The New London Plan is clear that heritage assets should be seen as an integral part of the urban fabric with a key role in place-making and contributing to economic viability, accessibility, environmental quality and social well-being.
- 5.5.2 Heritage significance should be used positively in the planning and design process and heritage assets should be sensitively integrated with their setting with creative and innovative solutions that contribute to their significance and sense of place. The council will pay particular attention to assets on the 'at risk' register and actively seek to find viable and long-term sustainable uses that enable them to be removed from the list.

Heritage assets

- 5.5.3 Merton has a rich and varied heritage ranging from designated heritage assets of national importance (such as the remains of Merton Priory founded in 1117 a scheduled ancient monument) to the suburban heritage of the 1930's. The council has a duty to consider the significance of all these areas that are positively identified as having heritage significance when carrying out its statutory functions and through the planning system. Conservation and enhancement of heritage assets, and where appropriate, associated development, can contribute towards reinforcing local distinctiveness and character in the borough.
- 5.5.4 Heritage assets are the valued components of the historic environment. They are defined as any building, site, place, area or landscape, positively identified as having a degree of significance meriting consideration in planning decisions. The term embraces all manner of features, whether standing, buried or submerged, whether designated or not and whether or not they are capable of designation.

Identification of heritage assets

5.5.5 The identification of a heritage asset could be through a range of means. This could include formal designation such as conservation area or listed, or locally listed building status. Buildings in a conservation area identified as having a positive contribution to its character will be considered as undesignated heritage assets in their own right. Heritage assets may also be identified the borough character study, or during the development control process itself.

Types of heritage assets

5.5.6 Heritage assets (HA) covered by this policy include:

-) Listed buildings (designated HA)
-) Locally listed buildings (undesignated HA)
-) Buildings in conservation areas (designated HA)
-) Historic parks and gardens (designated HA)
-) Local Historic Parks and Gardens (undesignated HA)
-) Scheduled ancient monuments (designated HA)
-) Archaeological Priority Areas (designated HA)
-) Any other building, monument, site, area, streetscape or landscape that is positively identified as having a degree of heritage or historic significance

Heritage statements

5.5.7 Heritage statements will be required to set out how proposals conserve, enhance or restore heritage assets and where appropriate, conservation management plans should be prepared for the future maintenance and management of the asset. Special attention should be paid to the conservation or reinstatement of individual details of the asset that contribute towards its particular character, for example; chimneys, windows, doors, roof covering, boundary treatments and the individual elements of shop fronts. The loss or alteration of individual features can cause substantial harm to the significance of heritage assets.

5.5.8 The level of detail provided in the heritage statement should be proportionate to the asset's importance in terms of the significance of the asset affected and the impact of the proposal. Where the proposal has a substantial impact on the significance of a heritage asset, it should be carried out by a specialist historic environment consultant.

5.5.9 Where the Heritage Statement identifies the potential of archaeological remains within an archaeological priority area, an Archaeological Evaluation Report (and where necessary a field evaluation) will also be required.

5.5.10 All development affecting heritage assets or their setting will need to be in accordance with the detailed guidance set out in the Historic Environment Planning Practice Guide. The guidance covers issues such as recording of

information relating to heritage assets, guidance on repairs and restoration, change of use and improving energy performance etc.

- 5.5.11 Once harmed or lost, heritage assets cannot be replaced. The council maintains, with English Heritage, lists of Heritage at Risk and will work with owners and organisations able to offer grant funding, to ensure the sustainable conservation of these important heritage assets.

Information on heritage assets

- 5.5.12 The council makes available on its website details of the borough's heritage assets including conservation areas (design guidance, appraisals and management plans) as well as details of listed and locally listed buildings, Registered Parks and Gardens and Scheduled Ancient Monuments.

Policy D5.6

Advertisements

Policy aim

To achieve high quality design and protection of amenity within the borough.

