



12. GREEN AND BLUE INFRASTRUCTURE

Strategic Policy O8.1

Open Space, Green Infrastructure and Nature Conservation

Access to open spaces and green infrastructure plays an important role in the physical and mental health and wellbeing of all people. We aim to ensure Merton remains an attractive and green borough, through the protection and enhancement of open spaces, green infrastructure and the natural environment. We will do this by:

- a.** Protecting and enhancing open spaces in the borough including Metropolitan Open Land, parks, other open spaces and areas of nature conservation to provide high quality environments for all residents;
- b.** Encouraging improved accessibility to all open spaces and areas of nature conservation;
- c.** Enhancing existing open spaces, green corridors and the natural environment, providing habitats for biodiversity to flourish and expand;
- d.** Protecting and enhancing the borough's biodiversity, particularly on sites of recognised nature conservation interest, and supporting the objectives of the Mayor's Environment Strategy;
- e.** Increasing the number of trees in the borough;
- f.** Enhancing accessibility to our waterways, including the River Wandle and its banks, for leisure and recreational use, while protecting its biodiversity value;
- g.** Improving opportunities for our residents and visitors to experience nature;
- h.** Promoting healthy lifestyles to encourage physical education and well-being through the use of our leisure centres, schools, open spaces, playing pitches and recreational spaces; and
- i.** Working with partners to facilitate the delivery of sport, recreation and play facilities and to encourage the shared use of sites and spaces.

Justification

- 1.1.1.** The policies in this chapter should be read alongside 'Chapter 8 Green Infrastructure and Natural Environment' of the London Plan (Intend to Publish version 2019). These policies are intended to work together to ensure that Merton's green and open spaces remain a valued asset of the borough and are protected and enhanced.
- 1.1.2.** Merton is lucky to be one of the greenest boroughs in London, with over 1,300 hectares of open space, which makes up 35% of the borough. To ensure there continues to be good quality green spaces for everyone to enjoy, it will be important to protect and enhance the existing open spaces and green infrastructure in Merton. Emphasis will be placed on the protection and long-term management of green spaces and areas of nature conservation, and encouraging improved accessibility to these spaces.
- 1.1.3.** The following evidence base documents have been published, which support the Local Plan and should be referenced for all relevant planning applications:
- The Green Infrastructure, Biodiversity and Open Space Study (2020);
 - The Merton Playing Pitch Strategy (2019); and
 - The Merton Indoor Sports Facility Study (2020).

Policy O8.2

Open Space and Green Infrastructure

The council places a high value on green infrastructure and open spaces, as they make a significant contribution to the health and wellbeing of Merton residents, contribute to social cohesion and mitigate some of the impacts of climate change. We aim to protect and enhance our open spaces and to improve accessibility to open space. We will:

- a. Protect and enhance the borough's public and private open space network including protecting Metropolitan Open Land (MOL) and designated open spaces from inappropriate development in accordance with the London Plan and government guidance;
- b. Ensure that in accordance with the NPPF, existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:
 - i. an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
 - ii. the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
 - iii. the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.
- c. Ensure that development proposals within designated open spaces (which have met the conditions set in part b) above, meet all the following criteria:
 - i. the proposals are of a high quality design and do not harm the character, appearance or function of the open space and;
 - ii. the proposals retain and/or improve public access between existing public areas and open spaces through the creation of new and more direct footpath and cycle path links; and,
 - iii. the character and function of leisure walks are preserved or enhanced.
- d. Support the creation of new publicly accessible open space as part of major development proposals where suitable and viable, particularly in locations that are deficient in access to public open space;
- e. Expect development to incorporate and maintain appropriate elements of green infrastructure which makes a positive contribution to the wider network of open spaces.

- f.** Safeguard existing allotments, and encourage and support the provision of community-run and managed land and spaces for growing food in new developments, where practicable;
- g.** Expect all development to make provision for the long term management and maintenance of green infrastructure on site.

Justification

- 1.1.5. Open space can be multi-functional; people use green and open spaces for many purposes including exercise, play, food growing, socialising and leisure. Visual accessibility is equally as important as physical access. The protection and enhancement of open spaces enables the provision of areas for active and passive leisure activities, has a positive impact on health and wellbeing, provides opportunities for social cohesion between members of Merton's diverse communities, provides safe pedestrian and cycle routes, provides areas for nature within urban areas and can provide areas for flood mitigation measures.
- 1.1.6. The 2020 Green Infrastructure, Biodiversity and Open Space Study (referred to as the Green Infrastructure Study) provides an assessment of open space quality, quantity and accessibility throughout Merton, including an audit of existing open spaces to determine the likely demand and need for facilities over the lifetime of the Local Plan.
- 1.1.7. The Green Infrastructure Study identifies that Merton is one of the greenest boroughs in London, with over 1,300 hectares of open space, accounting for 35% of the borough. 21% of this is public open space, slightly more than the 18% in London.
- 1.1.8. It will be important to protect and enhance the existing areas of open space in Merton, to ensure that as the population grows, there are good quality green spaces for everyone to enjoy.

Metropolitan Open Land

- 1.1.9. Metropolitan Open Land (MOL) is strategic open land that contributes to the structure of London. It is afforded the same status and protection as Green Belt land. As shown on the Policies Map, there are 9 designated areas of MOL in Merton, covering over 950 hectares, or 26% of the borough. MOL will continue to be protected from inappropriate development, in accordance with the London Plan and government guidance.

Designated Open Spaces

- 1.1.10. The open spaces relevant to this policy are designated on the Policies Map. These typically consist of parks, commons, playing fields, play areas, cemeteries and churchyards, woodlands and allotments. The council is committed to ensuring the protection and enhancement of designated open space.

- 1.1.11.** Many designated open spaces have existing buildings within them, particularly when associated with leisure and sports facilities. Proposals for new or improvements to existing buildings on open space that meet the criteria in the policy should be of high quality design, and of a scale, height and massing that is appropriate to their setting. Proposals should show how uses are required and linked to the function of the open space and all proposed uses should complement and enhance the function of the open space (e.g. pavilions and changing rooms that are required for playing pitches).
- 1.1.12.** For clarity, the assessment that is referred to in part (b)(i) of this policy is a strategic borough-wide assessment such as the Merton Green Infrastructure Study (2020), the Merton Playing Pitch Strategy (2019), or the Merton Indoor Sports Facility Study (2020), not assessments that are done on a site by site basis.

Improving accessibility to public open space

- 1.1.13.** The Green Infrastructure Study includes an accessibility assessment to analyse areas in the borough that are deficient in access to public open space, play areas and nature conservation. The areas of deficiency in access to public open space are calculated by Greenspace Information for Greater London (GiGL) using their Areas of Deficiency (AoD) data model. Public open space categories are set out in the London Plan and provide a benchmark for the provision of publicly accessible open space, categorising spaces according to their size, facilities and local importance.
- 1.1.14.** Residents in Merton experience high accessibility to Regional Parks (98%) and Metropolitan Parks (99%). There is also a good level of accessibility to District Parks (77%) and Local Parks (72%). There is a notable gap in access to District Parks indicated by a continuous band of deficiency from west to north east through Raynes Park, Wimbledon, Colliers Wood and Mitcham.
- 1.1.15.** The best reflection of deficiency in access to open space is to the Local Parks, Small Open Spaces and Pocket Parks. In these areas of deficiency the lack of open spaces is more evident, although there is some evidence of existing open space which is not publicly accessible. There are some areas (particularly noticeable around Raynes Park) where there are gaps in access to both District and Local Parks. Major developments proposed in these areas will be expected to improve access to publicly accessible open space, either through design and public realm improvements, or by providing new publicly accessible open space on site. Where necessary, planning obligations may be sought to secure access improvements.

- 1.1.16.** Where necessary to fund any costs to the council associated with onsite provision of new open space proposed as part of major developments, commuted sums may be negotiated on a case by case basis and the level of funding sought will be commensurate to the financial burden to the Council that would arise due to the open space provision.
- 1.1.17.** A large number of open spaces in Merton are linked by rivers, brooks and smaller open spaces, or are separated from one another by short sections of built development. This can limit the accessibility to and between open spaces. New development in these areas should explore opportunities to enhance the accessibility between these spaces, in line with the principles set out in the All London Green Grid guidance and London Plan Policy SI16(f). Improvements in accessibility should be delivered in tandem with the Transport policies.
- 1.1.18.** It is important to protect and improve the existing links between and across open spaces. These links provide important informal recreational opportunities for walking and cycling, create a safe and pleasant environment, and allow appreciation of attractive landscapes and features of historical significance.

Green infrastructure

- 1.1.19.** Green infrastructure refers to the network of parks, rivers, water spaces and green spaces, plus the green elements of the built environment, such as street trees, green roofs and sustainable drainage systems.
- 1.1.20.** All development will be expected to incorporate elements of green infrastructure on site, to enhance biodiversity, contribute to the health and wellbeing of all residents and help mitigate the impacts of climate change. Examples include pollinator-friendly landscaping, tree-planting, green walls, green and blue roofs and rain gardens all of which can have multiple benefits. Reference should also be made to Policy O8.4 Biodiversity and Nature Conservation, Policy O8.5 Protection of Trees and Policy O8.6 Urban Greening.

Allotments and Food Growing

- 1.1.21.** Local food growing can help to create healthier food environments, improve food security, promote healthy and active lifestyles and help to improve social and community cohesion. Allotments are areas set aside for food growing and are recognised for their contribution to enabling healthy and sustainable lifestyles. These green spaces not only offer biodiversity and conservation value but also bring recreational, health and social benefits, by allowing residents to grow fresh produce.

- 1.1.22.** The Green Infrastructure Study identifies there are 21 allotments in Merton; 19 of which are Council owned, operate at capacity and have lengthy waiting lists due to high demand. It is important that allotments continue to be protected, while new spaces for growing food are also encouraged.
- 1.1.23.** New proposed developments may provide ideal opportunities to incorporate spaces for residents to grow food. This does not have to be in formal allotment areas, but could extend to roofs, walls and balconies or by introducing trees and shrubs that produce food as part of the landscaping. It may be appropriate for areas to be used temporarily for food growing, provided it does not conflict with other policy objectives or land use priorities and does not have an unacceptable impact on the amenity of adjoining areas.
- 1.1.24.** Food growing in schools can also help children's learning and skills, in addition to wider health and wellbeing outcomes.

