

The background of the slide is a photograph of a dense forest with trees in various shades of green and yellow, suggesting an autumn setting. In the top-left corner, there is a graphic element consisting of several overlapping, semi-transparent rectangular shapes in shades of orange and beige, resembling a stylized roof or architectural detail.

**Part I**  
**Draft detailed planning policies**  
**January 2013**



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## Introduction – Merton’s draft planning policies (stage 3 of Merton’s Sites and Policies Plan)

This is the final consultation stage of Merton’s *Sites and Policies Development Plan*, (known as stage 3). The plan contains draft detailed planning policies, potential sites for development and proposed land use designations. Once adopted, it will guide decisions on planning applications in Merton, replacing Merton’s Unitary Development Plan 2003

This is Part 1 of Merton’s *Sites and Policies Development Plan*. It contains around 37 draft detailed planning policies which will help to determine planning applications in Merton. These draft policies are on specific issues, for example: protecting local shops, trees, hedges and landscape features, alterations and extensions of buildings and car parking issues.

Since the Stage 2a consultation on the *Sites and Policies Development Plan* two additional draft policies have been included in this Stage 3 consultation document. These additions address feedback from consultation, research and national policy changes. The additional draft policies are as follows:

- Policy DM EP4: Pollutants
- Policy DM H5: Student housing, other housing with shared facilities and bedsits

All the draft policies only contain specific details that are not already covered in earlier plans such as Merton’s Core Planning Strategy 2011, the South London Waste Plan 2012 or the Mayor’s London Plan 2011.

## What has guided these draft detailed policies so far?

Feedback from local residents, businesses to the previous two stages of consultation between January and July 2012 has helped inform the draft detailed policies.

In 2011, the research that supported Merton’s Core Planning Strategy and South London Waste Plan passed examination by independent inspectors. We are making effective use of resources by using this research again to help guide the first draft of new detailed policies. Once adopted in 2014, the final detailed policies will replace the remaining policies in Merton’s Unitary Development Plan (UDP) 2003.

Merton’s UDP 2003 contained a large number of specific planning policies but since then, the planning system has moved towards shorter, more concise, deliverable policies that cover all the issues relevant to Merton.

Government has changed the national planning system as set out in the National Planning Policy Framework 2012 and the Mayor’s new London Plan 2011 which affects development in London. It is a good time for Merton to show how national and regional issues might be interpreted locally.

Merton’s draft Sites and Policies Development Plan should be read as a whole. Any lists or criteria set out within the document should be considered equally and are not in priority order unless explicitly stated. Unless otherwise stated, development proposals need to meet all criteria in a policy.

## Have your say – your feedback is important to us

Please tell us what you think about the council's preferred detailed planning policies by **Wednesday 27 February 2013** by responding in writing by post or e-mail to the details:

Strategic Policy and Research  
Future Merton  
London Borough of Merton  
12th Floor Civic Centre  
London Road,  
Morden. SM4 5DX.

Email: [ldf@merton.gov.uk](mailto:ldf@merton.gov.uk)  
Tel: 020 8545 4141 or  
020 8545 3837

If you are part of a community group or business forum and would like someone to attend to explain any issues, please contact us by telephone at: 020 8545 3837/020 8545 4141, by e-mail at [ldf@merton.gov.uk](mailto:ldf@merton.gov.uk) or by post at: Strategic Policy and Research, Future Merton, London Borough of Merton, 12th Floor Civic Centre, London Road, Morden, SM4 5DX and we will do our best to meet your request.

## What will happen next?

Your feedback from all the previous consultation stages combined with local research, national policy changes and any other relevant information will be used to create the final Sites and Policies DPD plus Proposals Map.

This will be submitted to Councillors in spring 2013. If they approve the plan, there will then be a final opportunity for six weeks around March 2013 for people or organisations to say how they want the plan to be improved.

The final plan – and all the comments received – will then be sent to the Secretary of State in June 2013 who will appoint an independent planning inspector to examine whether the plan is “sound”. If the plan passes the examination, it can then be adopted as part of the council's development plan to help decide planning applications for new buildings. The plan adoption is scheduled for February 2014.

## 1. Centres, retail and other town centre type uses

### **DM R1: Location and scale of development in Merton's town centres and neighbourhood parades**

#### ***(Amendments following consultation feedback, research and national policy changes)***

##### Policy aim

The policy aims to protect the viability and character of Merton's centres and neighbouring parades whilst ensuring that there are a wide range of town centre type uses to meet everyday needs of Merton's residents.

##### Policy

In accordance with Merton's Core Planning Strategy Policy CS7, the council will support new development in Merton's retail hierarchy commensurate with their scale and function, providing it respects or improves the character and local environment of the area by:

- a) Supporting proposals:
  - i. in Wimbledon, Mitcham, Morden and Colliers Wood (upon designation as a District Centre) for development that provides a range of unit sizes, including small (floorspace generally below 280sqm), large (floorspace generally between 280 sqm and 1,000 sqm) and major town centre type uses (generally floorspace over 1,000 sqm)).
  - ii. In the designated local centres of Arthur Road, Motspur Park, North Mitcham, Raynes Park for development up to 1,000 sqm per unit of floorspace for town centre type uses and Wimbledon Village. The council will resist major increases (above 1,000 sqm) in town centre type use floorspace in local centres unless it contributes to the council's regeneration objectives.
- b) Maintaining neighbourhood parades, as designated on the draft Proposals Map 2012, to provide convenience shopping and other services within walking distance of local residents. Large increases in commercial floorspace in neighbourhood parades will be resisted.
- c) Maintaining and enhancing the range of shop sizes available in Merton's town and local centres, by resisting the amalgamation of existing shop units in Wimbledon, Colliers Wood and Wimbledon Village.

##### SA/ SEA implications

- 1.1. This policy scores particularly well against sustainability objectives concerned with economic development. The policy seeks to ensure that any appropriate development proposals are controlled in a manner that will not result in a negative impact on residents accessing basic services and facilities, access to employment, and ensure all proposals are developed in sustainable locations within the borough.

### Justification

- 1.2. Merton's Core Planning Strategy policies CS1 (Sub-areas) – CS7 (Centres) aims to maintain, enhance and protect Merton's town centres which are focal points for residents and visitors that provide civic, retail and other commercial services and facilities. Policy DM R1 will contribute towards delivering this by setting out a detailed approach to the assessment of considerations concerning the scale and function of proposed developments in Merton's town centres and neighbourhood parades.
- 1.3. National guidance promotes the vitality and viability of town centres as these provide a sense of place for Merton's residents and are important areas for communities. The aim is to focus growth and development of a wide range of shops, leisure and similar trip-generating uses to town centres. However growth needs to be considered along with the need to conserve the centres heritage and character, as well as providing a focus for community and civic activity.
- 1.4. As detailed in Policy CS 7 of Merton's Core Planning Strategy, the council will support development in Merton's town centres and neighbourhood parades commensurate with their scale and function and where it respects or improves the character and local environment of the area.
- 1.5. Merton's town centres and neighbourhood parades provide shops and services that meet different needs of residents. But these town centres and neighbourhood parades also have different characteristics and levels of capacity to grow in the future. The council encourages more retail shops and services, cafes, restaurants, leisure and entertainment facilities, offices and community uses to locate in Merton and will support growth that is appropriate to the centre/ neighbourhood parade and the surrounding area. This will also ensure that development that attracts a large number of trips is located in places which are highly accessible by a choice of public transport modes such as buses, trains, tram and underground.

### *Merton's town centres*

- 1.6. Wimbledon is Merton's major centre and is the principal shopping destination in the borough. Attractive to residents, tourists, businesses and their staff; Wimbledon has a large variety of shops, services, cafes, restaurants, cinemas, theatres and offices. By capitalising on the Wimbledon 'brand', the council hopes to further enhance the character and vibrancy of the area to create a sense of place and ensure that there is continual activity throughout the day and at the weekend for residents, workers and visitors whilst protecting its heritage assets.
- 1.7. As district centres, Mitcham and Morden provide shops, services, cafes/ restaurants and local businesses to meet the everyday needs of the local community. Mitcham has a unique cultural identity and character (village feel) and supports a daily street market which operates in the main shopping area of Mitcham. Merton's Civic Centre and local businesses generally serving day-to-day needs' are found in Morden. Morden sees high footfall passing through the centre, connecting between the buses, underground, car parking and nearby train and tram when people commute to and from work. In contrast, Colliers Wood attracts multiple high street retailers. In terms of the scale and type of shops, Colliers Wood's retail offer is on a par with many major centres in London.
- 1.8. Wimbledon, Mitcham, Morden and Colliers Wood (upon designation as a District Centre) are suitable for a range of unit sizes including small (generally floorspace below 280sqm), large (floorspace generally between 280 sqm and 1,000sqm) and major (generally floorspace over

1,000sqm) retail and other town centre uses. To avoid adverse impacts on existing centres, town centre floorspace over 1,000 square metres will not be supported outside Wimbledon, Mitcham, Morden and Colliers Wood. Small units will also be welcomed, particularly in Wimbledon and Colliers Wood where smaller units will help to attract and retain a diverse retail offer.

*Local centres*

- 1.9. As detailed in Merton's Core Planning Strategy, Arthur Road, Motspur Park, North Mitcham, Raynes Park and Wimbledon Village are designated as local centres. Except for Wimbledon Village, these local centres provide shops and services to meet the everyday needs of the local community and are places for small and local business. These local centres serve small catchments and are within walking distance of local residents.
- 1.10. Wimbledon Village has more of a niche/specialist role and a unique character. To retain and reinforce its character and offer, it is considered that the amalgamation of existing ground floor units that would result in a large unit (with a gross floorspace of 280 sqm or more) would be inappropriate, having regard to the existing scale and character of the area. Merton's Annual Shopping Survey shows that the average ground floor unit size of existing town centre types uses in Wimbledon Village is 110 sqm gross floorspace, thus the amalgamation of existing units that would result in a ground floorspace over 280 sqm would be quite large for this area.
- 1.11. Local centres complement Merton's main town centres. As detailed in Merton's Core Planning Strategy, local centres support development that provides local services and enhances the area's character. Development that provides a major increase (over 1,000 sqm) of town centre type uses will not be supported in local centres.

*Neighbourhood parades*

- 1.12. To meet the day-to-day needs of local communities and to reduce the need to travel, essential local shops such as small supermarkets, pharmacies and post offices should be retained within 5 minutes walk (400 metres) of residential areas in Merton. Neighbourhood parades, located throughout the borough, have been designated to ensure that residents and workers continue to have access to a range of important local shops available for their day-to-day needs, which are easily accessible to people without a car or with restricted mobility.
- 1.13. Neighbourhood parades complement the local shopping facilities provided in Merton's town and local centres and ensures that local convenience shopping facilities are within 5 minutes walk (400 metres) of residential areas in Merton. Neighbourhood parades which are designated on Merton's draft Proposals Map 2012 are detailed in Table 7.1.

*Small shops*

- 1.14. The availability of small shop units provides improved choice for business location and affordability. In turn, having a variety of businesses provides choice for consumers and this contributes significantly towards maintaining and enhancing the attractiveness and viability of Merton's town centres. Small shop units are often more affordable thereby encouraging more specialist or independent retailers.
- 1.15. As set out in Merton's Core Planning Strategy, the need to maintain and to provide additional small retail units is particularly relevant to supporting business retention and diversity in Wimbledon town centre, Colliers Wood and Wimbledon Village.

- 1.16. For retail (A1 Use Class) proposals, Merton's definition of small, large and major developments refer to net floorspace. For all other town centre type uses the definition of small, large and major developments refer to gross floorspace. Please refer to Policy DM E1: Employment Areas in Merton, DM R5: Food and drink/ leisure and entertainment and Policy DM R6: Culture, arts and tourism development for proposals relating to office; food and drink/ leisure and entertainment; and culture, arts and tourism uses.

#### Delivery and monitoring

- 1.17. Protecting the viability and vitality of town and local centres and neighbourhood parades will be achieved through the planning process by supporting planning applications for 'town centre type uses' that are commensurate with the scale and function of the centres.

**DM R2: Development of town centre type uses outside town centres**  
***(Amendments following consultation feedback, research and national policy changes)***

Policy aim

To focus town centre type uses into the most sustainable locations whilst facilitating development of new small convenience local shops within walking distance of all residents to meet everyday needs.