Policy

- a) Express consent will only be granted for advertisements where they do not harm the character of an area, amenity or public safety. When assessing proposals for new advertisements, cumulative impacts will be taken into account.
- b) The council will ensure that:
 - i. The quality, character and amenity of the borough is not diluted or undermined by inappropriate or excessive advertising on buildings, in the street or on shop-fronts.
 - ii. Advertisements and signage should be designed so that their size, scale, type and illumination are unobtrusive, taking into account site context and local character;
 - iii. They do not compromise safety and security or obscure highway sightlines and allow free movement along the public highway by all users, including people with disabilities, especially the visually impaired
 - iv. They do not adversely impact on trees on or in close proximity to the proposed site, especially those protected by Tree Protection Orders (TPOs) or within conservation areas;
 - v. Visual permeability and natural surveillance between the street and inside non-residential buildings is not compromised by internally applied artwork, blinds or advertising;

Justification

Impact of advertisements on the urban environment

5.6.1 Advertisements are a regular feature of our urban environment and, when well-designed and located sensitively, can play a positive role in creating a vibrant and interesting place. However, it is important that advertising material (including advertisements that may be considered individually acceptable) does not proliferate to an extent to undermine the appearance of individual buildings, the street or the wider public realm. The council will be vigilant in using its powers to prevent such an excess. When assessing the

impact of an advertisement proposal, the cumulative impacts of advertisements on the streetscape and public realm will be taken into account.

Safety and security

- 5.6.2 Advertisements should not represent a safety or security hazard to pedestrians or motorists by impeding views, unduly distracting attention, creating opportunities for concealment or otherwise undermining perceptions of safety.
- 5.6.3 The erection of advertisements can block views and vistas along streets – important for orientation and understanding the public realm - or deflect attention inappropriately from the general townscape or important local landmarks, local established views and historic buildings and areas. Potential losses of views will be taken into consideration when determining applications. Inappropriately designed, sized or sited advertisements can detract from the visual appearance of individual buildings and the wider townscape. This can be the case in any part of the borough, but particularly sensitive are Conservation Areas, Metropolitan Open Land or the vicinity of Listed Buildings. The council will use its Discontinuance Notice Powers to remove advertisements that substantially injure local amenity and the environment.

Policy D5.7

Telecommunications

Policy aim

To encourage high quality design and protection of amenities within the borough.

Policy

- a) Proposals for telecommunications apparatus and equipment will be considered in accordance with International Commission guidelines and relevant Government guidance
- b) Proposals for telecommunications apparatus and equipment should be designed and located such that they do not detract from the visual quality, enjoyment and useability of the public realm or detract from the setting and context of buildings and the street scene. Proposals will be expected to:
 - i. Ensure equipment is placed to the back edge of the footway;
 - ii. Maintain an adequate width of footway consistent with its existing and likely future intensity of use;
 - iii. Group equipment in a neat and orderly fashion;
 - iv. Ensure there is not a proliferation of numerous items of infrastructure that will cumulatively adversely be detrimental to the public realm;
 - v. Construct bespoke enclosures to accommodate equipment as a means of managing the need to provide a number of items of equipment in a single location;
 - vi. In particularly sensitive areas, notably where heritage assets are affected, locate equipment in underground chambers.
 - vii. Ensure that the design and siting of equipment and infrastructure does not undermine the safe enjoyment of the public realm or relevant policies promoting active travel and sustainable means of travel.

Justification

5.7.1 The council recognises the benefits of an up-to-date telecommunications industry and the needs of telecommunications companies in maintaining this. This needs to be balanced with minimising the environmental impact and ensuring a high quality urban environment.

5.7.2 The council is therefore keen to minimise the adverse impacts on visual and environmental amenity and public safety of proposals for telecommunications, particularly in residential areas, on sensitive skylines and in other sensitive locations. Telecommunications apparatus should be sited unobtrusively and the council will have regard to all relevant development plan policies in assessment of development proposals for this apparatus.

Policy D5.8

Shop front design and signage

Policy aim

To achieve high quality design and protection of amenities within the borough.

Policy

- a) Proposals for new shop fronts or alteration to existing shop fronts should relate to the scale and character of the building and enhance the street scene. Proposals for alteration or removal of existing shop fronts shall:
 - i. Retain and restore quality original shop fronts where they exist, to contribute to and enhance the established character of their shopping centre or parade;
 - ii. Retain and restore original features and details where they are of historic value, contribute to the character or appearance of the building or street scene;
 - iii. Retain separate access to upper floors and create or restore such access where this is practical;
 - iv. Provide for satisfactory access for people with disability, special sensory and mobility needs within the building, retaining the full width of the effective footway, irrespective of ownership, keeping it free of ramps, railings or any other obstructions.

- b) Proposals for shop fascias will be expected to enhance the street scene and form an integral and appropriately proportioned part of the whole shop-front and building. They should:
 - i. Relate to the appearance, scale and character of the shop front and its associated features;
 - ii. Relate to the shopping parade within which it is located;
 - iii. Ensure the depth of fascias are consistent with neighbouring shops where they were designed as a whole and relate appropriately to the pilasters and console brackets;
 - iv. Ensure pilasters and console brackets are designed as a unifying element to a group of shops and form a consistent design and paint colour.