Policy O8.3

Biodiversity and Access to Nature

The council is committed to protecting and enhancing the natural environment. We aim to protect and enhance biodiversity, particularly on sites of recognised nature conservation interest, and to improve accessibility to nature throughout the borough. We will:

- a. Protect all sites of recognised nature conservation interest, against inappropriate development that will adversely affect the nature conservation value of the site and secure measures that enhance their nature conservation value;
- b. Protect and avoid damage to sites of recognised nature conservation interest, populations of protected species, priority habitats and priority species;
- c. Ensure that development which may destroy or impair the integrity of Green Corridors will not be permitted. Proposed development in and adjacent to Green Corridors will be expected to enhance their nature conservation value.
- d. Require development to contribute to net gains in biodiversity by incorporating features such as green roofs and walls, soft landscaping, bird and bat boxes, habitat restoration and expansion and improved green links.
- e. Require the following mitigation hierarchy to be followed, for development where significant harm to biodiversity is unavoidable, and where the benefits of the development proposal clearly outweigh the impacts on biodiversity:
 - i. Avoid damaging the significant ecological features of the site
 - ii. Minimise the overall spatial impact and mitigate it by improving the quality or management of the rest of the site
 - iii. Deliver off-site compensation of better biodiversity value.
- f. Expect proposed development on sites located in an area of deficiency in access to nature to incorporate appropriate biodiversity elements and habitat features to improve nature conservation, and to improve accessibility to SINCs through site design.

Justification

- 1.1.25.** Section 40 of the Natural Environment and Rural Communities Act 2006 places a duty on public authorities to have regard to the purpose of conserving biodiversity, through policy and decision making.
- 1.1.26.** The council is committed to protecting and enhancing biodiversity, particularly on sites of recognised nature conservation. The protection and enhancement of biodiversity in urban areas such as Merton is important, particularly in the context of biodiversity losses due to development pressure, climate change and deficiencies in access to nature. Protecting biodiversity and the wider natural environment can have a variety of significant positive impacts including strengthening wildlife movement and connections, improving health and mental wellbeing of residents, contributing to climate change adaptation and improving quality of life.
- 1.1.27.** For clarity, reference in this policy to ‘sites of recognised nature conservation interest’ include all sites that are designated on the Merton Policies Map as:
- Sites of Special Scientific Interest (SSSI);
 - Metropolitan, Borough or Local Sites of Importance to Nature Conservation (SINC);
 - Local Nature Reserves (LNR); and
 - Green Corridors.
- 1.1.28.** Development proposals which are likely to affect sites that have been designated on the Policies Map as SSSI, SINC, LNR or Green Corridor will be required to demonstrate that such development will not adversely affect the nature conservation values of the site. Any proposals on adjoining sites will also need to ensure and demonstrate that the proposed development will not harm the nature conservation value of the designated site.
- 1.1.29.** In line with the NPPF and London Plan policies, significant harm to biodiversity on a site through proposed development should be avoided. In circumstances where harm is unavoidable, the mitigation hierarchy will be applied. It will be expected that where any mitigation or compensation is required, this will be provided at the equivalent, or better, biodiversity and habitat area and value.

- 1.1.30.** The preservation of existing biodiversity, including wildlife habitats, is strongly preferred over re-provision as any redevelopment of an existing space will necessitate its total loss and replacement with a space that has to be established with plants and wildlife over time; this carries the risk that the replacement space will be less successful than that which it replaces.

Sites of Special Scientific Interest / Special Areas of Conservation – Wimbledon Common

- 1.1.31.** Wimbledon Common is the only SSSI in the borough and this area is also protected by European legislation as a Special Area of Conservation (SAC). The Habitats Regulations require an 'Appropriate Assessment' to be carried out if a plan or project is likely to have a significant effect on Wimbledon Common (either alone or in combination with other plans or projects). This may apply to development projects and this is not the same as an Environmental Impact Assessment. The Natural England website has more information to help decide whether or not a development project requires an 'Appropriate Assessment'.

SINCs

- 1.1.32.** There are 56 SINCs in Merton, covering an area of 833 hectares (22% of the borough). Proposals on, or in close proximity to SINCs should have a positive impact on biodiversity and will be assessed in accordance with London Plan policy G6.

Local Nature Reserves

- 1.1.33.** There are 15 LNRs in Merton; areas that have been statutorily designated under Section 21 of the National Parks and Access to the Countryside Act 1949. These are places that are considered to be important for wildlife, geology, education and enjoyment by local people. Public access to LNRs is important, provided that people visiting the site will not damage or disturb the wildlife.

Protected species, priority habitats and priority species

- 1.1.34.** Although Merton is a built-up area in London, it is still home to many protected species and habitats that are valuable to biodiversity. While trees and green spaces provide habitats for many species, buildings can also provide roosting sites for bats and nesting opportunities for birds. Biodiversity should be considered at the early stages of the design process, as the benefits of creating spaces for wildlife also have significant positive impacts for the health and wellbeing of local residents.

1.1.35. The Natural England standing advice on protected species should be referred to for any development proposal on a site that may impact on a protected species, priority habitat or priority species. Any development that is located within or in close proximity to a SINC, or is likely to have an impact on protected species, habitats or priority species, will be required to submit an ecological survey and appraisal. This is to ensure that the Council can make an informed decision to protect and enhance biodiversity.

1.1.36. Ecological surveys submitted with planning applications should be in line with the Natural England standing advice on protected species and:

- be carried out by an appropriately qualified ecologist
- be carried out at an appropriate time of year and no later than 6 months prior to the submission of the planning application;
- use appropriate methods for the species and the area;
- be carried out early in the design process of a proposal;
- identify any potential impacts a proposed development is likely to have on the ecology of a site; and
- recommend suitable mitigation and enhancement measures for the proposed development.

1.1.37. Development proposals must consider the potential impact that lighting, noise or shading may have on biodiversity on and around the site. New proposed lighting should minimise impacts to biodiversity, protected species and priority habitats.

Green Corridors

1.1.38. Green Corridors are continuous areas of open space, which link other open spaces to each other, allowing animals and plants to move in and around built-up areas. There are 18 Green Corridors designated on the Policies Map, covering an area of 1,023 hectares (27% of the borough).

- 1.1.39.** The council recognises the importance of maintaining and enhancing the network of Green Corridors. These areas effectively create corridors that enable the movement of plant and animals. They allow some animals to undertake movements between different habitats that they require for survival, maintain the presence of some animals and plants in places where they would not otherwise be found, and help to ensure the maintenance of the current range and diversity of flora and fauna, and the survival of important species.
- 1.1.40.** Proposed development on sites in and in adjacent to Green Corridors will need to consider biodiversity, wildlife and green infrastructure elements early on in the design process. This includes considering any potential impacts on biodiversity from elements such as lighting, noise or shading. Lighting can have negative impacts on birds, roosting bats and bats that are feeding or commuting to feeding areas.

Net Gain

- 1.1.41.** Biodiversity net gain is an approach which aims to leave the natural environment in a better state than it previously was. Development proposals should maximise biodiversity benefits and ecological connectivity through ensuring that biodiversity is a key consideration early in the design process.
- 1.1.42.** Development, particularly for new and replacement buildings and extensions to buildings, should utilise opportunities to attract new species to a site. This can include the incorporation of artificial nest boxes and bricks in buildings to provide nesting and roosting opportunities for birds, including species under threat such as swifts, house martins, swallows and house sparrows, and where appropriate, bats.
- 1.1.43.** Development proposals should prioritise the inclusion of biodiversity on-site, selecting species for planting that complements that surrounding habitats, maximises benefits to biodiversity and is beneficial to wildlife.
- 1.1.44.** Improvements to biodiversity should not be restricted to conventional habitats but should extend to the increased use of green roofs and green walls. The use of sustainable drainage measures can also have significant biodiversity benefits – refer to Policy F8.8 and the Merton SUDs SPD for further guidance.

Areas of Deficiency in Access to Nature

- 1.1.45.** There is generally good access to green spaces and nature conservation areas in Merton, however some parts of the borough are considered to be deficient in access. For clarity, areas of deficiency in access to nature are areas where people have to walk more than 1km to reach a publicly accessible metropolitan or borough SINC. These areas have been identified and mapped in the Merton Green Infrastructure Study (2020). These maps are regularly updated by GiGL and should be referred to when preparing planning applications.
- 1.1.46.** Major development proposals on sites that are located in these areas of deficiency will be expected to alleviate these deficiencies. The council will support improvements in accessibility to SINCS in areas of deficiency through all developments, where this is possible and practical.

Geodiversity

- 1.1.47.** There are no regional or locally important geological sites in Merton. However, there is a site on Putney Heath, approximately 160 metres from the borough boundary, which has potential to be of local importance. Development proposals that could have an impact on the geological features of this site should have regard to the London Plan.

Policy O8.4

Protection of Trees

We are committed to protecting trees and enhancing other features of the natural environment. We will:

- a. Encourage and support the protection of street trees, and secure replacements utilising current technological advancements for the successful growth and establishment of trees;
- b. Expect development proposals to protect, retain and enhance trees, hedges and other landscape features of amenity value, on site and on adjoining land and secure suitable replacements in instances where their loss is justified;
- c. Expect development proposals, where appropriate, to plant additional trees on site in a coordinated way to maximise the green infrastructure network;
- d. Use Tree Preservation Orders to safeguard significant trees of amenity value;
- e. Only permit development if it will not damage or destroy any tree which:
 - i. is protected by a Tree Preservation Order;
 - ii. is within a conservation area; or,
 - iii. has significant amenity value.

However, development may be permitted when:

- iv. the removal of the tree is necessary in the interest of good arboricultural practice; or,
- v. the benefits of the development outweigh the tree's amenity value.

In circumstances where e) iv. or v. applies, suitable high-quality re-provision of equal value must be provided on site. Where on site provision is demonstrably not possible, as agreed with the Council, a financial contribution of the full cost of appropriate re-provision will be required.

- f. Expect proposals for new and replacement trees, hedges and landscape features to consist of appropriate native species to the UK.
- g. Ensure that bio-security measures are adhered to for trees, shrubs and herbaceous plants to prevent accidental release of pests and diseases.