Policy

To maintain and enhance the vitality and viability of Merton's town centres, proposals for the development of town centre type uses 'edge-of-centre' and 'out-of-centre' will be permitted only where it can be demonstrated that:

- a) The proposal satisfies the policy approach set out in Policy CS7: Centres, including proposed changes to the type of goods sold or type of activity unless the proposal complies with Policy DM R2 (c) below. This policy may also apply to new development or extensions that are greater than 280 sqm gross floorspace.
  - b) The scope of the sequential test and impact assessment submitted is proportionate to the scale of the development proposed and satisfies the council's requirements.
  - c) Local convenience development outside town and local centres meets all of the following criteria:
    - i. The proposal will be a replacement for an existing convenience shop; or,
    - ii. The proposal will meet local needs in an area identified as deficient in local convenience shopping (including convenience retail activity in petrol stations);
- And,
- iii. The overall floorspace of the local convenience shop (including petrol stations) would not exceed 280 sqm net retail floorspace.
- d) Viability and vitality of Merton's existing centres are not harmed. Planning conditions may be imposed on applications, to ensure that proposals do not have an adverse impact on the vitality and viability of existing town and local centres. Such conditions may:
    - i. Prevent the amalgamation of small units to create large out-of-centre units;
    - ii. Limit internal development to specify the maximum amount of floorspace permitted; or,
    - iii. Control the type of goods sold or type of activity.

SA/ SEA implications

- 1.18. This policy scores particularly well against sustainability objectives concerned with economic development. The policy seeks to direct town centre type uses towards town and local centres centre to maintain their vitality and viability. This policy approach can have a positive impact for residents by creating employment opportunities and maintains access to local services and facilities for people, who live, work and visit the borough.

## Justification

- 1.19. Merton's Core Planning Strategy policies CS1 (Sub-areas) – CS7 (Centres) adopts the town centres first approach by directing all town centre type uses towards town centres. Policy DM R2 will contribute towards delivering this by setting out a detailed approach to the assessment of considerations concerning development of town centre type uses outside of Merton's town centres.
- 1.20. National guidance and the London Plan support the town centres first approach; focusing growth of retail and leisure activities, businesses and other town centre type uses within town centres. This helps create an attractive destination, increasing footfall with advantages for both businesses and consumers and also creates a sense of place for Merton's residents. Focusing similar retail, business, leisure and other town centre type uses to the town centres reduces the need for residents, workers and tourists to travel to a variety of different places to access shops, services and activities.
- 1.21. As Merton is one of the smallest boroughs in London, proposals for new town centre type uses as defined in Merton's Core Planning Strategy, located at the edge-of-centre and out-of-centre, will need to demonstrate that the sequential approach has been appropriately applied. In line with national guidance for retail developments, edge-of-centre is defined as being within 300 metres from the Primary Shopping Area.
- 1.22. The Primary Shopping Area is where the council would expect to see a large concentration of convenience, comparison and service retail shops (A1 Use Class) to locate. The extent of the Primary Shopping Area is shown on Merton's Proposals Map 2012. For all other town centre type uses, edge-of-centre is defined as being within 300 metres from the town centre boundary. For office development this includes locations outside the town centre but within 500 metres of a public transport interchange.
- 1.23. In accordance with Merton's Core Planning Strategy, impact assessments may be required for any retail proposals located edge-of-centre and out-of-centre where the net floor area exceeds 280 sqm. The impact assessment should be proportionate to the scale of the development proposed and the scope will be agreed between the applicant and the council. In line with the National Planning Policy Framework, impact assessments will be required for leisure and office development above 2,500 sqm located outside town centres and not in accordance with the development plan.
- 1.24. Applicants are encouraged to contact the council at the early stages of the application process to discuss the scope of the sequential test and impact assessment required. Appendix 6 provides guidance as to what the council would expect to be included in a sequential test and an impact assessment.
- 1.25. For Merton's Retail Study and following the council's own research, an analysis was undertaken to identify areas in the borough that are beyond five minutes walk (400 metres) and 10 minutes walk (800 metres) of local shopping facilities.
- 1.26. Based on this approach, areas in the borough have been identified (see **Figure 1.1**) where there is a lack of local convenience facilities located within five minutes walk (400 metres) of residential areas. In these areas, additional small scale convenience development will be supported. As detailed in Merton's Core Planning Strategy, small-scale local convenience facilities refer to developments less than 280 sqm net floorspace. These local convenience shops would

complement the retail offer in Merton's Town and Local Centres and neighbourhood parades to meet residents' day-to-day needs and within walking distance of all homes in Merton.

- 1.27. There is a decline in the number of petrol stations nationally and regionally, due to increasing competition between multiple and more independent retailers. Although the council seeks to encourage more sustainable methods of travelling other than the private car, it is recognised that some residents in Merton rely on private vehicles as their preferred mode of transport.
- 1.28. Rather than residents in Merton travelling to neighbouring boroughs to access petrol stations, which is unsustainable overall, the council proposes to increase the retail convenience activity allowed in petrol stations from 100 sqm in Merton's UDP to 280 sqm net floorspace. This measure provides landowners with more flexibility and will contribute towards increasing the financial viability of new and existing petrol stations. However, retail floorspace extensions above 280 sqm net will not be supported to ensure that such developments would not have an adverse impact on the retail vitality and viability of designated town and local centres.

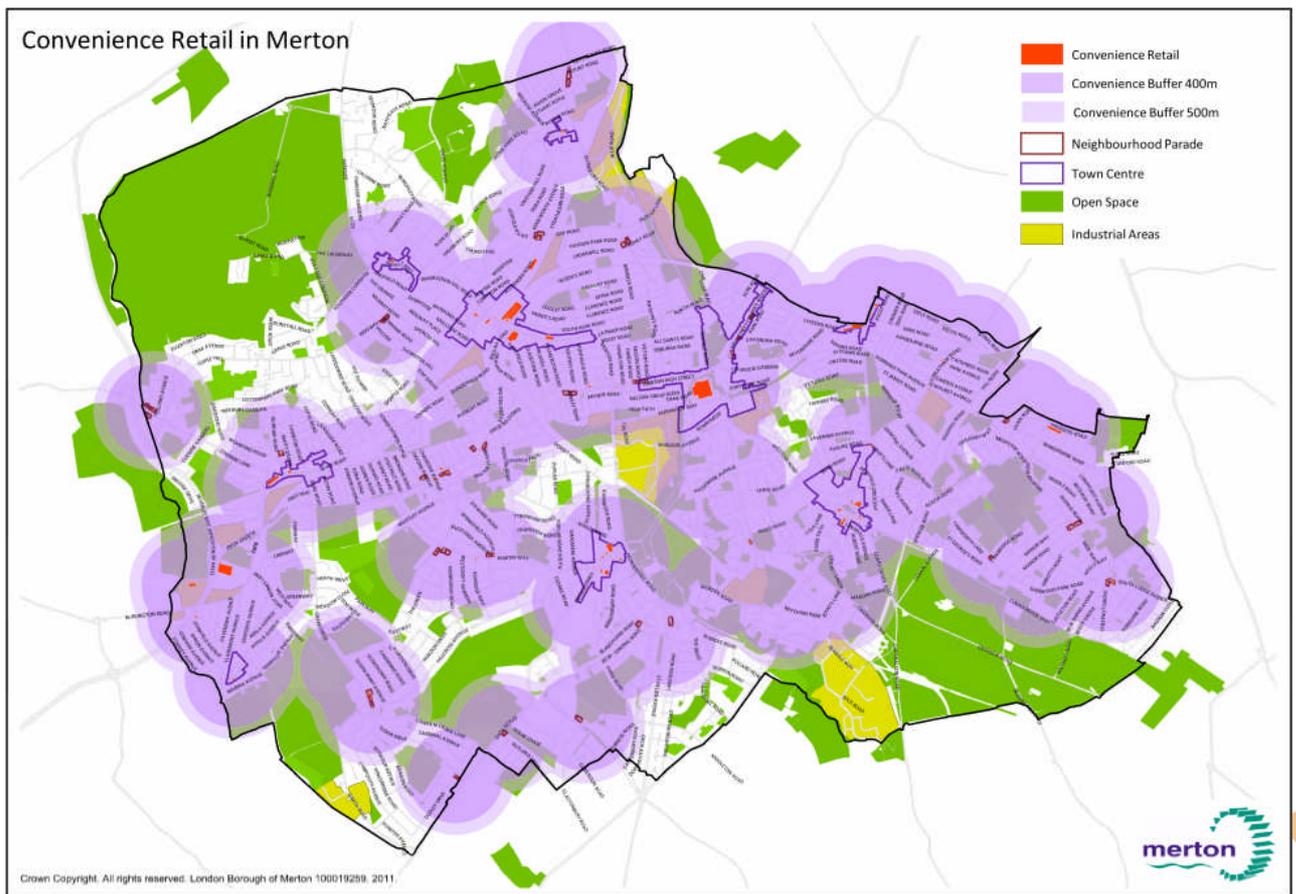


Figure 1.1 - Convenience retail in Merton

Delivery and monitoring

- 1.29. Protecting the viability and vitality of town and local centres and neighbourhood parades will be achieved through the planning process by supporting planning applications for 'town centre type uses' in Merton's town and local centres in the first instance and resisting against inappropriate out-of-centre development.
- 1.30. **Figure 1.1** will be updated regularly in order to identify areas as deficient in local shopping needs.

### **DM R3: Protecting corner/ local shops**

#### ***(Amendments following consultation feedback, research and national policy changes)***

##### Policy aim

To protect local shops that provide a useful service to local residents and to ensure that local shops are within walking distance of all residents in Merton whilst reducing vacancy rates in shopping frontages that detract from the local area.

##### Policy

In predominantly residential areas, outside town and local centres and neighbourhood parades, to ensure that there are convenience shopping facilities and other services located within walking distance of all residents in Merton, the council will seek to protect corner/local shops for which there is need, by:

- a) Permitting the change of use of a corner/ local convenience shops to a wide range of uses including retail (A1), businesses (A2 and B1 [a] Use Class), cafes and restaurants (A3), public houses (A4), hot food takeaways (A5), health and community uses (D1), where:
  - i. there are alternative convenience shops located within 400 metres;
  - ii. the proposal will have no significant adverse effects on the amenities of nearby residents, road safety, traffic movements or car parking impacts; and,
  - iii. Independent access to upper floors is ensured.
- b) Subject to policy DM C1 and DM E2, supporting proposals for the change of use from uses detailed in Policy DM R3(a) above to residential uses, where it can be demonstrated as a result of full and proper marketing of the site for at least 18 months (1½ years) at reasonable prices, that these uses are not viable.
- c) Only permitting the change of use of a corner/ local convenience shops to uses detailed in Policy DM R3(a) above where there are no alternative convenience shops located within 400 metres, where:
  - i. it can be demonstrated by full and proper marketing of the site for convenience use at reasonable prices for at least 12 months (1 years) and to our satisfaction that there is no realistic prospect of convenience use in the future; and,
  - ii. the proposal meets policy DM R3(a) (ii) and (iii) above.

##### SA/ SEA implications

- 1.31. This policy scores particularly well against a range of sustainability objectives. The policy seeks to ensure any appropriate development proposals are controlled in a manner where they would not result in a negative impact to the local community, by ensuring that local services and facilities remain accessible to local residents in their local area and reduces the need to travel by car. This approach also means the policy scored favourably against transport and climate change sustainability objectives.

### Justification

- 1.32. Merton's Core Planning Strategy policies CS1 (Sub-areas) – CS7 (Centres) adopts the town centres first approach by directing all town centre type uses towards Merton's town centres. Policy DM R3 will contribute towards delivering this by setting out a detailed approach to the assessment of considerations concerning the change of use of town centre type uses outside of Merton's town centres.
- 1.33. To support sustainable development, small convenience shops are encouraged to locate within 5 minutes walking distance (400 metres radius) of residential areas in Merton, to reduce the need to travel for day-to-day convenience items.
- 1.34. It may not be possible to retain retail use, especially if there is a lack of customer demand and/ or alternative facilities are available nearby.
- 1.35. Where there are alternative convenience shops located within 400 metres, to avoid vacancy, and in order to retain a mix of uses needed by the local community, change of use of existing shops will be supported for a range of local services and businesses, including: financial and professional services (A2 Use Class), cafes and restaurants (A3 Use Class), public houses (A4 Use Class), hot food takeaways (A5), local small business premises (B1 Use Class) and community and health uses (D1 Use Class); and where proposals satisfy Policy DM R3 A as above and Policy DM R5. Under the General Permitted Development Order, the principle of changing from a hot food take-aways, pubs, cafes and restaurants, financial and professional services to a shop can happen without the need for planning permission.
- 1.36. In situations where the council permits the change of use from uses detailed in policy DM R3(a) above to residential uses, the proposal must satisfy policy DM R3(b) above, meet the policy requirements for residential conversions and meet the floorspace and amenity standards as set out in the London Plan, Merton's Core Planning Strategy and Design SPD.
- 1.37. In circumstances where there are no alternative convenience shops located within 5 minutes walking distance (400 metre radius), proposals for change of use from convenience shops (A1 Use Class) to those detailed in Policy DM R3 (a) will be permitted where it can be demonstrated as a result of full and proper marketing at reasonable prices for at least 12 months (1 years), that convenience retail uses are not viable.
- 1.38. To demonstrate that full and proper marketing has been undertaken, the council requires the applicant to demonstrate that:
  - The site has been marketed for the time period detailed in policy unless otherwise agreed with the council;
  - All opportunities to re-let the site has been fully explored (including more flexible use of the space);
  - The site has been marketed using new (on the internet) and traditional marketing tools available; and,
  - The site has been marketed at a price which is considered reasonable (based on recent and similar deals or transactions).