- c) Signage design and lighting should be of a high quality, relating well to the original building and the business of the shopfront. In order to achieve this:
 - i. Illumination should be subtle and avoid plain, internally or box-lit fascias or lettering;
 - ii. Signs should be applied to an original fascia board and not be overlaid onto earlier signs;

- iii. Projecting signs should be of a scale and size that is proportionate to the size and depth of the main fascia;
 - iv. Projecting signs should be attached to one end of the main fascia and not between shops on the pilaster, console bracket or above it on the upper floor elevation.
- d) Proposals for shop-fronts should strike the right balance between security and a positive interface and relationship with the street. They must ensure there is visual permeability and natural surveillance between the street and inside the building, whatever their use. To this end:
- i. Proposals for security shutters will only be allowed if a legitimate security need for them is identified;
 - ii. Where security shutters are considered necessary, they must be installed on the inside of the shopfront and allow clear views into the shop – solid or near solid shutters will not be permitted and no type of security shutters will be permitted on the outside of a shop-front;
 - iii. Artwork, glass frosting, blinds or any internally applied advertising or screening will only be permitted where they do not detract from visual permeability and natural surveillance between the street and inside the building
- e) Shop-fronts must be of a high quality and well-proportioned and designed and should be designed in accordance with the council's shop-front Supplementary Planning Document 2017.
- f) Proposals for new buildings where there is a proposed retail or non-residential ground floor, must demonstrate that future shop-fronts and advertising has been planned for, and can be accommodated in the building design in a manner that does not undermine the building design and architectural integrity.

Justification

- 5.8.1 Shop-fronts have a huge impact on the appearance of individual buildings and parades of shops.
- 5.8.2 The council recognises the importance of attractive, high quality shop-fronts in well maintained buildings in enhancing the quality of the retail and business offer in the borough's town and local centres. As a result, the council is embarking on a selective programme of shop-front enhancements and façade restorations in order to address this issue.
- 5.8.3 Outside these areas the council has produced a Supplementary Planning Document on shop-fronts to guide applicants planning to install new shop-fronts. Applications should show that they have used this guide to inform the

evolution of their shop-front design council will require the submission of the elevation of the whole building frontage.

- 5.8.4 Security is important when shops are closed,. However, many shop-fronts are not particular targets for crime and risk needs to be assessed on a case by case basis. The need for security shutters is often not considered and can be an unnecessary expense. Use of solid external security shutters is never an appropriate solution and alternatives that are less obtrusive always exist. Use of such shutters can also be counter-productive, suggesting that there is something behind that is particularly worth the attention of criminals.
- 5.8.5 Allowing visibility into shops in conjunction with low level security lighting provides clear visibility, making any intruders highly visible from the outside, and thus deterring criminal activity. Where there are particularly valuable goods, internal shutters that maintain visibility is the best option. Security laminated glass is also an alternative or addition to this. Excessive internally applied advertising, artwork, frosting or screens also limits views into shops. This makes them less attractive and appealing during opening houses and will screen criminal activity when closed.
- 5.8.6 The use of solid steel security shutters to deter crimes is usually unsightly and detracts from the appearance of individual shops and the surrounding area. They can also attract graffiti, look forbidding and discourage people from walking through a shopping area after normal trading hours. Window-shopping, as a result, is no longer possible and loss of light from illuminated shop window displays can reduce natural surveillance. They can also prevent Police and passers-by from seeing thefts taking place within shops and delay the detection of fires. The council will not grant planning permission to applications proposing solid and opaque external shutters unless their need can be demonstrated.

Policy D5.9

Dwelling Conversions

Policy

- a) Proposals to convert an existing single family sized (3-bed or more) dwelling into two or more smaller units of accommodation must incorporate the re-provision of at least one family sized (3-bed or more) dwelling.