Justification

- 1.1.48.** Trees, hedges, shrubs and other significant vegetation make an important contribution to the borough's townscape and the quality of life for residents. These elements provide visual and amenity enhancements to the built environment, while also providing much needed habitats for biodiversity. Trees can help to reduce impacts on air quality and contribute to climate change by capturing and storing carbon dioxide. Trees will continue to play a significant role in adapting to climate change by having a positive impact on reducing flood risk and helping to reduce the urban heat island effect.
- 1.1.49.** The Green Infrastructure Study (2020) identifies that although Merton has an overall tree canopy cover that is greater than the London average, a sustained expansion of tree and woodland planting is important. This is needed to address ongoing biodiversity declines, increase resilience to pests and diseases, increase shade and tackle climate change. The Study identifies the total tree canopy, including in private gardens, covers an area of 1,040 hectares, approximately 28% of the borough. There are different techniques for estimating tree and woodland coverage, but of the total tree canopy: 266.1 hectares (26%) consists of woodlands contained within parks and public open spaces; 15.2 hectares (1.5%) consists of individual woodlands; 116.7 hectares (11.2%) consists of street tree (canopy); and the remainder (61.3%) is found in private gardens, cemeteries and institutional grounds. London's tree coverage is estimated to be 20% and the London Environment Strategy has set a target to increase this by 10% by 2050.
- 1.1.50.** The council will use the existing planning mechanisms including Tree Preservation Orders and Conservation Area designations to protect existing trees on private land.
- 1.1.51.** The council considers it important that development proposals are accompanied by appropriate reports and surveys to deal with the impact of the proposals on the existing vegetation. When applicable, developers will need to demonstrate that they have paid regard to current British Standards such as, BS 5837:2012 'Trees in relation to design, demolition and construction - Recommendations', BS 3998:2010 'Tree Work – Recommendations' and other relevant documentation such as the Arboricultural Advisory and Information Service's 'Arboricultural Practice Note 12'.
- 1.1.52.** New development should be designed positively to integrate existing trees. For trees that are located on a proposed development site, the appropriate arboricultural information should be provided to demonstrate that layouts have been informed by the use of such survey and tree constraints mapping information.

- 1.1.53.** Given the importance of retaining trees throughout the borough, tree planting should be considered from the design stage of a proposal. The location of new trees should be planned to complement the proposed features, and be appropriate for the intended use, of the development. The council may request details relating to the planned maintenance for new trees and landscaping on development sites, to ensure planting becomes established, particularly within the first five years. Planning conditions will also be used, as appropriate.
- 1.1.54.** All developments are required to minimise impacts on existing trees, hedges, shrubs and other significant vegetation, and provide sufficient space for the crowns and root systems of existing and proposed trees and their future growth. Developments within proximity of existing trees are required to provide protection from any damage during development.
- 1.1.55.** In those exceptional circumstances where the loss of or damage to trees of value is unavoidable, mitigation through adequate planting will be secured. As set out in London Plan G7 C, recognised valuation systems should be used to inform suitable replacement planting based on the existing value of the benefits of the trees removed.
- 1.1.56.** Where there are constraints to planting and re-planting cannot occur on-site, or only partial canopy cover can be re-provided, the development will be required to provide evidence to justify why it is not feasible. Once this is established to the council's satisfaction, it may then be accepted that off-site compensation is appropriate, or that a financial contribution of the full cost of appropriate re-provision is required. The preference will be to prioritise planting over a financial contribution, unless there are exceptional circumstances in relation to compliance with other policy requirements.
- 1.1.57.** Underground servicing often affects existing trees and/or can limit where new trees are located. Proposals involving existing and/or proposed underground servicing must ensure that the requirements for protecting existing trees and proposing new trees are fully considered.
- 1.1.58.** Although exotic species can have interesting aesthetic qualities, they can also have a damaging impact on biodiversity and the local ecology. The council has a strong preference for native species to be planted but, where appropriate, will consider suitable exotic species.

1.1.59. The council will take appropriate measures to prevent or reduce the risk of transmission of emerging pests, diseases and invasive species that are detrimental to the health of trees. With the advent of introduced pests, such as the Oak Processionary Moth (*Thaumetopoea processionea*) and diseases such as Ash Dieback (*Chalara fraxinea*), trees, shrubs and herbaceous plants should follow BS8545: Trees: From Nursery to independence in the Landscape. This includes that trees should not be imported directly from European suppliers and planted straight into the landscape setting, but spend a full growing season in a British nursery to ensure plant health and non-infection by foreign pests and diseases before being introduced into a development. Landscape conditions will be used to ensure that good practice is exercised as detailed by LTOA and the Forestry Commission.

Policy O8.5

Sport and Recreation

We are committed to helping our residents lead healthy and active lifestyles and improve mental well-being, through sport and recreation. We will:

- a. Encourage opportunities for sport, recreation and play.
- b. Safeguard existing sport and recreation facilities, based on assessments of need and capacity.
- c. Support proposals for new, and refurbishment and replacement of existing, sport and recreation facilities on sites that are designated as Open Space in the Policies Map, where the proposal meets Policies O8.2, O8.3 and O8.4.
- d. Require all major residential development likely to be used by children and young people to provide on-site good quality, free-to-use, safe and accessible play spaces for all ages. The amount of play space provided is to be proportionate to the anticipated increase in child population as a result of the proposed development.
- e. Recognise the All England Lawn Tennis Club as being an internationally significant sporting venue.
- f. Ensure that development proposals that include indoor and outdoor sports and recreation facilities maximise the multiple use of these facilities and encourage the co-location of services for the local community. This should be formalised through Community Use Agreements.

Justification

- 1.1.61.** This policy should be considered alongside London Plan Policy S4 Play and informal recreation and S5 Sports and recreation facilities.
- 1.1.62.** The provision of parks, play areas, leisure, recreation and cultural facilities helps to encourage healthier, more active lifestyles and improve mental well-being and social interaction. The council is supportive of both formal and informal facilities, to encourage physical activity and deliver a range of social, health and wellbeing benefits to the local community.
- 1.1.63.** We will continue to encourage regular participation in sport and recreation activities, including active travel through well designed public spaces which enable greater pedestrian and cycling movements.
- 1.1.64.** The Merton Playing Pitch Strategy (PPS) published in 2019 provides a strategic assessment of the future demand for playing pitches and sets out the future requirements for sporting needs in the borough. The PPS was carried out in line with national guidance and in collaboration with Sport England and the National Governing Bodies of Sport (NGBs).
- 1.1.65.** The PPS sets out a number of overall recommendations, including a number of sport-specific recommendations for football, rugby, cricket, hockey, tennis, bowls, athletics and water sports, which were agreed in collaboration with Sport England and the NGBs. It also includes an action plan, which is intended to guide the delivery of sports provision over the next 10 years, setting out priority projects, key actions, timescales for delivery and indicative costs by site.
- 1.1.66.** The Indoor Sports Facility Study (ISFS) published in 2020 provides a strategic assessment of indoor sports facilities in Merton, setting out the supply, quality and location of current facilities and considering the future needs.
- 1.1.67.** Both the PPS and the ISFS should be referenced for any proposed development for indoor or outdoor sports facilities.
- 1.1.68.** While sport and recreation facilities are generally considered to be appropriate uses on designated open spaces, these can sometimes result in conflict between users of these spaces and there are a number of considerations that need to be assessed. Proposed development will need to be well designed. Applicants must demonstrate that the location of a proposed facility has been fully considered from the beginning of the design process, makes the best use of the land and does not adversely harm any areas of nature conservation or biodiversity.

- 1.1.69. Sport and recreation facilities must adopt inclusive design standards to ensure that everyone has the opportunity to take part in sporting activity, in line with relevant best practice and guidance issued by Sport England and other relevant bodies/organisations.
- 1.1.70. In line with the Transport policies in this plan, proposed development should incorporate Healthy Streets principles through encouraging walking and cycling, to help achieve active lifestyles and improving mental well-being.

Play Space

- 1.1.71. Safe and stimulating play is essential for children and young people's mental and physical health. In order to facilitate greater physical activity, it is important that children and young people have safe access to good quality, well designed, secure and stimulating play and informal recreation provision.
- 1.1.72. Major residential development will be required to provide an appropriate amount of play space on site. In determining the amount of play space required, consideration will be given to the type of development, amount, quality, and use of existing accessible provision of play space, as well as the anticipated child yield of the development. The London Plan child yield calculator is to be used to determine the amount of play space required. The council also supports the Mayors supplementary planning guidance 'Providing for Children and Young People's Play and Informal Recreation (2008)'.
- 1.1.73. The importance of providing for children's play is emphasised in the Mayor's SPG "Providing for Children and Young People's Play and Informal Recreation" (2008).
- 1.1.74. The Green Infrastructure Study (2020) includes an assessment of publicly accessible play spaces in the borough and reference should be made to these maps in the early stages of the planning process to determine whether a site is considered to be deficient in access to play space.
- 1.1.75. There are a variety of different types of play spaces that can be provided through new development. Communal gardens and other outdoor spaces suitable for play, including communal amenity space, may be considered to contribute towards play space provision where they have distinct playable elements. However, publicly accessible play space will be preferred where possible, rather than provision being entirely from private space.
- 1.1.76. Where formal play space is provided it must be free, accessible, and integrated into any wider networks of open space. Where possible, minor developments are also required to provide informal play space.

- 1.1.77.** In line with London Plan policy S4, the council will not support play spaces that are segregated by tenure, as play areas should be accessible to all.
- 1.1.78.** New play spaces should provide an appropriate range of facilities for different age groups, including young children, older children and teenagers. Other elements such as benches and seating areas should also be provided, to enable adult supervision where necessary. Play and informal recreation areas should incorporate trees and greenery wherever possible, to create a welcoming and enjoyable environment for all.
- 1.1.79.** Formal and informal play spaces are encouraged in all developments.

All England Lawn Tennis Club

- 1.1.80.** The All England Lawn Tennis Club (AELTC) is the home of the Wimbledon Championships, which is a world class sporting venue of national and international significance. The council is supportive of the role that The Championships plays as a tourist, leisure, entertainment and sporting destination in the borough and will continue to support this role and the continue provision of tennis facilities in Merton.
- 1.1.81.** Policy S5 of the London Plan recognises that specialist sporting venues and stadiums, such as the AELTC venue, have a vital role to play in enabling wider access to sport, as well as having an important cultural value.
- 1.1.82.** Further details on the AELTC sites can be found in the Wimbledon neighbourhood policy.