Delivery and monitoring

- 1.39. The council will aim to protect corner/ local shops through the planning process; by resisting the loss of local convenience shops for which there are no alternative local convenience shops located within 400 metres of the shop.

**DM R4: Protection of shopping facilities within designated shopping frontages**  
**(Significant amendments following consultation feedback, and national policy changes. Amendments support social interaction and community facilities in town centres, recognising the changing nature of high street shopping)**

Policy aim

To maintain the vitality and viability of Merton's town and local centres and to identify uses suitable to these locations by ensuring that there are a wide range of retail offer, services and social activities, providing consumer choice and competition and opportunities for social interaction.

Policy

Making choices about where retail and other town centre type uses locate contributes towards maintaining and enhancing the attractiveness of town and local centres by encouraging more people to shop in these locations. To maintain and improve the overall vitality and viability of Merton's town and local centres, the council will permit proposals provided that the following criteria have been met. In:

- a) **'Wimbledon's central shopping frontage'** the loss of retail units (Use Class A1) will be resisted.
- b) The **'core shopping frontages'** within town and local centres, proposals for a wider range of uses such as restaurants and cafes and bars, cultural and community use and leisure and entertainment uses (A1, A3, A4, D1 & D2 Use Class) will be permitted to occupy a unit subject to if it can be demonstrated by full and proper marketing of the site for A1 retail use for at least 12 months. The proposed change should not detract from the primary retail function of the area. Approximately 70% of units in the Core Shopping Frontage should remain in retail use (A1 Use Class), taking into account unimplemented planning permission for change of use.
- c) The **'secondary shopping frontages'** within town and local centres. As well as uses permitted in part DM R4 (b) above, proposals for financial & professional services (A2 Use Class) and hot food takeaways (A5 Use Class) and offices (B1[a] Use Class) will be permitted. Approximately 50% of units should remain in commercial uses (A1, A2, A3, A4 and A5 uses), taking into account unimplemented planning permission for change of use.
- d) **Other shopping frontages within town and local centres**, a wide range of town centre type uses including shopping, leisure, entertainment, cultural, community and office uses will be supported which contribute towards the vitality and viability of town centres.
- e) **'Neighbourhood parades'**, proposals for a wide range of town centre type uses appropriate to the scale of the parade will be permitted. A minimum of 50% of units should remain in retail use (A1 Use Class), taking into account unimplemented planning permissions.
- f) **'Vacant units in shopping frontages'**, temporary planning permission for re-occupation of vacant units may be granted for performance and creative uses.
- g) **'All shopping frontages in Merton's town and local centres and neighbourhood parades'**, subject to the relevant considerations DM R4 (a)-(f) above, the council will permit the change of use in shopping frontages where:

- i. the proposed use is compatible with a shopping frontage and provides a direct service to the general public;
- ii. the proposal will result in an 'active street frontage';
- iii. the vitality and viability of the town and local centre and neighbourhood parade is not likely to be significantly harmed;
- iv. a window display is provided; and where,
- v. No significant adverse effects on the amenities of nearby residents, road safety, car parking or traffic flows would result from the proposal.

#### SA/ SEA implications

- 1.40. This policy scores well against a number of sustainability objectives. The policy seeks to ensure the vitality and viability of Merton's centres and neighbourhood parades, by enabling the provision of a wider range of retail services and facilities. This will lead to greater consumer choice, business and employment opportunities for the community.

#### Justification

- 1.41. Merton's Core Planning Strategy policies CS1 (Sub-areas) – CS7 (Centres) encourages a mix of town centre type uses to Merton's town and local centres which contributes to their vitality and viability. Policy DM R4 will contribute towards delivering this by setting out a detailed approach to the assessment of considerations concerning the location of town centre type uses in Merton's town centres.

#### *Primary shopping area – all town and local centres*

- 1.42. The location of similar businesses, such as shops, cafes, restaurants, theatres and cinemas together makes town and local centres more attractive and sociable, increasing the footfall which helps support businesses and helps to create an identity and a sense of place for the community. National guidance makes clear that local authorities should define the extent of the Primary Shopping Area and the town centre boundary. The Primary Shopping Area places retailing and social activity at the heart of the town centre and it consists of defined Core and Secondary Shopping Frontages. Other town centre activities including professional & financial services, cinemas, hot-food takeaways lead away from the primary shopping area. Merton's draft Proposals Map (2012) details the extent of Merton's town centre boundaries and the designated Core and Secondary Shopping frontages.

#### *Wimbledon's central shopping frontage*

- 1.43. In order for Wimbledon town centre to maintain its position as a major centre, it is necessary to continue to support and improve retail facilities in the centre. Supporting retail at the heart of the town centre, visible on arrival from the station helps to increase footfall and thus Wimbledon's attractiveness. Merton's draft Proposals Map 2012 proposes Wimbledon's central shopping frontage, where proposals for retail uses (A1 Use Class), in particular comparison retail will be encouraged.

#### *Core shopping frontage – all town and local centres*

- 1.44. In the core shopping frontage retailing and social uses are strongly supported to encourage greater footfall and improve the viability of the town centre. It is important to maintain a full

range of shopping facilities and social uses in these centres and ensure that they are close together in relatively convenient and compact core frontages.

- 1.45. Due to the increase in the non-retail store shopping such as on-line shopping and home shopping, it is expected in the future that town and local centres will no longer be retail focused but instead will provide a social environment for residents, workers and visitors to meet and visit. Although our evidence shows that vacancies in Merton's town and local centres are lower than both the regional and national average this may not be case in the next ten years. Therefore in order to ensure that our town and local centres remain a focal point for social activity, providing services and facilities as well as employment to residents and attracts visitors, we proposed for Merton's shop front designations to be more flexible to deal with changes to the economy and shopping.
- 1.46. Therefore, if a retail unit in the core shopping frontage is vacant and it can be demonstrated by full and proper marketing of the site for A1 retail use for at least 12 months (1 year), we will permit more social uses such as restaurants and cafes (A3 Use Class), public houses (A4 Use Class), cultural and community uses (D1 Use Class) and leisure and entertainment uses (D2 Use Class). These uses are considered more social uses as Merton's residents and workers can meet and enjoy activities with friends and family. These uses would also attract visitors to the area. The proposed use will need to have an active frontage. Proposals must be in line with Policy DM R5, DM R6 and DM C1.
- 1.47. Should there be a demand and growth for retail floorspace in the future, the General Permitted Development Order currently allows cafes and restaurants and public houses to change into retail (A1 Use Class) without requiring planning permission. Though cultural and community uses (D1 Use Class) and leisure and entertainment (D2 Use Class) cannot revert to retail (A1 Use Class) without planning permission, they allow more social uses in sustainable locations which in turn would attract more people to Merton's town and local centres. This increased in footfall would ensure that the vitality and viability of Merton's town and local centres are maintained.
- 1.48. Amusement centres (sui generis Use Class), financial & professional services (A2 Use Class) and hot food take-aways (A5 Use Class) are not compatible with the main retail or social function of the town and local centres and thus are not considered appropriate uses in Wimbledon's central shopping frontage and core shopping frontages.
- 1.49. When considering proposals, the proportion of retail units relates to a proportion of units situated within designated core shopping frontages of the whole town and local centre and not to the individual designated shopping parades. A 'unit' refers to individual shops. The breakdown of unit numbers per frontage is detailed in Table 7.1.

*Secondary shopping frontage – all town and local centres*

- 1.50. In secondary shopping frontages, a wider range of uses such as financial & professional services (A2 Use Class), hot food take-aways (A5 Use Class) and offices (B1[a] Use Class) will be supported.
- 1.51. To ensure that there is a range of commercial services and facilities within Merton's town and local centres, we propose to place a limit on the proportion of change of use in the designated shopping frontage away from uses within the A Use Class. Local research supports approximately 50% of units in the designated shopping frontage to remain in commercial uses (A1, A2, A3, A4 and A5), taking into account unimplemented planning permissions for changes of use.



- 1.52. Approximately 50% of A uses units in the designated secondary shopping frontage relates to a proportion of units situated within designated secondary shopping frontages of the whole town and local centre and not to the individual designated shopping parade.

*Other frontages within town and local centres*

- 1.53. In these frontages a wide range of town centre uses will be supported including retail, leisure, entertainment, cultural, community and offices which contribute towards the vitality and viability of town centres. Activities should complement each other and the centre and should be of a use, design and scale proportionate to the area.
- 1.54. All town centre development proposals must have active street frontages to contribute towards the vibrancy and to promote a positive identity within Merton's town and local centres.

*Neighbourhood parades*

- 1.55. Neighbourhood parades are identified to ensure that local shopping facilities are retained within walking distance of residents to meet their day-to-day needs.
- 1.56. To ensure that convenience shops are retained, local research supports a minimum of 50% of units in a designated neighbourhood parade to remain in retail use (A1 Use Class), taking into account unimplemented planning permissions for changes of use.
- 1.57. When a change of use from convenience, comparison and service retail use is proposed, the new use must provide a local service, such as businesses (A2 and B1[a] Use Class), restaurant and café (A3 Use Class), pub and wine bar (A4 Use Class), hot food takeaways (A5 Use Class), health and community uses (D1 Use Class) which:
- supports the vitality of the parade;
  - provides a window display; and,
  - has no adverse effects on the amenities of residents, other businesses, road safety or traffic flows.
- 1.58. Proposals must be in line with Policy DM R5: Food and drink/ leisure and entertainment uses.

*Vacancies in frontages in town and local centres*

- 1.59. In town and local centres temporary planning permission may be granted for performance and creative uses in vacant shopping frontages until these units are re-occupied by uses that are appropriate to that retail frontage. Temporary Planning Permission will be considered based on the proposal(s) put forward. These proposals must complement surrounding uses in the area and must not harm nearby business and residential amenity. Conditions will be used to restrict the maximum period for the temporary use of the shop for performance and creative uses.

*Active street frontages*

- 1.60. Active street frontages contribute significantly to the vibrancy, sense of place and safety of town centres. Allowing people to access and view inside and outside of the buildings, provides natural surveillance, activity and contributes towards the vibrancy of town and local centres. Conditions may be placed on planning applications to ensure that proposals do not result in dead frontages, for instance, restricting internal advertising.

*Marketing*

- 1.61. To demonstrate that full and proper marketing has been undertaken, the council requires the applicant to demonstrate that:
- The unit has been marketed for the time period detailed in policy unless otherwise agreed with the council;
  - All opportunities to re-let the site has been fully explored (including more flexible use of the space);
  - The site has been marketed using new (on the internet) and traditional marketing tools available; and,
  - The site has been marketed at a price which is considered reasonable (based on recent and similar deals or transactions).

Delivery and monitoring

- 1.62. Protecting the viability and vitality of town and local centres and neighbourhood parades will be achieved through the planning process by supporting planning applications for 'town centre type uses' that are commensurate with the scale and function of town centres and neighbourhood parades.

## **DM R5: Food and drink / leisure and entertainment uses**

### ***(Amendments following consultation feedback, research and national policy changes)***

#### Policy aim

To ensure that food and drink and leisure and entertainment uses are located in a suitable location for customers, but do not cause unacceptable environmental or social impacts. These uses provide and complement retail choice for consumers and contribute towards the vitality and vibrancy of Merton's town and local centres.

#### Policy

##### *Food and drink/ leisure and entertainment uses*

Proposals for restaurants and cafes (A3 Use Class), public houses (A4 Use Class), hot food take-aways (A5 Use Class), leisure and entertainments uses (D2 Use Class) will be supported provided all of the following criteria have been met:

- a) The proposals would not have an unacceptable impact on local amenity and the general environment, car parking, traffic congestion and road safety. Proposals would need to take into account the:
  - i. Size of unit;
  - ii. characteristics and type of use proposed;
  - iii. the nature of the area;
  - iv. the number and size of other food and drink (Use Class A3, A4 and A5) and leisure and entertainment uses (Use Class D2) in the area;
  - v. the likely cumulative effect of their uses, including combined and cumulative effects at different times of the day and night; and,
  - vi. whether the location is well served by public transport.
- b) Adequate noise containment measures are included and sound insulation is provided, where appropriate, to safeguard the amenity of adjoining residential and business uses;
- c) They would not have an unacceptable effect on local amenity through noise, disturbance or fumes;
- d) The proposed opening hours would be acceptable;
- e) Adequate ventilation, waste disposal, litter management and crime prevention arrangements appropriate to the use and location can be provided.

##### *Hot food take-away*

- f) Proposals which results in an over-concentration of hot food take-aways (A5 uses) will not be permitted as this would detract from the ability to adopt healthy lifestyles.

##### *Protection of public houses*

- g) Proposals that will result in the loss of a public house will only be permitted where all the following criteria are met:

- i. the applicant can demonstrate to the council's satisfaction that the public house is no longer economically viable;
- ii. there are alternative public houses located within the local area.