Justification

- 5.9.1 Local housing research demonstrates the need for all sizes of new homes in Merton, including family housing. In terms of historical provision, over 80% of the new homes built in the last 10 years in Merton consist of smaller 1- and 2- bed units.
- 5.9.2 The conversion of existing single dwellings into two or more smaller units contributes to the provision of Merton's share of London's new homes. Whilst this does not normally create problems with larger houses, the target for conversions in Merton is often in smaller units in terraced streets. The conversion of single dwellings into two or more units are most prevalent in certain parts of Merton, the "gridiron" terraces of Abbey, Colliers Wood, Dundonald, Graveney, Hillside Trinity and Wimbledon Park. Loss of 3-bed+ homes in these locations, reduces housing choice in these areas.
- 5.9.3 To ensure that dwelling conversions produce residential units of a high quality and support housing choice, all new dwellings including dwelling conversions must comply with the most appropriate minimum space standards in place at the time of the planning application. Applications for the conversion of existing family-sized single dwellings into two or more smaller units must include the re-provision of one family sized unit. A family sized unit is defined as having three or more bedrooms.
- 5.9.4 To ensure these negative effects are mitigated, the council will expect any proposed conversions to retain a family sized dwelling where one previously existed and rigorously apply the spaces standards in the NDSS and Policy D4 in the New London Plan. This will ensure conversions do not take place in unsuitable dwellings that are too small, cannot provide adequate circulation and are in any other way considered sub-standard.
- 5.9.5 Often many larger (and some smaller) houses have been subdivided into self-contained flats and/or houses in multiple occupation in the past, when today's space standards did not apply. These are likely to be considered sub-standard in terms of space, circulation, access and provision for people with disabilities. Conversion, reconfiguration and extension of

such properties can improve the quality of housing stock and bring it up to modern standards.

Policy D5.10

Basements and subterranean developments

The council will only permit basement and subterranean developments that do not cause harm to the built and natural environment and local amenity and do not result in flooding or ground instability issues (*this should be read in conjunction with other relevant policies for example, both Design, Flood Risk and Sustainable Drainage policies*). Basement and subterranean developments will be expected to meet all the following criteria:

- a) All basement and subterranean development applications must be accompanied by a Basement Impact Assessment (BIA), a Drainage Strategy and an outline Construction Method Statement (CMS). The CMS is required to demonstrate that the development will be designed and constructed, so as to minimise its impact on the environment and neighbouring sites during construction (*in line with the Local Environmental Impacts, Pollution and Land Contamination policy of this Plan*). Further guidance on items to be addressed in the CMS can be found in Merton's basement and subterranean Supplementary Planning Document (SPD).
- b) Provide a Construction Traffic Management Plan (can be incorporated as part of the outline CMS) to ensure that traffic and construction activity does not cause unacceptable harm to pedestrian, cycle, vehicular and road safety.
- c) Must not result in an unacceptable impact on the amenity of adjoining properties or on the local, natural and historic environment during and post construction;
- d) Demonstrate the scheme safeguards the structural stability of the existing building, neighbouring buildings and other infrastructure, including impacts to the highway, utilities and transport network.
- e) Where a basement or subterranean development is added to, or adjacent to, a listed building and all other heritage assets, it must safeguard all significant archaeological deposits and, in the case of listed buildings, not unbalance the buildings' original hierarchy of spaces, where this contributes to significance.
- f) All, basements must not comprise more than one storey and must not extend beyond the outer walls of the original property (prior to alterations) to more than 50% of the original dwelling's footprint.
- g) All basements uses must be appropriate to its setting and in design terms, have regard to the health and well-being of the occupants of the basement, such as provision of access to natural light and ventilation.
- h) Ensure that any externally visible elements such as light wells, roof lights and fire escapes are sensitively designed and sited to avoid any harmful visual impact on neighbour or visual amenity.
- i) No new basements or subterranean development will be permitted under the public highway.
- j) Basement applications which propose sleeping accommodation (bedrooms) within areas which are shown to be at high risk flooding from all sources (for example; Flood Zone 3a or at high risk of surface water flooding) will not be permitted.
- k) Basements must be designed to minimise the risk of internal flooding and must not increase the risk of flooding elsewhere. Basement proposals shall include sustainable urban drainage scheme to reduce runoff rates and implement proposals to conserve and re-use water, through rainwater harvesting.
- l) Must not cause loss, damage or adverse impact to trees, shrubs, biodiversity, nature and amenity value of the surrounding.