Community Use Agreements

- 1.1.83.** We work with many partners in the delivery of shared services across the borough, including schools, colleges, sports providers and other social and community facilities. The council is supportive of maximising the multiple use of facilities to ensure that residents in all areas of Merton can access good quality sports and recreation facilities.
- 1.1.84.** The Merton PPS 2019 identifies that Community Use Agreements are an important tool in helping to secure tenure for sporting clubs and associations, which can often be problematic without formal agreements in place. This Strategy recommends that educational establishments with playing pitches should be encouraged to secure formal community use of pitches and ancillary facilities through Community Use Agreements.

- 1.1.85.** The Merton ISFS 2020 identifies that residents in all areas of Merton should have pay and play access to good quality, local, accessible and affordable provision, whether it is a formal sports hall, a community hall or other informal provision. This Study recommends that partnership working be used to facilitate increased access to indoor sports facilities across the borough. All new sports facilities on education sites should provide a balance of pay and play and club opportunities that are available for community access. These should be formalised through Community Use Agreements.
- 1.1.86.** Development proposals that include indoor and outdoor sport and recreation facilities will be expected to provide details showing how the facility will be made available to the wider community. This will be formalised through Community Use Agreements, using conditions or planning obligations, where necessary.
- 1.1.87.** This is particularly relevant for schools and other social and community facilities but can also apply to commercial schemes. This is to allow and promote access to affordable sports and recreation facilities for all members of the wider local community.

Policy O8.6

Urban Greening

We are committed to ensuring that new development incorporates green infrastructure, to help create healthier places, enhance biodiversity and address the urban heat island effect.

- a.** Require major developments to incorporate urban greening through site and building design, by:
 - i.** Conducting an Urban Greening Factor (UGF) assessment in accordance with the methodology set out in the London Plan;
 - ii.** Achieving an UGF of 0.4 for developments that are predominantly residential;
 - iii.** Achieving an UGF of 0.3 for developments that are predominantly commercial.
- b.** Require all developments to consider green infrastructure at an early stage of the design process and incorporate this as part of an integrated design approach.
- c.** Strongly encourage the inclusion of urban greening for all other development in Merton.

Justification

- 1.1.89.** Urban greening describes the incorporation of green infrastructure elements into a development, such as vegetation, trees, green roofs, green walls and water features. There are multiple benefits to including these features in new development including improved physical and mental wellbeing, biodiversity and habitat enhancements, improved air quality, water attenuation, carbon storage, improved visual amenity and helping to address the urban heat island effect.
- 1.1.90.** The London Plan includes a London wide UGF model to assist boroughs and developers in determining the appropriate provision of urban greening for new developments. The council will use the London wide model in the determination of planning applications, but may in time develop a local model through further supplementary guidance.
- 1.1.91.** The Merton Green Infrastructure, Biodiversity and Open Space Study 2020 includes a technical report which assesses the quantity and quality of green and blue infrastructure throughout Merton. The report identifies that there are only a small number of green roofs in Merton representing less than 0.1% of all green and blue infrastructure. This policy will help to ensure that higher levels of green infrastructure are provided on development sites through the use of urban greening features such as green roofs and walls, helping to enhance biodiversity and create healthier places.
- 1.1.92.** The council declared a Climate Emergency in July 2019 and is working towards the implementation of a Climate Action Plan that will set out the strategic approach to reducing carbon emissions in the borough. One of the key action areas identified to help the borough become carbon neutral is enabling green space across Merton to capture carbon from the atmosphere. By ensuring that new developments incorporate urban greening, green infrastructure will improve across the borough and help to mitigate the impacts of climate change such as overheating, flooding and loss of biodiversity.
- 1.1.93.** All applicants will be expected to consider green infrastructure at the earliest possible stage of the design process and take every opportunity to incorporate urban greening elements into their development. This should be clearly shown through the Pre-Application process.
- 1.1.94.** Applicants will be required to provide the following information:
- Appropriate information which provides sufficient detail on the type(s) of green infrastructure proposed;

- Justification indicating why the type(s) of green infrastructure have been proposed for the development;
- The UGF calculation and score; and
- Appropriate information on how the urban greening elements will be maintained and managed over the lifetime of the development.

Policy O8.7

Wandle Valley

We are committed to protecting the Wandle Valley and maintaining it as a strategic, biodiverse and accessible corridor through the borough. We will:

- a. Support the Wandle Valley Regional Park as one of London's major green networks, protecting biodiversity and supporting opportunities for formal and informal recreation through enhanced accessibility.
- b. Protect and enhance the River Wandle, including its green and blue infrastructure, biodiversity and wildlife corridors.
- c. Support opportunities for green infrastructure improvements to the Wandle Valley.
- d. Recognise the natural and historic significance of the Wandle Valley by:
 - i. Conserving and enhancing archaeological sites;
 - ii. Protecting heritage assets and conservation areas (refer to Heritage Policy);
 - iii. Supporting improvements in access and awareness raising of historic features including Merton Priory and Merton Abbey Mills; and
 - iv. Ensuring that proposed development respects the natural and historic character.
- e. Promote and seek improvements to walking and cycling accessibility through the Wandle Valley and to the Wandle Valley Regional Park.
- f. Support the completion of the Wandle Trail.
- g. Require development within 400m of the Wandle Valley Regional Park boundary to consider its relationship to the park in terms of visual, physical and landscape links, and ensure that new development enhances accessibility to the park.
- h. Work with the Environment Agency, Thames Water, the GLA, landowners and developers to implement flood risk reduction measures which include green infrastructure, that manage river and surface water flooding while delivering wider benefits for water and air quality, people and wildlife.

- i. Encourage the celebration of the Wandle Valley through community celebrations, arts, cultural events and sporting activities that will support and promote tourism and recreation in Merton.
- j. Work with neighbouring boroughs and relevant bodies to support and encourage increased accessibility through the Wandle Valley.
- k. Support business and job opportunities on employment land within the Wandle Valley that contributes to strengthening the economic health, cultural vitality and environmental quality of the Wandle Valley.

Justification

- 1.1.95.** The Wandle Valley runs through the centre of the borough and is part of a corridor that extends from Croydon in the south to the mouth of the Wandle on the Thames in Wandsworth in the north.
- 1.1.96.** The Wandle Valley is a major strategic environmental and historic asset in the borough and includes a network of environmental and historic industrial sites. These open spaces and the Wandle Trail are especially important for the quality of life of residents in Merton, contributing to their health and wellbeing. The area functions as a healthy neighbourhood, with a mix of housing, employment and environmental uses.
- 1.1.97.** For the purposes of this document, the Wandle Valley Regional Park is taken to mean the areas of land in the borough which corresponds to the area defined in the All London Green Grid Wandle Area Framework, as shown on the Policies Map.
- 1.1.98.** The Wandle Valley Regional Park Trust was established in 2012 to provide leadership and coordination of a sub-regional partnership to improve the effectiveness, coherence, resilience and quality of the Wandle Valley. The [2016-2021 Strategy](#) sets out a vision for the Wandle Valley to be a “vital part of London’s green space network, creating a place rich in heritage, where people are proud to live, work and play, that contributes to the economic vibrancy of South London.”
- 1.1.99.** The Trust supports the promotion of the park not just as a collection of green spaces, but as an interconnected system that can benefit communities living and working in the Wandle Valley.

Green infrastructure and biodiversity functions

- 1.1.100.** The Wandle Valley Regional Park integrates with the Wandle Valley Corridor as one of the largest strategic green links in south west London. Rather than a single area of open land, the park is made up of a green grid of connected spaces with visual or physical links to the current or historic route of the River Wandle.
- 1.1.101.** The Regional Park allows improved access to a linked network of open spaces, including parkland, wildlife areas, riverside walks and facilities for children and young people, which increases the quality of the environment and contribute to the identity of the valley as a place to live, work and visit.

- 1.1.102.** The River Wandle forms part of London's network of waterways, also known as the Blue Ribbon Network in the London Plan. It is an important green corridor for species movement throughout south west London with a number of protected species found along its length. In line with our green infrastructure policies, we will continue to protect and enhance biodiversity and wildlife along our waterways. Applicants will be expected to demonstrate that proposed development will not have a significant adverse effect on protected or priority species and habitats.
- 1.1.103.** All new development within 400m of the Park will also be expected to provide green infrastructure elements on site through urban greening. An increase in green cover through the provision of elements such as high quality landscaping, trees, green roofs, green walls and nature based sustainable drainage will help to strengthen the Wandle Valley Regional Park as a network of green and open spaces, while also enhancing biodiversity.

Historic significance

- 1.1.104.** The unique heritage and culture of the Wandle Valley is a central part of its landscape. Restoring the Valley's rich historic assets, including watermills, ancient watercress beds, landscapes and structures, can help to contribute to its development as a distinctive visitor destination at a regional scale.
- 1.1.105.** Heritage assets within the Wandle Valley should be protected, conserved and enhanced to ensure that the natural and historic character of the area is respected. Further policies on heritage are contained in Chapter 5 – Design.
- 1.1.106.** There is a rich industrial heritage based around the river Wandle. This is encompassed through the Wandle Valley Conservation Area, which includes a number of historic sites including Merton Abbey Mills and Merton Priory.
- 1.1.107.** Merton Priory is a monastic complex first established in 1117 AD and continuously rebuilt, extended and occupied until the Dissolution in 1538. The remains of the Priory are a Scheduled Ancient Monument.
- 1.1.108.** Recent investment through the Living Wandle Landscape Partnership Scheme, supported by the Heritage Lottery Fund, the council and Merton Priory Trust has resulted in upgrades to the Priory Chapter House including the following:
- stabilising and preserving the remains of the Priory;
 - enhancing the setting to provide a modern educational and events centre;
 - creating a new accessible entrance; and
 - creating a state of the art space for the archaeological remains of Merton Priory.