*Protection of leisure and entertainment*

- h) Proposals for the loss of entertainment and leisure facilities (D2 uses) will be supported where the applicant can demonstrate to the council's satisfaction that the leisure and entertainment uses are no longer viable.

SA/ SEA implications

- 1.63. This policy scores particularly well against sustainability objectives. The policy seeks to ensure any appropriate development proposals are controlled in a manner that would not result in a negative impact on the local area and amenities, by ensuring that public houses (A4 Use Class) and hot food take-aways (A5 use Class) do not have an adverse affect on the local community and local environment with regards to noise, opening hours and litter control.

Justification

- 1.64. Merton's Core Planning Strategy policies CS1 (Sub-areas) – CS7 (Centres) encourages a range and mix of town centre type uses to Merton's town and local centres which contributes to their vitality and viability, Policy DM R5 will contribute towards delivering this by setting out a detailed approach to the assessment of considerations concerning proposals for new food and drink/ leisure and entertainment uses and the protection of some of these uses.
- 1.65. The scale of new food and drink/ leisure and entertainment uses must meet the requirements of Policy DM R1: location and scale of development in Merton's town centres and neighbourhood parades.
- 1.66. As detailed in Policy DM R2: Development of town centre uses outside town centres, to strike a balance between Merton's aspirations for economic growth whilst protecting the vitality and viability of Merton's designated town centres, proposals for large food and drink/ leisure and entertainment uses will be required to submit a sequential test and may be required to submit an impact assessment.

*Food and drink / leisure and entertainment uses*

- 1.67. The food and drink sector and leisure and entertainment sector is very dynamic and increasingly diverse, including cafés, restaurants, pubs, cinemas and bowling alleys. These facilities reflect changing population structures, lifestyles and expectations, and are now a regular part of many people's lives rather than a special event.
- 1.68. Research in Merton's Retail Study demonstrates that Merton's town and local centres have above average representation of cafes and restaurants (A3 Use Class), in particular hot food take-aways (A5 Use Class), and that there is no area of deficiency. Although Merton's residents have relatively good access to a range of commercial leisure and entertainment facilities in neighbouring boroughs and central London, there may be potential for additional health club facilities in line with population growth.

- 1.69. The study also highlighted that the range of restaurants and the evening economy (entertainment and leisure – D2 Use Class) are poor in some centres, including Mitcham, Morden and Colliers Wood. Therefore the council encourages restaurants, cafes, leisure and entertainment uses (A3, A4 and D2 Use Class) in these centres which contribute towards supporting shops and other businesses. By improving existing and encouraging more evening economy uses in these areas will extend the centres' use beyond shop opening hours.
- 1.70. However, such uses can cause problems to nearby residents and businesses because of noise, fumes, traffic and other disturbance, especially at night. The council will, therefore, seek to control the size and location of such premises, particularly where there is residential accommodation adjacent, close to, or above premises. In addition these amenity problems are exaggerated when groups of these facilities are located close together and their cumulative and combined impact becomes significant.
- 1.71. There has been an increase in the number of larger scale restaurants, pubs, leisure and entertainment facilities which are likely to generate large numbers of customers, and there are emerging concentrations of food and drink facilities and entertainment uses, especially in Wimbledon Village and Wimbledon town centre. These trends have increased concerns about the impact of these uses on residential amenity. Public transport accessibility is an important consideration in the case of these larger developments. For these reasons, Merton Council's Licensing Policy imposed a cumulative impact area in Wimbledon Village and Wimbledon town centre which restricts the number of licences available for cafes, restaurants, public houses, hot food take-away, leisure and entertainment uses (A3, A4, A5, D2 and some Sui Generis uses within the Use Class Order), if licences are required.
- 1.72. Where appropriate, conditions and legal agreements will be applied to ensure these developments meet the council's standards, and to protect residential amenity. Conditions may be applied to control the hours of opening, and type of use. Agreements may also include financial contributions for CCTV and other crime prevention and road safety measures.

#### *Hot Food take-away*

- 1.73. Although food and drink uses can make a positive contribution to the evening economy, there is concern with impacts of the over-concentration of hot food take-aways (A5 uses), particularly in Merton High Street, the London Road, Mitcham and Streatham Road. Government guidance (Healthy Weight, Healthy Lives: a Cross Government Strategy for England) sets out a number of actions to promote healthy communities, including encouraging councils to manage the proliferation of fast food outlets. Similarly the importance of planning for people's health and well being is further promoted by the draft National Planning Framework definition of sustainable development.
- 1.74. For this reason, planning permission will not be permitted for hot food take-aways (A5 uses) where there is an 'over-concentration' in areas. Generally 'an over-concentration' of hot food take-aways (A5 uses) would be the development of more than three hot food take-aways in a shopping parade of 10 consecutive shops.
- 1.75. When considering proposals for change of use to hot food take-aways, the first unit in each parade of shops (where possible) should be used as the starting point to ascertain if the proposal meets policy. A 'unit' refers to individual shops.

#### *Protection of public houses*

- 1.76. The General Permitted Development Order currently allows public houses (A4 Use Class) to change to some other uses including retail, professional and financial services, and restaurants without the need for planning permission. In instances where planning permission is required, the council will resist the loss of public houses as they serve a community role (for example, by providing space for clubs, meetings or performances) unless:
- alternative provision is available nearby (within 800 metres); and,
  - it can be demonstrated to our satisfaction that the public house is no longer economically viable.
- 1.77. To demonstrate a public house is no longer economically viable, the applicants:
- would need to evidence to demonstrate that the public house as a business is no longer economically viable; and,
  - to demonstrate that full and proper marketing of the site at reasonable prices for a maximum period of 30 months (2 ½ years) confirms the non-viability for these purposes.

*Protection of leisure and entertainment facilities*

- 1.78. Wimbledon town centre is identified as a 'night time economy cluster of regional/ sub- regional importance' in the London Plan. A cultural quarter has emerged to the east end of The Broadway, with two theatres, leisure and community facilities and a selection of restaurants. Wimbledon town centre also has two cinemas, two health and fitness centres as well as wine bars and public houses. In addition to shopping and retail service offer and community facilities, these leisure and entertainment facilities makes Wimbledon vibrant and active throughout the day and evening therefore attracting residents, workers and visitors to the benefit of all businesses.
- 1.79. In terms of shopping floorspace, Colliers Wood competes directly with Wimbledon town centre by attracting many high street and multiple retailers. However Colliers Wood does not have the same range and choice of evening activities nor the Wimbledon 'brand' which is internationally recognised. To ensure that Wimbledon remains vibrant despite competition from other town centres, the council will seek to attract and retain leisure and entertainment facilities in Wimbledon town centre.
- 1.80. Merton's Retail Study also highlights that the quality of the evening economy is poor in Mitcham and Morden town centres and Colliers Wood. Therefore, the council aims to maintain existing leisure and entertainment facilities in these areas, where viable.
- 1.81. In circumstances where proposals for change of use from leisure and entertainment uses to alternative town centre type uses in Merton's town and local centres, the council would require full and proper marketing of the property for its permitted use at reasonable prices for a maximum period of 30 months (2½ years). However, for proposals outside of town and local centres, where proposals for change of use from leisure and entertainment to alternative uses except employment (within the B Use Class) and community and cultural uses (D1 uses), the council would require full and proper marketing of the property for its permitted use at reasonable prices for a maximum period of 30 months (2½ years). Please refer to Policy R6: Culture, Arts and Tourism Development and E3: Protection of Scattered Employment Sites.

*Full and proper marketing*

- 1.82. To demonstrate that full and proper marketing has been undertaken, the applicant will be required to demonstrate that:
- The site has been marketed for its appropriate use for the time period detailed in policy unless otherwise agreed with the council;
  - All opportunities to re-let the site has been fully explored (including more flexible use of the space);
  - The site has been marketed using new (on the internet) and traditional marketing tools available; and,
  - The site has been marketed at a price which is considered reasonable for its appropriate use (based on recent and similar deals or transactions);

Delivery and monitoring

- 1.83. Protecting the viability and vitality of town and local centres and neighbourhood parades will be achieved through the planning process by supporting planning applications for 'town centre type uses' that are commensurate with the scale and function of the town and local centres.

## **DM R6: Culture, arts and tourism development**

### ***(Amendments following consultation feedback, research and national policy changes)***

#### Policy aim

By recognising the value of arts, culture and tourism uses to Merton's economy and employment, the council aims to protect and provide additional arts and culture uses in the borough. These uses will also create economic and social benefits for the borough by attracting tourist and business visitors to Merton. Encouraging the development of arts, culture and tourism facilities throughout Merton ensures that these uses are accessible to all communities.

#### Policy

The council will maintain, improve and encourage cultural, arts and tourism in Merton:

- a) in Merton's town centres or to other areas in the borough which have high levels of accessibility (PTAL level of 4 or above) by supporting proposals for small (floorspace generally below 280sqm) and large (floorspace between 280 sqm and 1,000sqm) arts, cultural and tourism developments and proposals likely to generate large number of visitors.
- b) throughout the borough, by supporting proposals for small (below 280 sqm) culture, arts and tourism development.
- c) Encouraging improvements or expansion to existing cultural, arts and tourism in Merton, where this complements Merton's strategic objectives for the areas in which they are located.
- d) Ensuring proposals for culture, arts and tourism developments are well designed, by requiring that:
  - i. The size and character of the site or building are suitable for the proposed use;
  - ii. The development will be compatible with the character and appearance of the area;
  - iii. The amenities of local residents and businesses will not be harmed by way of noise, disturbance, loss of light or privacy;
  - iv. There will be good access and links to modes of transport other than the private vehicle; and,
  - v. Vehicular access to and from the highway will be safe.
- e) Balancing the benefits of the submitted proposals opportunity to provide employment and other contributions to the local economy against the above criteria.
- f) Supporting proposals for the change of use from culture, arts and tourist accommodation to alternative uses if it can be demonstrated that full and proper marketing of the site at reasonable prices for a maximum period of 30 months (2 ½ years) confirms the financial non- viability for these purposes, unless:
  - i. Suitable replacement site for the culture and arts use which is of better standard and quality is provided locally; or,
  - ii. Where it can be demonstrated that the existing tourist accommodation is no longer viable and does not provide facilities for the local community.

- g) Protecting, maintaining and encouraging the work-space needed to support creative and cultural industries across the borough.

#### SA/ SEA implications

- 1.84. This policy meets a number of sustainability objectives including access to culture and social activities, by ensuring any appropriate development proposals are controlled in a manner that would not result in a negative impact on the local area or community, by directing new cultural, arts and tourism development to the most sustainable locations within the borough. The policy also seeks to protect existing culture and social activities and encourages more cultural, arts and tourism development in the borough. This approach may lead to more employment opportunities for the local community and meets the sustainability objective to promote and seek access to employment for the community.

#### Justification

- 1.85. Merton's Core Planning Strategy policies CS1 (Sub-areas) – CS7 (Centres) encourages a mix of town centre type uses to Merton's town and local centres. Policy DM R6 will contribute towards delivering this by setting out a detailed approach concerning proposals for new culture, arts and tourist uses and the protection of some of these uses.
- 1.86. Culture, arts and tourism development creates economic and social benefits by attracting residents, business visitors and tourists. These uses provide employment and complement the retail and services, cafes, restaurants, public houses and leisure and entertainment facilities in Merton's town and local centres, contributing towards their overall vibrancy.
- 1.87. Merton's Core Planning Strategy includes arts, culture and tourism development in its definition of town centre type uses and also sets out policies for assessing proposals for these uses. Arts and Culture uses includes theatres, museums, galleries and concert halls. For this policy, tourist accommodation includes hotels, hostels [sui generis], B&Bs and guesthouses and other tourist accommodation.
- 1.88. The scale of new culture, arts and tourism development must meet the requirements of Policy DM R1: Location and Scale of Development in Merton's town centres and neighbourhood parades.
- 1.89. As detailed in Policy DM R2: Development of town centre type uses outside town centres, to strike a balance between Merton's aspirations for economic growth whilst protecting the vitality and viability of Merton's designated town centres, proposals for new large culture, arts and tourist developments located edge-of-centre and out-of-centre, will be required to submit a sequential test.

#### Arts and culture

- 1.90. In Merton there are a number of arts and cultural uses that the council wishes to protect and enhance including theatres in Wimbledon town centre, handcrafts, creative industries and theatre at Merton Abbey Mills, festivals (Abbeyfest and Cannizaro Park), cultural activities that takes place in Cannizaro Park, festivals (Abbeyfest, Cannizaro Festival and Mitcham Carnival), museums, sports arenas (such as the All Tennis Club), Deen City Farm and Wimbledon School of Art.

- 1.91. Merton's Economic Development Strategy recognises the creative sector as a potential area for economic growth. In Merton, the creative sector comprises a range of activities including publishing of books, newspapers and software, printing, TV, radio and film production, photography industries in Wimbledon town centre, Colliers Wood and the South Wimbledon Business Area.
- 1.92. Proposals will be supported that build upon the borough's strength in creative and cultural information, particularly proposals that improves Merton's existing offer.