Justification

- 5.10.1 This policy applies to all new basement developments, including the construction or extension below the prevailing ground level of a site or property. Subterranean and other basement developments are considered to be '*development*' as defined by the Town and Country Planning Act 1990 as amended. Therefore planning permission is required for the carrying out of basement developments.
- 5.10.2 For further guidance on the council's requirements on basement and subterranean developments in the borough can be found our Basement and subterranean Supplementary Planning Document (SPD) and regard should be given to Merton's Design policies and Flood Risk and Sustainable drainage policy. Reference should also be given to Merton's Sustainable Drainage (SUDS) Design and Evaluation Guide (emerging SPD).
- 5.10.3 Merton has experienced a steady increase in basement development schemes this policy refers to all basement proposals that require planning permission; it refers to all land uses including commercial, not just residential.
- 5.10.4 The addition of basements to existing properties is considered to exacerbate the issue of rising residential land and property values in this borough, thus creating even more homes that are not affordable for local communities, and it also contributes to the loss of small family dwellings. Therefore, limiting the size and extent of a basement also ensures that the special character of this borough is preserved and that proposals do not lead to over development or inappropriate intensification of existing properties.
- 5.10.5 Basement developments affect the existing building, neighbouring building and neighbourhood amenities. Building Regulations and the Party Wall Act control the structural integrity of the development itself but these regulations do not concern themselves with the impact on neighbourhood amenity of the construction process or the finished development.
- 5.10.6 All Basement developments must include sustainable drainage measures and rainwater harvesting measures to reduce runoff rates, improve water quality and provide benefits to biodiversity and amenity.
- 5.10.7 In some cases of higher potential risk, the council may require applicants to fund an independent assessment of the basement structural assessments. This is particularly likely where proposals will affect listed buildings of high significance or with particularly sensitive historic fabric, or those in high risk locations where basements are located in proximity of environmentally sensitive features, such as culverted rivers/watercourses.

Construction Method Statement

- 5.10.8 The impact of basement and subterranean construction, including issues relating to noise, dust, disturbance and structural stability of surrounding properties as well as the management of traffic, plant and equipment, is a growing concern in the borough, particularly in residential streets. It can affect the quality of life, amenity and living conditions as well as traffic and parking of nearby residents and local communities. In some instances, multiple excavations in a residential street can lead to detrimental impacts during the excavation and construction processes. While planning has limited powers to control the construction

processes, it does have an important role in protecting amenity and living conditions.

- 5.10.9 This policy seeks to ensure that the amenity, living conditions and the health and wellbeing of nearby residents are protected by reducing the impacts from construction works, such as noise, vibration, soil removal and associated plant, machinery and heavy vehicles. In addition to ensure that structural stability is safeguarded at each of the development proposal, planning applications for basement developments must demonstrate how all construction work will be carried out.
- 5.10.10 Therefore a Construction Management Statement (CMS), as set out in the council's Validation Checklist, will be required for all types of basement and subterranean developments.
- 5.10.11 Further guidance on CMS can be found in *Merton's Basement and subterranean SPD*. Developers of basements are also expected to sign up to a Considerate Construction Scheme.

Sustainability

- 5.10.12 The environmental impact of basement developments is arguably greater than the equivalent above ground development due to the increased energy and resource requirements in their construction and use (e.g. heating and lighting). The council will expect all basement development proposals to demonstrate that they have sought to minimise their environmental impact in accordance sustainable design and construction and circular economy policies.

Heritage Assets, Conservation and Listed buildings

- 5.10.13 The impact of basement development proposals on heritage assets must be assessed on their merits to avoid any harm to their significance or historic integrity. Listed buildings are recognised for their exceptional heritage value and once a listed building is severely damaged or demolished, that historical connection is lost forever. Basements beneath the garden of a listed building are not permitted except on larger sites where the harm to the building's structure or setting and the basement is substantially separate from the listed building, and the acceptability of such schemes will be assessed on a case by case basis.
- 5.10.14 The link between the listed building and the basement should be discreet and of an appropriate design and location that does not adversely impact on the significance of the listed building. In the exceptional circumstances where these are allowed, there should be no extensive modification to the foundations of the listed building or any destabilisation of the listed structure and account will be taken to the individual features of the building and its special interest.
- 5.10.15 Similarly development proposals involving excavation nearby or adjacent to a listed building will be required to demonstrate that the integrity of the listed building will be unaffected. The council will consult with Historic England (this includes the Greater London Archaeology Advisory Service (GLAAS) and any other appropriate bodies in regard to listed building developments.

- 5.10.16 In conservation areas, basements should conserve or enhance the character and appearance of the conservation area. This is particularly relevant in relation to external visible features e.g. light wells and railings which may impact on the character of conservation areas.
- 5.10.17 Further guidance and advice on our requirements for Basements can be found in Merton's *Basement and Subterranean SPD*. Reference should also be made to Merton's *Design SPD* and the emerging *Sustainable Drainage SPD*.