- 1.1.109.** The site now contains visible and buried remains of Merton Priory, including a purpose built Chamber housing the foundations of the Chapter House of the Priory as well as a number of objects associated with the original building.
- 1.1.110.** Although much of the site of Merton Priory has been redeveloped, the chamber and the surrounding area generally, provide a resource for research, education and inspiration by virtue of its historic value and connections. We will continue to work with appropriate local partners to see if we can improve the interpretation and presentation of the remains and will engage with the local community to raise awareness of the historical significance of the site.
- 1.1.111.** The nearby Merton Abbey Mills site contains a wealth of visible remains of the water based and water powered industrial works developed on the site of the Priory from the 17th century, some of which continued to operate in the 20th century. This includes two early industrial buildings originally associated with the fabric printing works of Edmund Littler and Liberty & Co and the site of the design workshops and works of William Morris, founder of the Arts and Crafts Movement.
- 1.1.112.** In accordance with our policies for the Colliers Wood area, Design and Heritage, regeneration and development proposals must play a positive role in relation to the heritage assets and respect the heritage values and close physical relationship with the Wandle Valley conservation area and in particular the Priory and Merton Abbey, as a means of enhancing local distinctiveness.

Accessibility

- 1.1.113.** The [Wandle Valley](#) is a place for healthy living. It enhances physical and mental health, by improving access and quantity of good quality public realm and greenspace.
- 1.1.114.** The Wandle Trail is an established footpath and cycle way, providing a 12 mile (20 km) strategic green route that offers the enjoyment of a variety of chalk stream heritage, flora and fauna. Predominantly following the River Wandle, the trail runs between East Croydon station to the Thames Path in Wandsworth, crossing through Merton.
- 1.1.115.** While most sections are in a good condition, there are some missing links and areas that will require future investment to enable a continuous trail. The council supports the completion of the Wandle Trail, including the identified improvements in access required in the north east of the borough, near Earlsfield. Any improvements here would need to be agreed with the neighbouring borough of Wandsworth.

- 1.1.116.** Improvements to wayfinding and signage along the Wandle Trail and throughout the Wandle Valley are welcomed, as these will help to increase accessibility and encourage more residents and tourists to visit. Access points and trails should be inclusive and provide access for all.
- 1.1.117.** Proposed development along the Wandle Trail and within the Wandle Valley Regional Park should seek to enhance accessibility for pedestrians and cyclists through providing safe, welcoming and inclusive environments that will encourage active transport.
- 1.1.118.** There are also future opportunities for the Wandle Valley Regional Park to incorporate a large area of open space stretching from Mitcham Common and Three Kings Piece to Beddington, in the neighbouring borough of Sutton. The council will continue to work with the relevant bodies to support the expansion of this green space and enable access to and from the borough.

Development within 400m of the Wandle Valley Regional Park

- 1.1.119.** The Wandle Valley Regional Park is a significant blue and green corridor that offers a range of visual, physical and health benefits to residents and visitors.
- 1.1.120.** All applications for development within 400m of the Wandle Valley Regional Park, as identified on the Policies Map, will be required to show how the visual, physical and landscape links to the park have been taken into account. This should include details in the Design and Access Statement showing how the relationship between the proposed development and the Wandle Valley Regional Park has been considered in the design of the built form and access to the site. This is to ensure access to the Wandle Valley Regional Park is protected and enhanced, promoting sustainable travel options and healthier lifestyles.
- 1.1.121.** Our aspiration is for new development to complement the existing green corridors. As outlined in our transport policies, development proposals should enhance or enable new walking and cycling connections and networks to the Park, including the Wandle Trail. Physical barriers such as railings and built form that disrupts continuity and access into and around the park should be removed through the design of new development.
- 1.1.122.** Proposals that restrict or block off existing access to the park will not be supported, unless it can be demonstrated that alternative and better quality access can be provided.

Recreation and cultural functions

- 1.1.123.** The Wandle Valley is a key cultural and recreational attraction for the borough, as well as being a vital green and blue asset delivering a wide range of benefits. The vibrant mix of leisure and recreation opportunities, such as Morden Hall Park, Deen City Farm, Merton Abbey Mills and Watermeads Nature Reserve attracts both local residents and visitors. These attractions are significant for the borough as they help to promote tourism and celebrate the cultural features of the Wandle Valley.
- 1.1.124.** Tourism and recreation throughout the Wandle Valley is encouraged, particularly where activities can promote active and healthy lifestyles.
- 1.1.125.** Proposals should make use of, and improve access to, existing cycling and pedestrian routes in the Wandle Valley and encourage sustainable commuting patterns for tourism and recreation activities.

Supporting local businesses

- 1.1.126.** Although the Wandle Valley is no longer identified as a growth area for future investment in the new London Plan, the corridor holds a rich industrial heritage and is home to a variety of vibrant and thriving businesses including Durnsford Road, South Wimbledon, Weir Road, Waterside Way and Willow Lane business areas. The council will continue to support these businesses as they contribute to the economic health and cultural vitality of the Wandle Valley.
- 1.1.127.** The Wandle Valley Forum estimates that 20% of London's manufacturing employment is within the Wandle Valley, which highlights the important economic role it plays in London. Many of these businesses are in a supply-chain relationship with the central London economy and increasingly with each other. The area is also a major source of important small and medium sized enterprises that provide vital services to the residents of south west London.
- 1.1.128.** In 2017 the Wandle Valley Regional Park Trust received significant investment from the Heritage Lottery Fund to support the Trust's growth into a robust, sustainable organisation, capable of attracting investment to enhance the Wandle Valley's green infrastructure.
- 1.1.129.** Further policies on employment land and strategic industrial land are provided in Chapter 7.

Other

1.1.130. There are a number of overhead network power cables within the Wandle Valley area which include 20 pylons on the Beddington to Wimbledon overhead. We will support the relocation of existing power lines, pylons and other visually intrusive servicing as part of planning agreements in relation to new developments where it is technically, practically, environmentally and economically viable.

Strategic Policy F8.8

Flood Risk Management and Sustainable Drainage

The Council, as a Lead Local Flood Authority, will work in partnership with the Environment Agency, water companies, developers, neighbouring boroughs and local communities to manage and reduce flood risk from all sources. We will achieve this by:

- a. Steering development away from areas at the highest risk of flooding following the NPPF (National Planning Policy Framework) and supporting national Planning Practice Guidance. We will assess the cumulative impact of development and will make strategic planning decisions using the most up-to-date flood risk data and information from the Council, the Environment Agency and other Risk Management Authorities (RMA's).
- b. Implementing the recommendations and objectives of Merton's flood risk management plans, such as the Strategic Flood Risk Assessment (SFRA), Local Flood Risk Management Strategy and other RMA's flood risk management plans.
- c. Requiring all developments to be fully resilient and adaptable to the future impacts of climate change and will encourage climate change adaptation, such as through increased urban greening, where this is feasible.
- d. Ensuring all major development includes water efficiency measures to minimise water consumption such as rainwater harvesting or grey water recycling and SUDS to deliver multi-functional benefits such as reducing surface water runoff, improving biodiversity, amenity and water quality benefits.
- e. Delivering wastewater infrastructure improvements across the borough through close working with water companies to help develop and implement their Drainage & Wastewater Management Plans (DWMP's).

Justification

- 1.1.131.** Management of flood risk within Merton will be undertaken in line with the National Planning Policy Framework Flood and Water Management Act 2010, Flood Risk Regulations 2009 and the European Water Framework Directive 2000 transposed into law through the Water Environment (Water Framework Directive) (England and Wales) Regulations 2003.
- 1.1.132.** Merton Council has statutory duties and responsibilities, set out under the Flood and Water Management Act 2010. As Lead Local Flood Authority, Merton Council is responsible for managing local flood risk, including flooding from surface run-off, ordinary watercourses and groundwater. The Environment Agency is responsible for main rivers (including the River Wandle, The River Graveney and the Beverley and Pyl Brooks in Merton). Thames Water are responsible for wastewater sewerage, including flooding arising from public sewers. Sutton and East Surrey and Thames Water are responsible for clean water supply in the borough.
- 1.1.133.** We are currently updating our Strategic Flood Risk Assessment (SFRA) in partnership with LB Wandsworth and this will take consideration of the updated national climate change allowances. As before there will be two levels. Level 1 of the SFRA will provide an overview of flood risk issues in Merton. Level 2 will analyse specific site allocations or other locations where development is proposed in areas at risk from flooding. The Level 2 SFRA will provide sufficient information to allow the application of the NPPF Exception Test.
- 1.1.134.** Information and guidance on how to carry out a Sequential Test and Exception Test and what must be addressed within a development's Flood Risk Assessment can be found in Merton's SFRA. Further guidance can also be found in the Environment Agency's current advice on Flood Risk Assessment, NPPF and the National Planning Practice Guidance, all of which are available online. Pre-application discussions with the Environment Agency and/or Merton Council are strongly recommended to confirm both the requirements for flood risk management, any mitigation which may be required and to ensure sustainable drainage is incorporated appropriately.
- 1.1.135.** Merton's Local Flood Risk Management Strategy identifies Merton's objectives and measures for how the Council will manage local flood risk, including surface flooding and it includes specific requirements with regards to management of flood risk to and from development. Developers should ensure that development proposals meet the objectives and requirements identified in the Local Flood Risk Management Strategy.

- 1.1.136.** Flood events are expected to become more frequent and more significant in the future as the U.K.'s climate changes and this requirement will go some way to adapting to this change. The installation of sustainable drainage measures, such as green roofs, raingardens and swales can deliver multi-functional benefits: increasing biodiversity and urban cooling, enhance open space in built-up areas and improvements to water quality. [Merton's SUDS SPD](#) provides further guidance on designing and implementing SUDS in development and also addresses how Merton, as the LLFA, will review and evaluate third party drainage proposals on developments.
- 1.1.137.** SUDs will be implemented in all developments. The requirement to utilise SUDS including those in low risk areas, is because surface water from one area of a catchment may contribute towards enhanced flood risk in another area of that catchment.