*Tourism*

- 1.93. Merton's Retail Study demonstrates that the borough needs a range of tourist accommodation and facilities to cater for leisure tourism and business visitors, to make Merton's tourism and culture sector more viable and sustainable all year-round. Research has emphasised that there is a need for high quality hotels with conference facilities in Merton, particularly in Wimbledon town centre to support businesses visitors as well as to provide space for more local functions if needed. Merton is conveniently situated to help provide additional tourist facilities with good public transport links to central London. The borough also has its own tourist attractions, although those outside the Wimbledon area generally have a lower profile and consequently lower visitor interest.
- 1.94. Where possible, facilities provided to guests at larger hotels should also be made available to the local community to help improve the quality of life for local residents.
- 1.95. In determining the location of hotel, hostel, guest house and B&B facilities, good public transport services to central London and to other Merton tourist attractions are an important factor. Tourist accommodation should generally be situated in areas of good public transport accessibility and adjacent to the secondary road network to minimise traffic congestion for residents. The capacity and proximity of similar existing facilities should also be considered.

*Protection of arts, culture and tourism*

- 1.96. Existing arts, culture and tourist attractions and accommodation will be protected in order to maintain the benefits of arts, culture and tourism to the local community in terms of the provision of jobs, attracting visitors, contribution to the overall economy, local educational resources, and providing a variety of facilities for both residents, businesses, students and visitors.
- 1.97. Redevelopment or change of use from arts, culture and tourism development will be permitted, only if the current use is proved to be unviable or unless it meets the policy exemptions detailed in policy DMR 6 E (i) and (ii) above.
- 1.98. To demonstrate that full and proper marketing has been undertaken, the council requires the applicant to demonstrate that:
  - The site has been marketed for the time period detailed in policy unless otherwise agreed with the council;
  - All opportunities to re-let the site has been fully explored (including more flexible use of the space);
  - The site has been marketed using new (on the internet) and traditional marketing tools available; and,

- The site has been marketed at a price which is considered reasonable (based on recent and similar deals or transactions).

#### Delivery and monitoring

- 1.99. Protecting the viability and vitality of town and local centres and neighbourhood parades will be achieved through the planning process by supporting planning applications for 'town centre type uses' that are commensurate with the scale and function of the town and local centres and resisting against inappropriate out-of-centre development.

## **DM R7: Markets**

### ***(Amendments following consultation feedback, research and national policy changes)***

#### Policy aim

1.100. Street markets, sheltered and non-sheltered markets and farmers markets provide more retail choice and competition for consumers and, if located in town centres, contribute significantly towards their vitality and viability. Recognising their social, economic and environmental contributions to Merton, the council aims to maintain and improve existing markets and to support new markets in appropriate locations.

#### Policy

Markets contribute towards the vitality and vibrancy of town centres and provides more choice for consumers. Proposals will be permitted which:

- a) Encourage improvements to existing markets, including activities to increase stall occupancy levels, in particular, where these improvements will contribute towards the overall vibrancy and success of the market;
- b) Support new or the expansion of existing markets, where this complements Merton's strategic objectives for the areas in which they are located.

#### SA/ SEA implications

1.101. This meets a number of sustainability objectives particularly the objectives related to the work and economy. The policy ensures that any appropriate development proposals will not have a negative impact on the local area and community, by supporting the rejuvenation of existing markets and supporting any appropriate development proposals for new markets. This policy approach may lead to creating employment and business opportunities for start up businesses to the wider community.

#### Justification

- 1.102. Merton's Core Planning Strategy policies CS1 (Sub-areas) – CS7 (Centres) encourages a mix of town centre type uses to Merton's town and local centres which contributes to their vitality and viability. Policy DM R7 will contribute towards delivering this by setting out a detailed approach to the assessment of considerations concerning improvements to and supporting new or the expansion of existing markets.
- 1.103. The London Assembly and the GLA published reports on London's Street Markets in 2008, 2009 and 2010, emphasising the importance of markets and their contribution to social, economic and environmental goals. The report supported the expansion of street and farmers markets.
- 1.104. Merton has a number of markets operating on weekends (for example, the Farmers Market that operates in the Piazza in Wimbledon town centre) or operating throughout the week serving the needs of local residents, workers and visitors (for example, Merton Abbey Mills and, Mitcham

town centre markets). As part of Merton's Retail Study, four of Merton's markets were assessed including:

- the street markets at Mitcham and Morden town centre;
- the sheltered market at Merton Abbey Mills, Colliers Wood; and
- Wimbledon Market, Plough Lane.

1.105. Overall, Merton's Retail Study concluded that there are low levels of occupancy for markets located in the borough and all of these markets could be improved including considering providing bins, planting, signage, marketing and supporting pedestrianisation of the street (where appropriate) on market day.

#### Delivery and monitoring

1.106. Protecting the viability and vitality of town and local centres and neighbourhood parades will be achieved through the planning process by supporting planning applications for 'town centre type uses' that are commensurate with the scale and function of the town and local centres and resisting against inappropriate out-of-centre development.

Table 7.1: Shopping areas and important shopping frontages

### A: Wimbledon major centre

<b>Wimbledon's central shopping frontage</b>	<b>Units</b>
2-10 Wimbledon Hill Road & 2-22 Wimbledon Bridge	9
1-59 The Broadway & Victoria Crescent (area of land within P.3 development)	19
Centre Court Shopping Centre	70
<b>Core shopping frontage</b>	
2-78 The Broadway	37
13-23 Wimbledon Hill Road	2
16-20 Wimbledon Hill Road & 8-12 Worple Road	3
2-26 Hartfield Road & Site R/o 39 -59 The Broadway	8
3-25 Wimbledon Bridge & 1-11 Wimbledon Hill Road	13
<b>Secondary shopping frontage</b>	
75-91 The Broadway and 2-12 Gladstone Road & 1-13 Russell Road	14
80-134 The Broadway	25
25-57 Wimbledon Hill Road	13
28-68 Wimbledon Hill Road	26
1-8 The Pavement, Worple Road & 11-17 Worple Road	2
97-127 The Broadway	3
27-37 Hartfield Road	6
1-13 Queens Road	5

### B: Town centres

#### *Mitcham District centre*

<b>Core shopping frontage</b>	<b>Units</b>
234-260 London Road	11
205-223 London Road	10
1-10 Upper Green West	9
1-11 Majestic Way	9
1-27 Upper Green East	14
<b>Secondary shopping frontages</b>	
1-8 (cons) Langdale Parade	8
1-6 Fair Green Parade & 12-16 Upper Green West	6
9-17 Western Road	1
251-265 London Road	7
272-292 London Road	9
225-249 London Road	12
2-16 Upper Green East	7
7-13 Fair Green Parade	7
29-51 Upper Green East	11

*Morden District centre*

<b>Primary frontage</b>	<b>Units</b>
11-63 London Road	26
2-86 London Road	39
29-35 Aberconway Road	5
<b>Secondary shopping frontage</b>	
2-16 Crown Lane	7
1-35 Abbotsbury Road	16
2-30 Abbotsbury Road	13
36-46 Aberconway Road	5
1-9 London Road	4

## C: Local centres

*Arthur Road*

<b>Core shopping frontage</b>	<b>Units</b>
120-134 Arthur Road, SW19	6
141-187 Arthur Road, SW19	16
<b>Secondary shopping frontages</b>	
144- 164 Arthur Road, SW19	9

*Raynes Park*

<b>Core shopping frontage</b>	<b>Units</b>
4-82 Coombe Lane & 1A Amity Grove	31
2-16 Lambton Road	8
308-318 Worple Road	6
<b>Secondary shopping frontages</b>	
1-17 Station Buildings	8
207-211 Worple Road	3

*Wimbledon Village*

<b>Core shopping frontage</b>	<b>Units</b>
1-40 (cons) High Street	46
49-54 (cons) High Street	5
56-98 (cons) High Street	41
<b>Secondary shopping frontages</b>	
47-48 (cons) High Street	2
41-45 (cons) High Street	3
2-14 Church Road	7
1-43 Church Road	18

*Motspur Park*

<b>Core shopping frontage</b>	<b>Units</b>
320-336 West Barnes Lane	9
341-357 West Barnes Lane	8
<b>Secondary shopping frontages</b>	
338-354 West Barnes Lane	8
359-367 West Barnes Lane	5

*North Mitcham*

<b>Core shopping frontage</b>	<b>Units</b>
271-313 Mitcham Road	14
<b>Secondary shopping frontages</b>	
1-17 London Road	9
23-59 London Road	18
12-62 London Road	17

## **D. Neighbourhood parades**

<b>Parade Name</b>	<b>Units</b>
Cannon Hill Lane & Martin Way; 135-151 Cannon Hill Lane & 244-260 Martin Way	16
Central Road: 44a – 60 Central Road, Morden	8
Chestnut Grove & South Lodge Avenue; 158-174 Chestnut Grove, Pollards Hill & 10-32 South Lodge Avenue, Pollards Hill	14
Church Road: 45-61 Church Road	3
Coombe Lane, West Wimbledon; 253 – 271 Coombe Lane, Raynes Park & 348-364 Coombe Lane, Raynes Park	17
Durnsford Road: 373-421 Durnsford Road, SW19	22
Epsom Road: 41b-59 Epsom Road, Morden	12
Grand Drive (north): 244A – 264A Grand Drive, Morden	9
Grand Drive: 300-372 Grand Drive, Lower Morden	14
Green Lane: 99-137a Green Lane, St. Helier	18
Grove Road: 366-378 Grove Road, Mitcham	7
Haydons Road: 284-296 Haydons Road & 319 – 335 Haydons Road	16
High Street: 29 -43 High Street & 46 – 72 High Street, Colliers Wood	19
Kingston Road: 80-112 Kingston Road	14
Leopold Road; 1-27 Leopold Road & 2a – 32 Leopold Road, SW19	26
Manor Road & Northborough Road; 207-219 Manor Road & 291a – 207 Northborough Road, Pollards Hill	17
Martin Way: 43-55 Martin Way	7
The Rush: 1-12 (cons) Merton Park Parade (The Rush)	12
Ridgway: 65-89 Ridgway, SW19	11
St. Helier Avenue: 41-67 St.Helier Avenue	14
Streatham Road; 196 – 172B Streatham Road & 175 – 221 Streatham Road	34
Tamworth Lane: 297- 301 Tamworth Lane	2
Tudor Drive: 11-27 Tudor Drive, Morden	7
Wimbledon Chase: 288 – 312 Kingston Road & 1A (Rothsey Avenue) – 353 Kingston Road	20

## 2. Housing

### **Position statement - meeting government guidance on the accommodation needs of gypsies, travellers and travelling showpeople.**

- 2.1. Government guidance (Planning for Traveller sites, March 2012) states that councils must identify the accommodation needs and set targets for Gypsies, Travellers and Travelling Showpeople in their area over 5, 10 and 15 years in their Development Plan. This identification must include the five year supply of specific sites to meet this need and this supply must be updated annually.
- 2.2. In Merton there is one permanent authorised public caravan site, owned by the council and managed by Merton Priory Homes. The site at Brickfield Road/ Weir Road currently contains 15 pitches. There are also members of the Gypsy and Traveller community living in homes (bricks and mortar housing) throughout the borough.
- 2.3. Since 2011 as part of preparing the Sites and Policies Plan and in accordance with government guidance the council has undertaken substantial research to identify the accommodation needs of Gypsies and Travellers and Travelling Showpeople in Merton to inform and set a target for the Development Plan.
- 2.4. The Gypsy and Traveller community is identified as 'hard to reach' in Merton's Statement of Community Involvement and is widely recognised as difficult to engage with. Therefore the council has used a wide variety of creative methods.
- 2.5. This evidence includes and is informed by:
  - Working jointly with neighbouring south London boroughs (Croydon, Richmond, Sutton, Wandsworth, Kingston and Lambeth) to agree on approaches for preparing the research to assess needs and identify sites, and to identify cross-borough travelling communities.
  - An organised and hosted all- day event in October 2011 dedicated to the Gypsy and Traveller community run by Ability Group, to encourage Gypsy and Traveller communities to engage in assessing accommodation and other needs.
  - Co-ordinated assessment of existing provision for Travelling Showpeople across the same neighbouring south London boroughs.
  - Engagement with the occupiers of each of the 15 caravan pitches on the Brickfield Road site to ascertain current and future accommodation needs and how these could be met.
  - Work with other stakeholders including Merton Priory Homes, the Traveller Education Service
  - Sourced quantitative evidence, including from the Census 2011 and planning records.
- 2.6. Assessment work on the requirement for transit pitches is also being undertaken currently by liaising with neighbouring south London boroughs.
- 2.7. From the results of Merton's research this has identified the requirement of an additional four publicly provided caravan pitches over the next 10 years (until 2023). The engagement work with Brickfield Road site residents has shown that a number of households would wish to move into bricks and mortar housing. In terms of re-let rates for the Brickfield Road site, Merton Priory Home records show 2 pitches had become available for re-let over the last 5 years, and projecting that forward would show an estimate of four pitches becoming available for re-let over the next ten years. In addition further pitches would become available for re-let when the needs of some of the existing Brickfield Road site residents have been met, by transferring them to bricks and

mortar housing. As re-letting vacancies on the existing Gypsies and Travellers site at Brickfield Road currently presents itself as the most deliverable approach when taking into account accommodation needs of Merton's other communities and in the timescales available to meet government guidance, the current recommended target for additional Gypsy and Traveller pitches for the first five years from 2013-2018 is zero.

- 2.8. Qualitative and quantitative evidence to assess the needs provision for Travelling Showpeople across neighbouring south London borough (Merton, Croydon, Richmond, Sutton, Wandsworth, Kingston and Lambeth) indicates that these boroughs meet the seasonal working needs of Travelling for the purposes of holding fairs, circuses or shows. It is considered that the current recommended target for Travelling Showpeople plots is zero.
- 2.9. The council also needs to consider the requirement for additional Gypsy and Traveller pitches and Travelling Showpeople plots within the wider context of meeting the housing needs of the whole community through making best use of available land. At present, there are more than 7,500 households on the council's Housing Register, of which over 3,000 have 'reasonable preference' under the Housing Act 1996 due to the high level of housing need. With limited supply of housing sites, the development of additional affordable housing is considered one of the key priorities in the council's Housing Strategy 2012-2015 to help meet the high level of housing needs for 'bricks and mortar' affordable homes amongst all residents, including members of the Gypsy and Traveller community.
- 2.10. Further details on the research can be found on the Council's website at <http://www.merton.gov.uk/living/planning/planningpolicy/ldf/planningresearch.htm>

## **DM.H1 Supported care housing for vulnerable people or secure residential institutions for people housed as part of the criminal justice system**

*(Significant amendments following consultation feedback, research and national policy changes. The policy has been strengthened to resist the loss of this type of accommodation unless specific criteria are addressed. The policy also includes clarification regarding affordable housing requirements in respect of provision of supported care housing. This policy also now addresses residential institutions for people housed as part of the criminal justice system.)*

### Policy aim

To provide a variety of accommodation with different levels of support or care, that is both appropriate to the needs of the potential residents and that is sensitive to the surrounding residential environment.

### Policy

- a) The suitability of proposals for supported care housing will be assessed having regard to the following criteria:
  - i. Demonstrable need;
  - ii. The proximity of the site to public transport facilities;
  - iii. The provision of a safe and secure environment;
  - iv. The provision of an adequate level of amenity space which is safe and suitable;
  - v. The provision of adequate parking facilities for residents, staff and visitors;
  - vi. The convenience of the site's location in relation to local shops, services and community facilities;
  - vii. The quality of accommodation complies with all relevant standards for that use.
- b) Generally, proposals for supported care housing will be expected to provide affordable housing in accordance with Core Planning Strategy Policy CS8, unless nominations for people in housing need can be made available through the council.
- c) The council will resist development which results in the net loss of supported care housing for vulnerable people or secure residential institutions for people housed as part of the criminal justice system unless either:
  - i. adequate replacement accommodation satisfies criteria DM H1 a (i) to (vii) inclusive above; or,
  - ii. it can be demonstrated there is a surplus of the existing accommodation in the area; or,
  - iii. it can be demonstrated that the existing accommodation is incapable of meeting relevant standards for accommodation of this type.
- d) Where the council is satisfied that the requirements of criterion (c) of this policy have been met, we will require that an equivalent amount of residential floorspace (Use Class C3) to be provided to help meet Merton's need for permanent homes. These proposals will be considered in respect to Core Planning Strategy Policy CS8.

SA/ SEA implications

- 2.11. The policy meets a number of sustainability objectives including objectives for social inclusion and addressing housing needs. This policy approach seeks to encourage mixed communities and social cohesion.

Justification

- 2.12. Merton's Core Planning Strategy Policy CS8 (Housing Choice) seeks the provision of a mix of housing types, sizes and tenures at the local level to meet the needs of all sections of the community. Policy DM H1 therefore builds upon this.
- 2.13. Policy DM H1 relates to any form of housing if it has been designated for use by vulnerable people or people being housed as part of the criminal justice system (bail / probation hostel) and commonly accommodates residents who get support from designated members of staff. It includes the following forms:
- i. Self-contained homes where vulnerable people, or people being housed as part of the criminal justice system live individually or as part of a family (usually in use class C3);
  - ii. Shared homes occupied by no more than 6 people (usually in Use Class C3 but where no care is provided on-site some fall within Use Class C4);
  - iii. Clusters of self-contained homes or self-contained homes / bedsits within a scheme designated for vulnerable people, where low intensity support is available, sometimes on site (usually in Use Class C3, depending on the nature of the support);
  - iv. Hostels for a number of households or individuals. The occupiers are usually linked in terms of circumstances or age group. There is usually a common management regime and some shared facilities. Hostels are outside any use class;
  - v. Care homes and other supported accommodation where care is provided 24 hours a day (usually in Use Class C2);
  - vi. Secure residential institutions (usually under Use Class C2A).
- 2.14. Policy DM H1 does not relate to:
- i. Self-contained homes that are suitable to meet general needs but have been let or sold in the market to meet the needs of vulnerable people, or people being housed as part of the criminal justice system (usually in Use Class C3);
  - ii. Hostel accommodation aimed at other non-vulnerable groups such as students and backpackers; or,
  - iii. Other types of accommodation in Use Class C2 but not specifically for vulnerable people, such as hospitals, boarding schools, residential colleges and training centres.
- 2.15. Vulnerable people include those with physical and sensory impairment, mental disability, drug and alcohol dependency or people who have experienced or are at risk of violence (e.g. domestic or hate crime).
- 2.16. Care for the elderly, the vulnerable or disadvantaged groups and for persons with health problems, learning difficulties, mental illness or physical disabilities are becoming increasingly community-based. People are increasingly choosing to live in their own homes with some supported care and assistance, or in supported communities.

- 2.17. Client groups living in supported accommodation include older people, homeless people with support needs; people with mental health problems; ex-offenders; people with physical disabilities and sensory impairment; people with learning disabilities; people with alcohol problems or HIV/AIDs, and people experiencing domestic violence or victims of hate crime.
- 2.18. A variety of supported care accommodation is required for persons who require different levels of assistance, support or care in order to live independently. The council encourages the provision of non-institutionalised supported care housing with self-contained facilities for which there is demonstrable need. Supported care housing may include sheltered accommodation, extra care housing, and other types of care homes, on-site accommodation for care workers, rehabilitation facilities, crisis response, as well as respite for carers.
- 2.19. Generally, supported care housing will be located within easy access to shopping facilities and services in locations with good access to public transport, or with adequate on-site facilities, because of low car ownership and in some instances reduced mobility of the client group. This would be considered on a case-by-case basis having regard to a number of factors including the number of clients, staff and visitors and the likely mobility of the clients. Residential locations may be appropriate. Town or local centres may also provide suitable opportunities for provision, given the proximity of such locations to good public transport and local amenities, but this needs to be balanced against other relevant suitability factors e.g. noise.
- 2.20. Supported care housing will not be encouraged where the external environment is unsuitable. High quality design can help to provide design solutions (e.g ramps and levelled changes) that overcome topological issues and provide accommodation that is fit for purpose.
- 2.21. Supported care housing should incorporate designed security features that create a safe place to reside where opportunities for criminal behaviour are reduced. Design should take into account the principles contained in government guidance on 'Safer Places' and Secured by Design guidance.
- 2.22. Core Planning Strategy Policy CS8 (Housing Choice) requires all new homes to be built to Lifetime Homes Standards. This ensures that all new residential accommodation is sufficiently flexible so that with minor modifications a dwelling can be made appropriate for persons with mobility or physical disabilities.
- 2.23. Housing sites that have a lower market value than those available for general market housing are rare . To help meet Merton's housing needs as identified in the London Plan, the council will resist development that would involve the net loss of residential floorspace.
- 2.24. Generally proposals for supported care housing will be expected to provide affordable housing in accordance with Core Planning Strategy Policy CS8, unless nominations for people in housing need with a reasonable preference on the council's waiting list, or people in housing need referred by one of the council's nomination panels for vulnerable people can be made available through the council.
- 2.25. Where self contained housing (e.g. sheltered housing categories 1, 2 and 2.5, and extra care housing) is proposed for occupants to buy, rent or lease we will seek affordable housing in accordance with policy CS8. By contrast residential care institutions (usually in use class C2 / C2A) operate on a fee charging basis, with occupants not given a tenancy, and often moving in and out of these institutions depending on their care needs. Local authorities do refer people to care institutions, via adult social care services rather than from the Housing Register. As such it is

unlikely that care institutions will be considered by the council in respect to Core Planning Strategy policy CS8 concerning affordable housing provision. However the council will assess all proposals on a case by case basis.

- 2.26. Proposals must demonstrate that they cater for needs identified in a Local Housing Market Assessment or in an appropriate needs assessment such as that of a recognised public body. There is a recognition that the private sector also caters for those in housing need and that this role in partnership with the council is continuing to grow as this sector responds to the falling levels of public expenditure.

#### Delivery and monitoring

- 2.27. The council will work with Registered Providers, developers and the Homes and Communities Agency in the delivery of supported care accommodation to meet the needs and demands of the sector of Merton's community that require this accommodation. This delivery will be monitored via the Annual Monitoring Report.

## **DM H2 Housing mix**

### ***(Amendments following consultation feedback, research and national policy changes)***

#### Policy aim

To create socially mixed communities, catering for all sectors of the community by providing a choice of housing with respect to dwelling size and type in the borough.

#### Policy

Residential development proposals will be considered favourably where they contribute to meeting the needs of different households such as families with children, single person households and older people by providing a mix of dwelling sizes, taking account of the borough level indicative proportions concerning housing mix.

#### SA/ SEA implications

- 2.28. The policy meets a number of sustainability objectives including objectives concerned with social inclusion. The policy seeks to create a mix of housing that are of good design that is suitable for the local environment and wider community, by ensuring that any appropriate development proposals are accessible to essential service and public transport. This policy approach seeks to encourage mixed communities and social cohesion.

#### Justification

- 2.29. Research in London and in Merton shows that there is an overwhelming need in London and in Merton for all types and sizes of new homes, which must be balanced against the need for supporting infrastructure. Assessment of historical provision in the borough indicates a disproportionately greater delivery of smaller homes compared to larger homes: 84% of dwellings completed in the borough between April 2000 and March 2011 consisting of 1 or 2 bedroom units.
- 2.30. The council is keen to encourage socially mixed, sustainable communities with a greater choice and better mix in the size, type and location of housing. Schemes should seek to reflect the diversity of the local population, local needs and provide an appropriate mix of smaller and larger units including houses and flats to meet a mix of different households such as single households, families with children and older people.
- 2.31. As supported by the London Plan, Houses in Multiple Occupation (HMOs) contribute towards addressing needs. As with all homes, HMOs will be expected to meet good standards both for the occupiers and neighbours and the council will have regard to relevant guidance in the assessment of HMOs including national guidance, the London Housing Design Standards, the GLA Housing Supplementary Planning Guidance and the council's proposed Design SPD.

- 2.32. It is recognised that the council will not be able to meet all housing needs in the borough. In assessing development proposals the council will take account of Merton’s Housing Strategy (2011-2015) borough level indicative proportions which are set out as follows:

<b>Number of bedrooms</b>	<b>Percentage of units</b>
One	33%
Two	32%
Three +	35%

- 2.33. This mix is informed by a number of factors, including Merton’s Strategic Housing Market Assessment (SHMA 2010), deliverability, viability, affordability, land availability and data concerning waiting lists.
- 2.34. The borough level indicative proportions concerning housing mix will be applied having regard to relevant factors including, individual site circumstances, site location, identified local needs, economics of provision such as financial viability and other planning contributions. Where a developer considers a site unsuitable to apply the borough level indicative housing mix set out above the developer will be responsible for demonstrating why this is the case.
- 2.35. Gated development may address security concerns, however they restrict public access and therefore choice. This is considered divisive as it reduces social, visual and physical permeability and actively works against engendering community and social cohesion.

#### Delivery and monitoring

- 2.36. The council will work with Registered Providers, developers and the Homes and Communities Agency in the delivery of the borough level indicative proportions concerning housing mix. The delivery of the borough level indicative proportions will be monitored and kept under review as part of the LDF Annual Monitoring Report and may result in subsequent adjustments being made to it. If Merton’s Housing Strategy is updated during the lifetime of this Plan, the borough level indicative proportions will be reviewed and updated to take account of this.

### **DM.H3 Support for affordable housing**

#### ***(Amendments following consultation feedback, research and national policy changes)***

##### Policy aim

To clarify the application of Merton's Core Planning Strategy Policy CS8 Housing Choice particularly in the light of central government's new "affordable rent" product and the proposed Revised Early Minor Alterations to the London Plan (June 2012), particularly Policy 3.10: definition of affordable housing and Policy 3.11 affordable housing targets.