Policy F8.9

Managing Local Flooding

- a. Developments must incorporate the latest climate change allowances as part of the Flood Risk Assessment and/or Surface Water Drainage Strategy.
- b. Where development is proposed in the Environment Agency's Groundwater Source Protection Zones 1 or 2, measures must be taken to ensure the protection of groundwater supplies.
- c. Developments must demonstrate that the local water supply and public sewerage networks have adequate capacity both on and off-site to serve the development. Where there is limited or no capacity identified through known flood incidents or predicted flood risk, on-site improvements must be programmed/planned.
- d. All riparian development must be set back from watercourses, including both main rivers and ordinary watercourses and must keep the stability, integrity and maintenance access requirements to all flood defences.
- e. In Flood Zones 2 and 3 or on sites at high risk of surface water flooding and for all proposals for sites of 10 dwellings or more or 1000sqm of non-residential development or more, or on any other proposal where safe access/egress cannot be achieved, a Flood Emergency Plan must be submitted.
- f. Permit appropriate development in Flood Zones 1, 2, 3a and 3b subject to meeting the criteria in the following table:

Flood zones: Land uses and developments restrictions	Sequential Test	Exception Test	FRA
<p>Flood Zone 3b: Functional floodplain</p> <p>The functional floodplain will be protected by not permitting any form of development on undeveloped sites unless it is:</p> <ul style="list-style-type: none"> • Water Compatible development. • Essential utility infrastructure which must be in a flood risk area and no alternative locations are available and it can be demonstrated that the development would be safe, without increasing flood risk elsewhere and where possible would reduce flood risk overall. <p>Redevelopment of existing developed sites will only be supported if there is no intensification of the land use and a net flood risk reduction is proposed; any restoration of the functional floodplain will be supported.</p> <p>Proposals for the change of use or conversion to a use with a higher vulnerability classification will not be allowed.</p>	<p>Required for essential utility infrastructure</p>	<p>Required for essential utility infrastructure</p>	<p>All developments</p>
<p>Flood Zone 3a: High Risk</p> <p>Land uses are restricted to Water Compatible, Less Vulnerable and More Vulnerable development.</p> <p>Highly Vulnerable developments will not be allowed.</p> <p>Self-contained residential basements and bedrooms at basement level will not be allowed.</p>	<p>Required for all developments unless exceptions outlined in the justification applies</p>	<p>Required for more vulnerable development</p>	<p>Required for all development proposals</p>
<p>Flood Zone 2: No land use restrictions</p> <p>Self-contained residential units at basement level and bedrooms at basement level will not be allowed by the council without right mitigation measures in line with Environment Agency Guidance and Merton Local Plan policy.</p>	<p>Required for all developments unless exceptions outlined in the justification applies</p>	<p>Required for highly vulnerable development</p>	<p>Required for all development proposals unless for change of use from water compatible to less vulnerable</p>

Flood zones: Land uses and developments restrictions	Sequential Test	Exception Test	FRA
<p>Flood Zone 1 No land use restrictions.</p>	N/A	N/A	<p>A Drainage Statement is required for sites all major developments. Required for all other Development proposals where there is evidence of a risk from other sources of flooding, including surface water, groundwater and sewer flooding</p>

Where a Flood Risk Assessment (FRA) is needed.

- i. To be in line with national policy and guidance, as well as the BSI Code of Practice on Assessing and managing flood risk in development (BS 8533:2017). The Council and/or Environment Agency may require addition research or information depending on the type of development and location to be included in the FRA.
- ii. It must be submitted with the planning application
- iii. Must provide evidence of the application of the Sequential Test and where required, the Exception test.
- iv. It must take account of the advice and recommendations within the Merton’s Strategic Flood Risk Assessment, Local Flood Risk Management Strategy and Surface Water Management Plan.

Planning conditions or planning obligations may be used where proper to secure flood risk mitigation and sustainable drainage measure to mitigate flooding from different flood sources within development proposals.

Basements and subterranean developments

Basements within flood affected areas of the borough represent a particularly high risk to life, as they may be subject to very rapid inundation. Applicants will have to demonstrate that their proposal follows the following:

Flood Zone	Details
<p>Flood Zone 3b (Functional Floodplain) Basements, basement extensions, conversions of basements to a higher vulnerability classification or self-contained units will not be allowed.</p>	<p>Basements, basement extensions, conversions of basements to a higher vulnerability classification or self-contained units will not be allowed.</p>
<p>Flood Zone 3 Zone</p>	<p>New basements:</p> <ul style="list-style-type: none"> • Restricted to Less Vulnerable / Water Compatible use only. ‘More Vulnerable’ uses will only be considered if a site-specific Flood Risk Assessment shows that the risk to life can be managed. Bedrooms at basement levels will not be allowed. • ‘Highly Vulnerable’ such as self-contained basements/bedrooms use will not be allowed. <p>Existing basements: No basement extensions, conversions, or additions for ‘Highly Vulnerable’ uses. More Vulnerable’ uses will only be considered if a site-specific Flood Risk Assessment demonstrates that the risk to life can be managed.</p>
<p>Flood 2</p>	<p>New Basements: if the Exception Test (where applicable) is passed, basements may be allowed for residential use where they are not self-contained or used for bedrooms.</p> <p>Existing Basements: basement extensions, conversions or additions may be allowed for existing developments where they are not self-contained or used for bedrooms.</p> <p>If a basement, basement extension or conversion is acceptable in principle in terms of its location, it must have internal access to a higher floor and flood resistant and resilient design techniques must be adopted</p>
<p>Zone 1</p>	<p>No restrictions on new or extensions to existing basements providing they are accompanied with the necessary assessments.</p>

Justification

- 1.1.138.** The protection of people, properties and infrastructure from the risk of flooding from all sources is of immense importance to the council. The flood risk and sustainable drainage development policies are supported by Merton's Strategic Flood Risk Assessment (SFRA), Local Flood Risk Management Strategy (LFRMS) and Surface Water Management Plan (SWMP).
- 1.1.139.** Merton is affected by several sources of flood risk, primarily surface water flooding which has been the cause of recent flood events in the borough in the summer storms of 2017, 2016 and most significantly in 2007. The borough is also affected by fluvial (or river), surface water, ordinary watercourse, sewer, reservoir and groundwater flooding. The SFRA Level 1 gives an overview of flooding from all sources across the borough.
- 1.1.140.** The Environment Agency's Flood Map for Surface Water alongside Merton's SFRA, LFRMS and SWMP and historical flooding records of the borough, show that several areas including Colliers Wood, West Barnes and Raynes Park and Summerstown are affected by multiple flood risk sources.
- 1.1.141.** To create job opportunities; deliver homes and essential infrastructure it may be necessary to meet the demands of predicted population growth and for future economic growth to secure improvements in areas such as at Colliers Wood and other sites within the Wandle Valley, it will be necessary to develop on sites within medium to high flood risk zones; subject to meeting the requirements of the NPPF's Sequential and Exceptions test.

Flood Risk Assessments (FRAs)

- 1.1.142.** Flood risk assessments (FRA) will be needed in line with national policy and guidance, as well as the BSI (British Standards Institution) Code of Practice on Assessing and managing flood risk in development (BS 8533:2017). This code provides detailed information on the requirements for assessing and managing flood risk in development and how to produce site-specific Flood Risk Assessments.
- 1.1.143.** All new development must take account of the latest climate change allowances. This should be included as part of the Flood Risk Assessment process. This will help minimise vulnerability and provide resilience to flooding in the future. Adapting to the effects of climate change also ensures that development is found away from areas considered to be at high risk of flooding. Furthermore, incorporating sustainable drainage wherever possible, ensuring the borough's green and blue infrastructure network is maintained.

1.1.144. Flood Risk Assessments must address the management of surface run-off, the number of impermeable surfaces resulting from the development, and the potential for increased flood risk both on-site and elsewhere within the catchment.

1.1.145. In addition to fluvial flooding, properties and infrastructure within the Merton are also at high risk of flooding from other, more localised sources, such as surface / groundwater / sewer flooding due to surcharging of sewers and drains or due to the failure of infrastructure. Flooding can also occur away from the fluvial floodplain because of development where on-site/off-site infrastructure is not in place ahead of development. Therefore, a Flood Risk Assessment is also needed for smaller development proposals in Flood Zone 1, where there is evidence of a risk from other sources of flooding identified in the SFRA.

Sequential Test and Exception Test

1.1.146. Future development in Zone 3a and Zone 2 will only be considered if the 'Sequential Test' has been applied following national policy and guidance. However, there will be some exceptions to this. The Sequential Test will not be needed if, it is not a major development and at least one of the following applies:

- It is a Local Plan proposal site that has already been sequentially tested unless the use of the site being proposed is not per the allocations in the Local Plan.
- It is within a main centre boundary as identified within this Local Plan (Wimbledon and Morden town centres).
- Redevelopment of an existing single residential property.
- Conversions and change of use.
- The Sequential Test will be needed in all other cases.

1.1.147. If, following this test, it is not possible, consistent with wider sustainability objectives (environmental, social and economic) for development to be in a flood zone with a lower probability of flooding, the exception test may have to be applied. The need for the exception test will depend on the potential vulnerability of the site and of the development proposed, in line with the Flood Risk Vulnerability Classification set out in national planning guidance.

Water infrastructure

- 1.1.148.** The Council will look to ensure that there is adequate water supply, surface water, foul drainage and sewerage treatment capacity to serve all new developments. Developers will be needed to show that there is adequate capacity both on and off-site to serve the development and that it would not lead to problems for existing users. In some circumstances this may make it necessary for developers to carry out studies to learn the effect proposed development will have on the existing infrastructure. Overloading of the system will not be allowed.
- 1.1.149.** Where there is a capacity problem the developer will need to fund improvements to be completed prior to completion of the development. An exception to this is where the water company has improvement works programmed in that fits with the completion time of the development.

Basement and subterranean Supplementary Planning Document (SPD)

- 1.1.150.** Basement and subterranean applications must ensure they are safe from flooding and does not increase risk to and from the site. The Council will only allow basements and other underground/subterranean development where:
- 1.1.151.** it can be proven it will not cause harm to the built and natural environment and local amenity including the local water environment, ground conditions and biodiversity
- 1.1.152.** the basement itself will be protected from flooding
- 1.1.153.** Positively pumped devices should be installed to protect basements from the risk of sewer flooding.
- 1.1.154.** Basement developments require the submission of more information for example a Basement Impact Assessment (BIA), Construction Method Statement (CMS) and Site-Specific Ground Investigation to provide the Council with a basis for determining planning applications. Merton's Basement and Subterranean Development SPD provides guidance and sets out what needs to be demonstrated as part of an assessment. All other information must be submitted with the planning application. The SPD is a material consideration as part of the planning decisions.

Policy F8.10

Sustainable Drainage Systems (SUDS)

All major development must include water efficiency measures to minimise water consumption such as rainwater harvesting or grey water recycling and SUDS to manage surface water runoff, provide biodiversity, amenity and water quality benefits.

Details should be supplied which address the maintenance requirements of the drainage system for the lifetime of the development which they serve.

The Council will require all developments to reduce the risk of flooding by:

- a. Ensuring all new developments including all basement and subterranean developments must consider Sustainable Drainage Systems (SUDS) and show sustainable approaches to the management of surface water in line with the emerging National SUDS standards.
- b. Seeking mitigating measures against the impact of flooding from all sources; and surface water run-off through the inclusion of SUDS including green roofs rainwater harvesting and other innovative technologies where appropriate.
- c. Ensuring developers prove the maintenance and long-term management of SUDS through a SUDS Management Plan to be submitted as part of the planning process.
- d. Requiring developers, to incorporate soft landscaping, appropriate planting (including trees) and permeable surfaces into all new developments including non-residential developments.
- e. Requiring the retention of soft landscaping and permeable surfaces in existing gardens for example all new driveways or parking area associated with development should be made of permeable materials in line with permitted development rights.

Ensuring any development or re-development that effects on a heritage asset or its setting (including conservation areas) must consider Sustainable Drainage Systems (SUDS) and demonstrate within a Heritage Statement, the approach taken to ensure that there is no adverse impact on the character and appearance of the asset and that there is no long-term deterioration to the building's fabric.

- f. Seeking a reduction in surface water discharge to greenfield run-off rates wherever possible.
- g. Using Conditions or planning obligations will be used to secure flood risk mitigation and sustainable drainage measures.

Justification

Surface water and sewer flooding

1.1.155. The borough is very susceptible to surface water flooding. Surface water flooding happens when the ground and rivers cannot absorb heavy rainfall and when manufactured drainage systems have insufficient capacity to deal with the volume of rainfall. Typically, this type of flooding is localised and happens very quickly, making it exceedingly difficult to predict and give warnings. With climate change predicting more frequent short-duration, high intensity rainfall and more frequent periods of long-duration rainfall, coupled with an ageing Victorian sewer system and increasing pressure from growing populations, surface water flooding is likely to be an increasing problem.

1.1.156. Therefore, to reduce the risk of surface water and sewer flooding, all development proposals in the borough that could lead to changes to, and have impacts on, surface water run-off must follow the London Plan drainage hierarchy:

- store rainwater for later use
- use infiltration techniques, such as porous surfaces in non-clay areas
- attenuate rainwater in ponds or open water features for gradual release to a watercourse
- attenuate rainwater by storing in tanks or sealed water features for gradual release to a watercourse discharge rainwater direct to a watercourse
- discharge rainwater to a surface water drain
- discharge rainwater to a combined sewer

Sustainable Drainage System (SUDS)

1.1.157. SUDS is a drainage and landscaping scheme which utilises a 'management train' of various drainage techniques used in series to mimic as closely as possible the natural site's processes, thereby mitigating and enhancing the development's impact on flood risk, water quality and biodiversity and amenity value.

1.1.158. It is important to ensure that new developments sites found within the Strategic Flood Risk Assessment identified area of 'increased risk of surface water ponding' implement surface water attenuation. It is imperative that this policy is read in conjunction with other Local Plan flood management policies and Merton's Sustainable Drainage and Design and Evaluation Supplementary Planning Document (SPD) (known as the SUDS SPD).

1.1.159. Merton Sustainable Drainage and Design and Evaluation (SPD) known as the SUDS SPD.

1.1.160. Merton's SUDS SPD supplies further guidance and supports to the Local Plan policies relating to flood risk (from all sources) and SUDS. The SPD sets out the Council's expectations for example on designing, maintaining and managing SUDS and is a material consideration as part of the planning decisions.

Green roofs and walls

1.1.161. The design and operational needs of a green roof or wall should not place undue stress on water supply and other natural resources. Extensive green roofs, which are suitable for flat and pitched roofs and for retrofitting, with minimal maintenance and no requirement for irrigation once established, are particularly encouraged. All green and brown roof systems should use a high percentage of recycled products.

1.1.162. The provision of green roofs does not negate the need to make adequate open space provision on the ground. Any proposals for accessible green roofs need to be designed for security and safety and not adversely affect neighbouring properties.

1.1.163. The use of green roofs and green walls in smaller developments, renovations, conversions, extensions and retrofitting is encouraged and supported, where opportunities arise. Conditions will be used where proper to secure the proper installation, maintenance and responsibility for green roofs and walls

Policy P8.11

Improving Air Quality and Minimising Pollution

Council will ensure that local environmental impacts of all development proposals do not lead to detrimental effects on the health, safety and the amenity of existing and new users or occupiers of the development site, or the surrounding land. These potential impacts can include, but are not limited to, air pollution, noise and vibration, light pollution, odours and fumes, solar glare and solar dazzle as well as land contamination.

Developers should follow any guidance provided by the Council on local environmental impacts and pollution as well as on noise generating and noise sensitive development. Where necessary, the Council will set planning conditions to reduce and mitigate pollutant impacts.

Air Quality

- a. To Major developments in Air Quality Management Areas, Opportunity Areas, master planning developments and developments subject to an Environmental Impact Assessment (EIA) should achieve Air Quality Positive Approach status.
- b. All other developments must be at least Air Quality Neutral.
- c. To consider the impact of introducing new developments in areas already subject to poor air quality, the following will be needed:
 - i. An Air Quality Impact Assessment, including where necessary, modelled data.
 - ii. Mitigation measures to reduce the development's impact upon air quality including the type of equipment installed, thermal insulation and ducting abatement technology.
 - iii. Measures installed in the new development to protect the occupiers of new developments from existing sources of pollution.
 - iv. Strict mitigation for developments to be used by sensitive receptors such as schools, hospitals, care homes, areas of deprivation and in areas of existing poor air quality; this also applies to proposals close to developments used by sensitive receptors.
 - v. The use of appropriate green infrastructure to reduce the exposure to air pollution
- d. The Council will seek financial contributions using Planning Obligations towards air quality measures where a proposed development is not air quality neutral or mitigation measures do not reduce the impact upon poor air quality.

Noise and vibration

- e. Development proposals will be expected to:
- i. Provide a noise assessment of any new plant and equipment and its impact upon both receptors and the general background noise levels.
 - ii. Provide mitigation measures where noise needs to be controlled and managed.
 - iii. Agree to time limits and restrictions for activities where noise cannot be sufficiently mitigated.
 - iv. Use good acoustic design within their development
 - v. That where applicable suitable mitigation measures will be sought by planning obligation or condition
 - vi. Minimise noise from servicing and deliveries
 - vii. Protect the relative tranquillity in and around open spaces.
- f. New noise generating developments should be appropriately located to minimise their impacts on noise sensitive land uses and noise-sensitive developments should be located away from noise priority locations and noise generating land uses
- g. New development which would have a significant effect on existing or future occupiers or the local amenity due to noise or vibration will not be allowed unless the potential noise problems can be overcome by suitable mitigation measures.
- h. Where a noise-sensitive development is seeking planning permission to locate in an already noisy area (e.g. a town centre or near a busy road), the new noise-sensitive development will be responsible for mitigating impacts from existing noise-generating activities in line with the Agent of Change principle set in the National Planning Policy Framework and the London Plan.
- i. The council will support good acoustic design and use of innovative technologies to minimise noise levels.

Light pollution

- j. Developments must be designed to minimise the detrimental impact of glare and light spill on local amenity, biodiversity and highway.

- k. The Council will support well-designed artificial lighting that maximises positive features and minimises its impact on local amenity, biodiversity and highway by requiring the following, where necessary:
- i. An assessment of any new lighting and its impact upon any receptors.
 - ii. Mitigation measures, including the type and positioning of light sources.
 - iii. Promotion of good lighting design and use of innovative technologies

Odours and fume control

- l. Merton Council will ensure that any potential impacts relating to odour and fumes from commercial activities are mitigated by requiring the following:
- i. An impact assessment where necessary.
 - ii. The type and nature of filtration to be used.
 - iii. The height and position of any chimney or outlet.
 - iv. Promotion and use of new abatement technologies.

Land contamination

When development is proposed on or near a site that is known to be contaminated or may be contaminated or where a sensitive use is proposed:

- m. Applicants must carry out contaminated land assessments and submit a report of the findings to establish the nature and extent of the contamination.
- n. Incorporate proper remediation measures for development on or near a site which is potentially contaminated.
- o. Development will not be allowed unless practical and effective measures are taken to treat, contain or control any contamination so as not to:
 - i. Expose the occupiers of the development and neighbouring land uses including, in the case of housing, the users of open spaces and gardens to unacceptable risk.

- ii. Threaten the structural integrity of any building built, or to be built, on or adjoining the site.
 - iii. Lead to the contamination of any watercourse, water body or aquifer.
 - iv. Cause the contamination of adjoining land or allow such contamination to continue.
- p. The Council will not approve any application that the Health and Safety Executive (HSE) has recommended that permission should not be granted.

Managing pollution from construction and demolition

Merton Council will seek to manage and limit environmental disturbances during construction and demolition as well as during excavations and construction of basements and subterranean developments.

- q. To deliver this the council requires the submission of Construction Management Statements (CMS) for the following types of developments:
- i. All major developments.
 - ii. Any basement and subterranean developments.
 - iii. Developments of sites in confined locations or near sensitive receptors; or
 - iv. If substantial demolition/excavation works are proposed.
- r. Where applicable and considered necessary, the Council may seek a bespoke charge specific to the proposal to cover the cost of monitoring the CMS.
- s. For major development, applicants should show how they have considered Merton's Air Quality Action Plan, Merton's emerging Air Quality Supplementary Planning Document, Merton's emerging Non-Road Mobile Machinery (NRMM) Practical Guide, Dust Controls and Logistics Planning from the earliest stage in the design and construction method of their development.