##### Policy

Where affordable housing is to be provided in accordance with the London Plan and Merton's Core Planning Strategy Policy CS.8 Housing choice, 60% of the affordable housing provision should be for social and affordable rent and 40% for intermediate rent or sale.

##### SA / SEA implications

- 2.37. This policy meets a number of sustainability objectives including affordable housing, and poverty and social inclusion.

##### Justification

- 2.38. Social rented, affordable rented, intermediate and market housing are defined in the National Planning Policy Framework (March 2012) and London Plan Revised Early Minor Alterations policy 3.10 (June 2012).
- 2.39. As set out in the London Plan Revised Early Minor Alterations policy 3.10 (June 2012), affordable rent is subject to rent controls that require a rent of no more than 80% of the local market rent (including service charges where applicable). The Mayor's Housing Supplementary Planning Guidance (Nov 2012) states that for investment purposes, the Mayor has agreed a strategic, London-wide average rent at 65% of market rent, taking into account the need to provide family-sized housing at lower proportion of market rents.
- 2.40. There is a wide variation in market rents in Merton. Homes with a rent of up to 80% of market rent could prove unaffordable to applicants in housing need, particularly those needing family-sized homes. In dealing with individual planning applications the council will have regard to Merton's Housing Strategy, and Merton's Interim Policy Statement on Affordable Rent (07 November 2011) and the Council's draft Tenancy Strategy (November 2012). In accordance with Merton's Housing Strategy, the council will only support new housing schemes in Merton where average rent levels across all bed sizes do not exceed 65% of market rent, unless registered providers can demonstrate exceptional circumstances. Affordable rent levels for any bed size must not exceed 80% market rent or 65% for larger homes with three or more bedrooms. Affordable rent for all re-let conversions should not exceed 60% of market rent.
- 2.41. All affordable housing provided within the borough will be subject to nomination agreements with Merton's Partner Register Providers to ensure that they are occupied by persons nominated by the council.

- 2.42. Affordable housing should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable provision.

Delivery and monitoring

- 2.43. The council will work with Registered Providers, developers and the Homes and Communities Agency in the delivery of affordable housing. This delivery will be monitored and kept under review as part of the LDF Annual Monitoring Report and may result in subsequent adjustments being made to it.

## **DM. H4 Demolition and redevelopment of a single dwelling house**

***(Amendments following consultation feedback, research and national policy changes. Please note that this policy number has been changed from Policy EP.4 in stage 2 consultation (June-July 2012) to Policy H.4)***

### Policy aim

To promote sustainable development and make effective use of resources.

### Policy

Any proposal seeking to demolish an existing, structurally-sound dwelling house to create a new dwelling house in its place will be required to demonstrate that they have exceeded the minimum sustainability requirements outlined in Merton's Core Planning Strategy 2011 Policy CS15 through:

- (a) Limiting CO<sub>2</sub> emissions arising from the operation of the dwelling and its services in line with Code for Sustainable Homes Level 5;
- (b) Improving the fabric energy efficiency performance in line with Code for Sustainable Homes Level 5; and,
- (c) Making effective use of resources and materials in accordance with Merton's Core Planning Strategy Policy CS15 (part [a]).

### SA/SEA implications

- 2.44. This policy meets a number of sustainability objectives including natural resources and climate change by helping to compensate for resources lost through demolition and rebuilding of single dwelling houses.

### Justification

- 2.45. All proposals to demolish and redevelop a single dwelling house on issues outside of structurally instability are deemed to be an inefficient use of resources and materials and contrary to the principles outlined in Merton's Core Planning Strategy Policy CS15.
- 2.46. Careful and considered use of natural resources, promoting sustainable construction and energy use are key considerations in securing a sustainable future for the London Borough of Merton. On this basis, demolition and redevelopment proposals of a single dwelling house are required to enhance the environmental performance of the new development beyond the minimum requirements in Merton's Core Planning Strategy Policy CS15. Actions to improve the energy performance of the design should be prioritised, in accordance with the energy hierarchy outlined in Core Strategy Policy CS15 part b.

### Delivery and Monitoring

- 2.47. We will work together with developers and residents to achieve a minimisation in CO<sub>2</sub> emissions and promote sustainable design and construction in Merton. We will prepare a Sustainable Design and Construction SPD and accompanying guidance notes. The SPD will contain detailed analysis and guidance on implementation of higher standards of sustainable design and construction within Merton.
- 2.48. Performance against sustainable design and infrastructure aims will be monitored through planning applications and where applicable, Code for Sustainable Homes and BREEAM certificates and reports.

**DM. H5 Student housing, other housing with shared facilities and bedsits**  
***(New policy following consultation feedback, research and national policy changes)***

Policy aim

To create socially mixed communities, catering for all sectors of the community by providing a choice of housing with respect to dwelling size and type in the borough.

Policy

- a) The development of student housing , other housing with shared facilities and bedsits is supported provided that the development:
- i. will not involve the loss of permanent housing;
  - ii. will not compromise capacity to meet the supply of land for additional self contained homes;
  - iii. meets an identified local need;
  - iv. will not result in an overconcentration of similar uses detrimental to residential character and amenity;
  - v. complies with all relevant standards for that use; and,
  - vi. is fully integrated into the residential surroundings.

Additionally with regards to student housing;

- vii. caters for recognised educational establishments within Merton or adjoining boroughs;
  - viii. provides purpose build dedicated floorspace that is managed for cultural or arts studios or activities;
  - ix. during term-time, it is available exclusively to students;
  - x. includes a range of layouts including those with shared facilities;
  - xi. is located in an area well served by public transport concerning the recognised higher educational establishment it serves;
  - xii. has an ownership or management arrangement secured by legal agreement in place with the recognised higher educational establishment it serves; and,
  - xiii. where requirements DM H5 (vii) to (xi) inclusive cannot be demonstrated the proposal will be considered under Core Strategy Policy CS8 in respect of affordable housing provision.
- b) The council will resist development which results in the net loss of student housing and other housing with shared facilities and bedsits unless either it can be demonstrated that:
- i. there is a surplus of the existing accommodation in the area; or,
  - ii. the existing accommodation is incapable of meeting relevant standards for accommodation of this type.
- c) Where the council is satisfied that the development results in the net loss of student housing, other housing with shared facilities or bedsits, is justified, we will require that an equivalent

amount of residential floorspace or permanent self contained housing in Use Class C3 to be provided and these proposals will be considered in respect to Core Planning Strategy Policy CS8.

#### SA/ SEA implications

- 2.49. This policy meets a number of sustainability objectives and ensures housing choice to meet the needs of Merton diverse community.

#### Justification

- 2.50. This policy relates to student housing and housing with shared facilities and bedsits other than that to which Policy DM DH 1 applies (supported care housing for vulnerable people or people housed in secure residential institutions as part of the criminal justice system).
- 2.51. Statistics produced by the Higher Education Statistics Agency indicate that there were around 2.5million students in higher education in the UK in the academic year 2010/11, 402,500 of which were in London. A recognised higher educational establishment generally refers to those funded by the Higher Education Funding Council for England (HEFC). Wimbledon College of Art, Wimbledon is located within Merton. Additionally there are several higher education establishments located wholly or partly within adjoining boroughs which are Kingston University, Roehampton University, St George's Medical School and St Mary's University College Twickenham.
- 2.52. The provision of student housing, other housing with shared facilities and bedsits can make a contribution to creating mixed and inclusive communities. However addressing these demands should not compromise the borough's capacity to meet the need for permanent self contained homes, affordable homes and family homes.
- 2.53. The precise definition of housing with shared facilities and bedsits is complex but includes the following groups:
- A bedsit where the bathroom is shared with tenants of other bedsits.
  - A flat in a house whether bathroom facilities may or may not be shared with other tenants.
  - A room in a shared house where the bathroom and kitchen facilities are shared with the tenants of the other rooms but the tenants do not live with the other tenants as part of a 'household', for example don't cook for one another and eat together like a family would.
  - Rented rooms provided by a resident landlord.
  - Bed and breakfast hostels.
- 2.54. Merton's Strategic Housing Market Assessment (SHMA) identified that other housing with shared facilities form a significant part of the private rented stock. The Housing Strategy Statistical Appendix (HSSA) 2007 for Merton estimated that there were 5,062 houses with shared facilities in the borough. 0.55% of Merton's population live in communal residences; the London average was 1.8%.
- 2.55. In line with the London Plan, the council will resist the loss of permanent self contained homes including its loss from conversion to short-stay accommodation intended for occupation for periods of less than 90 days.
- 2.56. Student housing, other housing with shared facilities and bedsits are often associated with a concentration of relatively short-term residents. The council will assess these having regard to

any existing concentrations in the area, the impact of new occupiers on local services and facilities and the wider housing mix. Possible concerns such as noise disturbance and increased demand on local facilities and public transport, need to be carefully considered and addressed in relation to these proposals to ensure that adverse impacts on existing longer term residents are minimised. Schemes will be considered on a scheme by scheme basis having regard to census information, Merton's Annual Monitoring Report and permissions for student housing schemes in the area.

- 2.57. Student housing can positively contribute to mitigating pressure on the stock of private rented homes in Merton provided that it is genuinely aimed at higher education establishments. The council will use design mechanisms, planning conditions and / or legal agreements as appropriate to prevent lease, sale, use or occupation of the student accommodation as general market housing and to limit their term time occupation to students registered at higher education establishments that are based in Merton or the adjoining boroughs and supported by the Higher Education Funding Council for England.
- 2.58. Student housing developments will also be expected to provide adequate floorspace, usually on the ground floor of the development, that has favourable management terms for cultural or arts studios or other activities. Wimbledon School of Art is Merton's only third-level education provider, affiliated to the University of the Arts, London. The council will encourage developers to work with specialist organisations that rent and manage floorspace dedicated arts and cultural activities.

### Delivery and monitoring

- 2.59. The council will work with developers, Registered Providers and the Homes and Communities Agency to facilitate the provision of a choice of housing, including student housing, other housing with shared facilities and bedsits. Delivery will be monitored annually via the Annual Monitoring Report. The council will also work with and encourage developers to work with specialist organisations that rent and manage floorspace dedicated arts and cultural activities.

### 3. Support for infrastructure – community facilities and education

#### **DM C1 Community facilities**

***(Amendments following consultation feedback, research and national policy changes. Move reference for children’s day care facilities into policy DM.C2 below)***

##### Policy aim

To ensure the provision of sufficient, accessible, well-designed community facilities.

##### Policy

- a) Proposals for new development and improvements (including expansion) to existing community facilities, health and places of worship will be supported where all the following criteria are met:
  - i. services are co-located where possible;
  - ii. facilities are provided in accessible locations with good links to public transport;
  - iii. the size of the development proposed is in relation to its context;
  - iv. appropriate access and parking facilities are provided, relative to the nature and scale of the development;
  - v. the proposed facilities are designed to be adaptable and suitable to accommodate a range of services; and
  - vi. the use(s) do not have an undue impact on the amenities of nearby residents and businesses.
  
- b) Any redevelopment proposals resulting in a net loss of existing community facilities will need to demonstrate that:
  - i. the loss would not create, or add to, a shortfall in provision for the specific community uses; and
  - ii. that there is no viable demand for any other community uses on the site.

##### Alternative option

- 3.1. Each type of community facility could have its own policy.

##### SA/ SEA implications

- 3.2. The policy meets a number of sustainability objectives including the objectives concerned with reduction of social exclusion and improvements to the community health and well being. The policy ensures the protection and thereby resists the loss to existing community facilities. This policy approach facilitates the development of mixed and balanced communities.

### Justification

- 3.3. This policy concerns all community facilities apart from schools, day care and other educational services relating to children and young people (aged 0-18), which needs to be assessed against Policy DM C2 Education for children and young people.
- 3.4. As stated in Merton's Core Planning Strategy policy CS 11, community and social infrastructure covers a wide range of facilities from healthcare, children's play, services for the elderly and disabled, libraries and museums, public toilets and places of worship as defined in the London Plan. The council will require new development to ensure facilities are easily accessible, well connected and will resist the net loss of these facilities.
- 3.5. The design and siting of all community facilities will be expected to be in accordance with the design policies within this documents and particular regard should be had to the transport related policies.
- 3.6. The co-location of community services will improve the viability of facilities and ensure the provision of more integrated facilities that meet the needs of all sectors of the community.

### *Loss of community facilities*

- 3.7. There may be circumstances where the redevelopment of an existing viable community facility will bring about other benefits in the area. In such instances the council will seek to ensure that suitable replacement community facilities for which there is demand are included as part of the proposals, either on the site or where there is strategic need.
- 3.8. Applications proposing a loss of a community facility will have to show that full and proper marketing has been undertaken to demonstrate that community uses (D1 Use Class) are no longer viable on the site. Applicants will have to demonstrate that:
  - the site has been marketed for 30 months unless otherwise agreed with the council;
  - all opportunities to re-let the site have been fully explored;
  - the site has been marketed using new (on the internet) and traditional marketing tools available; and
  - the site has been marketed at a price which is considered reasonable (based on recent and similar deals or transactions).