Justification

- 1.1.165.** The Council will require developers to explore ways to minimise any harmful and adverse environmental impacts of development, including during construction and demolition.
- 1.1.166.** The design and layout of new development must endeavour to minimise conflict between different land uses, taking account of users and occupiers of new and existing developments. Therefore, any noise and polluting activities or features such as plant equipment should be located away from sensitive areas, where possible to ensure that there are no detrimental impacts on living conditions, health and wellbeing or local amenity.
- 1.1.167.** Additionally, where there are already significant adverse effects on the environment or amenity due to pollution, sensitive uses should be steered away from such areas. However, given the limited availability of land for development in the borough, this will not always be possible. Therefore, new developments, including changes of use, should mitigate and reduce any adverse impacts resulting from air and light pollution, noise, vibration and dust to acceptable levels.
- 1.1.168.** Operations that are likely to give rise to noise, dust, vibration, odour or other pollutants are also controlled by the licensing regulations implemented by the Council's Environmental Health Team and the Environment Agency.
- 1.1.169.** We advise that applicants to discuss proposals with potential adverse impacts on air, land, light pollution, noise and water at the initial stages of the planning application process with the council's Environmental Health Team.

Air quality

- 1.1.170.** Air pollution causes significant detrimental health, environmental and economic impacts. Air quality is among the top environmental concerns for our residents and improving it is a priority for us.
- 1.1.171.** The whole borough has been declared an Air Quality Management Area (AQMA) for two decades. We seek to tackle poor air quality in an integrated way in the Local Plan together with the wider range of measures set out in our Air Quality Action Plan, which supports the Government's Clean Air Strategy (2019) and the Mayor of London Environment Strategy (2018).

- 1.1.172.** We look to tackle poor air quality in an integrated way, for instance through our approaches to design and construction, green infrastructure, energy efficiency, promoting walking and cycling, encouraging electric vehicle and supporting green infrastructure to reduce the exposure to poor air quality.
- 1.1.173.** Therefore, development that may result in an adverse impact on air quality including during construction, may require an Air Quality Impact Assessment for the Council to consider any pollution impact linked to development proposals.
- 1.1.174.** Necessary mitigation measures will be secured through negotiation on a scheme or using planning obligations or conditions where appropriate. Further guidance and more information on the council's air quality aims and priorities can be found in Merton's Air Quality Action Plan (AQAP) and draft Merton's Air Quality Supplementary Planning Document SPD (emerging).

Air Quality Neutral and Positive

- 1.1.175.** The Council has adopted the London Plan (Intend to Publish 2019) approach to Air Quality Positive and Neutral development. Large master planning and large-scale developments have the potential to include methods to improve local air quality. All other major developments should not make air quality worse and are encouraged to achieve an overall improvement to air quality. The Air Quality Neutral requirement also applies to developments incorporating Solid Biomass Boilers and CHP (Combined Heat and Power) due to the potential impact of these technologies on air quality. When all measures to achieve Air Quality Neutral status have been exploited, financial contributions to offset the impact of the development on air quality may be considered as a final intervention.

Air Quality Impact Assessments (AQA)

- 1.1.176.** The aim of an AQA is to identify any significant impact on local air quality and/or amenity due to dust and/or odour and/ or whether new development will introduce new exposure in an area of poor air quality. The contents of the AQA will depend on the nature of the proposed development.
- 1.1.177.** Consideration must be given to the impact of improvements on air quality elsewhere. For instance, traffic reductions could improve local air quality but push traffic-related air quality impacts to other areas. Early engagement with the Council is encouraged to assess how the development could avoid these unintended consequences. The supporting emerging Air Quality Supplementary Planning Document (SPD) provides further details on AQA and what the Council expects to be proved within an AQA

Noise and vibration

- 1.1.178.** Noise and vibration pollution affect both health and behaviour. Characteristics that cause or increase noise pollution such as poorly located emission sources, street canyons and noise sources should also be designed out wherever possible.
- 1.1.179.** The main source of ambient noise in Merton is road traffic. However other activities such as construction, busy high or night-time activities may also impact on noise levels.
- 1.1.180.** Therefore, it is important that new development assists in reducing potential exposure. Development proposals need to consider acoustic design at an early stage of the planning process to ensure occupiers of new and noise sensitive buildings are protected
- 1.1.181.** For a long time, the responsibility for managing and mitigating the impact of noise on neighbouring residents and businesses has been placed on the business or activity making the noise, regardless of how long the noise-generating business or activity has been operating in the area. In many cases, this has led to newly arrived residents complaining about noise from existing businesses, sometimes forcing the businesses to close.
- 1.1.182.** The Agent of Change principle, set out in the London Plan (Intend to Publish 2019) and the National Planning Policy Framework, places the responsibility for mitigating the impact of noise firmly on the new development. This means that where new developments are proposed close to existing noise-generating uses, applicants will need to design them in a more sensitive way to protect the new occupiers, such as new residents, businesses, schools and religious institutions, from noise impacts. This could include paying for soundproofing for the existing noise generating uses, such as an existing music venue.
- 1.1.183.** The Agent of Change principle works both ways. If a new noise-generating use is proposed close to existing noise-sensitive uses, such as residential development or businesses, the onus is on the new use to ensure its building or activity is designed to protect existing users or residents from noise impacts.
- 1.1.184.** Noise generating cultural venues such as theatres, concert halls, pubs and live music venues should be protected. This requires a sensitive approach to managing change in the surrounding area. Adjacent development and land uses should be brought forward and designed in ways which ensure established cultural venues still are viable, contribute to the local economy and can continue in their present form without the prospect of licensing restrictions or the threat of closure due to noise complaints from neighbours.

- 1.1.185.** Housing and other noise sensitive development proposed near to an existing noise generating use should include necessary acoustic design measures. This will ensure new development has effective sound insulation to mitigate and minimise potential noise impact or neighbour amenity issues. Mitigation measures should be explored at an early stage in the design process, with necessary and right provisions secured through planning obligations.
- 1.1.186.** Noise from construction during building of developments will be managed through use of planning conditions.

Light pollution

- 1.1.187.** The links of light pollution on human health and wellbeing has been documented for several decades. Recently the effects of light pollution on plants and animals are becoming more known. Light pollution can alter and interferes with the timing of necessary biological activities on animal and wildlife. The Council will support well designed artificial lighting that maximises the positive aspects and minimises its impact on local amenity and wildlife.
- 1.1.188.** The Council will expect that new buildings to be designed to minimise light pollution from internal and external lighting. We will use the relevant professional standards as a guide to assessing light impacts such as the Institute of Lighting Professionals. Applications for physical activity, leisure, sport and/or play facilities should follow Sport England's Artificial Lighting Guidance. It is also important to keep subtly lit and dark spaces to protect biodiversity from light spill for instance along rivers. The desire to minimise wasted energy should also be considered. Where relevant, we will require lighting assessments to show compliance with this policy.

Odours and Fume Control

- 1.1.189.** Some commercial activities can have an impact upon the local environment. These impacts can include such things as odours, fumes, dust and steam. It is important that activities that create odour do not affect the surrounding amenity or the adjoining highway. Where appropriate, we will require odour assessments to make sure potential impacts are appropriately mitigated. Permitted development rights mean that some developments can accommodate a wide range of uses without the need for planning permission to change between them. Proposals for such uses, such as hot food premises, will require mitigation measures to be incorporated to prevent unacceptable odour issues arising in the future.

1.1.190. As part of the development process the Council requires that steps be taken to ensure that any impact is considered carefully, and that mitigation is in place to manage these types of emissions. Applicants will be needed to apply the Department for Environment, Food and Rural Affairs' (DEFRA) Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems.

Land Contamination

1.1.191. Industrial activity, waste disposal, accidental spillages and transportation can cause contamination of land. Often this contamination is associated with industrial processes or activities which are now not active, such as former printworks and other activities that were part of the Wandle Valley's industrial heritage.

1.1.192. Per the requirements of the Environmental Protection Act (EPA) 1990, the Council keeps a Contaminated Land Register of sites in the Merton. We will require developers to undertake a site investigation of any contamination of sites. The investigation must prove the nature and extent of the contamination prior to determining the application.

1.1.193. Where development is proposed on a site that is known or believed to be contaminated, the need to carry out remediation or monitoring and to ensure adequate disposal of contaminated soil will be secured by planning conditions. The Council will consult and seek advice from Environment Agency when considering applications on contaminated land.

1.1.194. The redevelopment of previously developed land (or 'brownfield') sites for beneficial uses, many of which are potentially affected by contamination, provides an opportunity to deal with the potential risks posed by contamination to human health and the natural environment.

1.1.195. Contamination sensitive development would typically include developments that potentially put people in direct contact with contamination, such as a new home, parks and open space or school uses.

1.1.196. Hazardous Gas Installations also affects parts of Merton. The Council must consult the Health and Safety Executive (HSE) on planning applications using methodology and software known as PADHI, which is available online. The HSE provides advice on safety grounds as to whether planning permission should be granted.

1.1.197. Information on whether a site is affected by this requirement is available from the council.

Construction and demolition

- 1.1.198.** There is a need to ensure that occupiers are protected from environmental disturbances during the construction and demolition phase of major developments, and during excavating and construction of subterranean developments such as basements.
- 1.1.199.** The Council expect applicants and contractors to mitigate the construction impact, to implement good site management and communication, and proactively engage with the local community and affected residents. Innovative methods of construction to reduce nuisance and emissions from construction should be implemented where possible.
- 1.1.200.** The Council requires the submission of Construction Management Statements (CMS) for the types of developments as set out in the policy. In addition, Merton's Basement and Subterranean SPD 2017 sets out guidance to ensure that problems relating to excavation and constructions of basements, such as highway/parking impacts, noise, dust, vibration and disturbance to neighbours, are avoided.
- 1.1.201.** To manage the environmental impacts and ensure that the Construction Management Statements are adhered to, the Council will seek a charge to the applicant/developer to cover the cost of monitoring the CMS. Where an applicant/developer uses the Merton Council Building Control, a discount may be applied to this charge.
- 1.1.202.** The Council may also require a management plan that sets out how developers monitor dust, noise and vibration, and where necessary take the action if issues arise. It will also be necessary to control the hours of operation for noisy site works and the processes that would need to be followed to work outside these hours when and if required.
- 1.1.203.** In line with the transport policies, the Council may also require a Construction Logistics Plan (CLP) in areas that are subject to high traffic congestion to ensure that vehicles entering the site do not adversely impact on local traffic.
- 1.1.204.** As part of the council's commitment to better air quality, the Council will also ask, through planning conditions, that the current regulations relating to Non-Road Mobile Machinery (NRMM) is imposed where necessary.