### *Health*

- 3.9. Redevelopment or change of use of sites used for health facilities should not result in inadequate provision or poor accessibility to healthcare for residents. Locations for new health developments should be in accessible locations that are well served by public transport, commensurate with the numbers of trips the facility is expected to generate and the need to locate facilities throughout the borough .

### *Places of worship*

- 3.10. Within the borough there is a culturally diverse population and there is a need for those different cultures to have meeting places to practice their cultural and religious traditions. There may be a lack of suitable sites for particular needs and the council will view any applications in relation to this. However, the scale of any proposals should be appropriate to the area in which they will be

located, to limit the effect on the amenities of nearby occupiers, particularly in terms of noise and transport. The council will also consider the need to protect the existing use of the site and any buildings on it. In particular, changes of use from residential or of developments within designated industrial areas will not normally be permitted.

#### Delivery and monitoring

- 3.11. As part of work for the Annual Monitoring Report, the council will monitor planning decisions resulting in the net loss of community facilities and explore the reasons for the decisions.

## **DM C2 Education for children and young people**

***(Significant amendments following consultation feedback, research and national policy changes, particularly the inclusion of all education for children and young people in one policy)***

### Policy aim

To ensure there are sufficient school places of a suitable modern standard to meet statutory requirements while also ensuring sufficient choice of school places.

### Policy

#### Schools (≥5)

- a) Development proposals for new schools and/or improved education facilities for children (≥5) and young people will be supported, particularly where new facilities are required to provide additional school places in an area to meet an identified shortfall in supply.
- b) Proposals that result in a net of loss of state funded school places will not be supported except where appropriately located alternative capacity is available.
- c) Large development sites which will result in a substantial increased need for school places will need to incorporate provision for a new school on the proposal site.
- d) Developments that provide additional school places will also be considered against all the criteria in Policy DM C.1(a).

#### Children's Day Care Centres (0-4)

- e) Development proposals that provide additional day care and Early Years places (aged 0-4) will be supported where both criteria iv and vi in Policy DM C.1(a) are met.
- f) Proposals for day care facilities that have been established by means of the conversion of one or more houses, to be converted back into residential accommodation, will be supported upon successful demonstration that the loss would not create, or add to, a shortfall in day care provision within that area.

### Alternative option

Could be part of community facilities policy. Rejected due to the high level of need for educational facilities within the borough.

### SA/ SEA implications

- 3.12. The policy generally meets a number of sustainability objectives particular objectives that support access to education and basic needs and social inclusion.

### Justification

- 3.13. This policy should be applied to education and day care facilities catering for children and young people aged between 0 and 18.
- 3.14. The projected growth in demand for school places is set out in paragraphs 19.11 - 19.15 of Merton's Core Planning Strategy and part a. of Policy CS 11 Infrastructure states that new development will be required *"to provide for any necessary infrastructure"*.
- 3.15. The policy statement on 'Planning for Schools Development' issued by the Secretaries of State for Communities & Local Government and Education on 15 August 2011 advises local authorities that:
- There should be a presumption in favour of the development of state-funded schools, as expressed in the National Planning Policy Framework.
  - Local authorities should give full and thorough consideration to the importance of enabling the development of state-funded schools in their planning decisions.
  - Local authorities should make full use of their planning powers to support state-funded schools applications.
- 3.16. It should be noted that the Government's policy statement applies to both change-of-use and school extension applications, and that 'state-funded schools' include Academies, free schools and local authority maintained schools (community, foundation and voluntary aided and controlled schools).
- 3.17. Other education facilities such as those for adult training, need to be assessed by means of Policy DM C1 'Community facilities' and all other relevant plan policies.
- 3.18. Merton Council recognises the increasing pressure on state school places and plans for future population growth. However residential developments with a large number of units can generate a substantial increased need for state school places in one location within the borough, putting excessive and immediate pressure on state schools in that area to accommodate the increase in children and young people.
- 3.19. Where large development proposals are likely to generate a substantial increase in the need for school places, the proposals will be expected to incorporate an appropriately sited and sized area for the provision of a new school, or demonstrate why the site cannot accommodate a new school. A new small school would typically provide for 210 children and therefore proposals that are likely to result in an increased need for 63 school places (30%) or more, will be considered as having a 'substantial' increased need for school places.
- 3.20. Where it has been successfully demonstrated that the large development site cannot accommodate a new school, the developer should contribute to the purchase of an alternative site or by other means agreed with the council to mitigate the impact that the proposals will have on the demand for local school places.
- 3.21. The provision of a school on a proposal site will need to be in accordance with the statutory tests in Section 122 of the CIL Regulations 2010 (as amended).

*Children's day care facilities*

- 3.22. Children's day care facilities are required in every area. For example, early years state funded places for children aged 2-4 are frequently provided by the private, voluntary and independent sector in a range of facilities, from purpose built to the part-conversion of houses.
- 3.23. The accommodation standards of such facilities, including the external play area, are determined by other authorities. The planning system ensures that residential amenities are not adversely affected by the conversion of unsuitable houses or the over-concentration of children's day care facilities in one area.
- 3.24. There is currently a relatively even distribution of children day care facilities throughout the borough. Planning records show that there has been a recent increase in applications for the part-conversion of houses to provide children's day care facilities at ground level. It is expected that this growth is in response to the recent increase in the birth rate. Due to the lack of alternative uses that may be appropriate for such properties, it is reasonable to allow such properties to convert back to a family dwelling house on cessation of the children's day care function in part of the property, provided that the loss of the children's day care facility does not create or add to a shortfall in day care provision within that area . Data regarding the supply of children day care facilities provision per area is published in Merton Council's annual Childcare Sufficiency Assessment.

Delivery and monitoring

- 3.25. As part of work for the Annual Monitoring Report, the council will monitor planning decisions resulting in the loss of school capacity (places) and explore the reasons for the decisions.

## 4. Employment

### **DM E1: Employment areas in Merton**

#### ***(Amendments following consultation feedback, research and national policy changes)***

##### Policy aim

To ensure that there is an adequate supply of suitable sites and premises in locations that maximise opportunities and co-locational advantages for businesses minimise negative effects on other users and minimise the need to travel by car.

This policy is in accordance with national, regional and local guidance which highlight the benefits of planning for sustainable economic growth; allowing for growth in business and jobs to enable economic recovery whilst being flexible to support an economy fit for the 21st Century.

##### Policy

Proposals relating to employment sites will only be supported that:

- a) Subject to Policy DM E3, retain existing employment land and floorspace. The council will support proposals for the redevelopment of vacant and underused existing employment land and floorspace for employment use (B uses).
- b) Provide:
  - i. Small, large and major offices and businesses (B1 [a] Use Class) in town and local centres *or* in areas with good access to public transport (PTAL 4 and above) and within close proximity to additional services for employees and workers. (small, large and major floorspace defined in accordance with Policy DM.R.1 (a) (i)).
  - ii. small ( generally floorspace below 280 sqm) offices and businesses (B1 [a] Use Class) throughout the borough.
- c) Have good access to public transport, and to be easily accessible by walking and cycling where proposals are for offices and business (B1 [a] Use Class). Measures to reduce reliance on car travel such as parking restrictions, travel plans and other appropriate measures will also be required.
- d) Provide research and development (B1[b] Use Class), light industrial (B1[c] Use Class), general industrial (B2 Use Class) and storage and distribution (B8 Use Class) in the designated industrial areas; Strategic Industrial Locations and Locally Significant Industrial Sites.
- e) Are well designed. All proposals for developments should:
  - i. have layout, access, parking, landscaping and facilities that are secure and appropriate to the site and its surroundings;
  - ii. not unacceptably affect the operation of neighbouring businesses; and,
  - iii. not adversely affect traffic movement or road safety.

### SA/ SEA implications

- 4.1. This policy meets a number of sustainability objectives including objectives concerned with work and economy. The policy seeks to support growth in business and jobs to enable a diverse and robust economic base, by ensuring that sites and premises maximise opportunities for business.

### Justification

- 4.2. Merton's Core Planning Strategy Policies CS 7 (centres) and Policy CS 12 (economic development) seeks to support new and maintain and protect existing employment land to maximize employment opportunities for Merton's residents. These policies also direct new employment opportunities to the most appropriate locations. Policy DM E1 will contribute towards delivering these policies by setting out a detailed approach to the assessment of employment consideration concerning development proposals.
- 4.3. As designated on Merton's draft proposals map 2012, Merton's main employment areas are the town and local centres and designated industrial sites (both the Strategic Industrial Locations [SILs] and Locally Significant Industrial sites [LSIS]).
- 4.4. Merton's town and local centres are highly suitable for office and business uses (B1[a] Use Class) and the designated industrial sites are appropriate for research and development (B1 [b] Use Class), light industrial (B1 [c] Use Class), Manufacturing (B2 Use Class) and Storage and Distribution (B8 Use Class). These locations are considered the most appropriate and sustainable for those uses as they are:
  - highly accessible by different forms of transport;
  - allow for the expansion of business; and,
  - for similar businesses to locate together and for neighbouring uses to be compatible.

### *Businesses and offices*

- 4.5. The London Plan 2011 and Merton's Economic Development Strategy encourage the development of speculative office development in Wimbledon town centre. Merton's Economic and Employment Land Study 2010 forecast demand for offices, in particular for large and modern floorplate offices in Wimbledon town centre.
- 4.6. As Wimbledon town centre is tightly bound by residential areas, including some designated as conservation areas, the possibilities for growth in Wimbledon are for:
  - development on allocated sites;
  - re-occupation of vacant units;
  - increasing density on existing sites; and,
  - expansion of Wimbledon town centre around Wimbledon station, including over the tracks.
- 4.7. The council will work with landowners to meet market demand for high quality, well designed large floorplate offices commensurate with Wimbledon's status as a major centre and to take advantage of the internationally recognised Wimbledon 'brand'.
- 4.8. Large offices will be supported in town and local centres or in areas of good access to public transport (PTAL 4 and above). As detailed in Policy DM R2: Out-of-centre commercial

development and neighbourhood parades, to strike a balance between Merton's aspirations for economic growth whilst protecting the vitality and viability of Merton's designated town centres, proposals for new large office developments located edge-of-centre and out-of-centre, will be required to submit a sequential test and may be required to submit an impact assessment.

- 4.9. The threshold for defining small and large offices is based on findings from Merton's Economic and Employment Land Study (2010). Based on a commercially recognised person/gross floorspace ratio and the maximum number of employees in small business in Merton, a small office for Merton would be circa 200 sqm floorspace. This is in line with the definition of small offices used in Merton's UDP. However to be flexible and to allow for consistency in the development management policies between retailing and offices, for the purposes of this policy small offices are defined as being below 280 sqm floorspace.

#### *Designated industrial sites*

- 4.10. Merton and the other boroughs in south London are categorised as 'restricted transfer of industrial land' in the London Plan. This is due to the fairly high levels of demand, high occupancy and designated industrial areas across South London. Merton's Economic and Employment Land Study (2011) supports the protection of designated employment sites, for continued uses and forecasted need for small modern industrial units up to 2026.
- 4.11. The council will support proposals for research and development (B1[b] Use Class), light industrial (B1[c] Use Class), manufacturing (B2 Use Class) and storage and distribution (B8 Use Class) within the designated industrial areas.
- 4.12. Warehousing and storage or other employment activities that generate frequent vehicle movements to and from the premises (excluding retail warehousing or any type of retail activity), will be encouraged to locate within the main industrial areas that are adjacent to the Strategic Road Network and have good vehicular access to the site.
- 4.13. In designated industrial areas in Merton, higher density trip-generating developments such as offices (B1 [a] Use Class) can interfere with the operations of surrounding businesses through increased traffic congestion, parking and pedestrian movements. Planning permission will not be granted for the development of offices in the designated industrial areas unless these are ancillary to the principle use of the premises or site.
- 4.14. Proposals for new development or change of use should be compatible with the amenity of neighbouring occupiers of buildings. If proposals are likely to conflict with the successful operation of existing businesses nearby or detrimentally harm the amenities of occupants of neighbouring buildings, planning permission will not be granted. Mitigation measures through design conditions or planning obligations may be sought to improve site access or minimise disruption to neighbouring businesses where necessary.

#### *Delivery and monitoring*

- 4.15. The council will undertake research regularly to monitor the provision of offices and other types of employment made against the needs of the local economy.

## **DM E2: Offices in town and local centres**

### ***(Amendments following consultation feedback, research and national policy changes)***

#### Policy aim

To ensure that there is an adequate supply of suitable sites and premises in locations that maximise opportunities and co-locational advantages for offices and business, minimise negative effects on other users and minimise the need to travel by car.

#### Policy

In Merton's town and local centres, the council will protect offices for which there is need by:

- a) Encouraging the refurbishment/ redevelopment of existing vacant offices for office use.
- b) Only supporting proposals for the change of use on upper floors, from office floorspace to alternative uses, if it can be demonstrated that there is no demand for the office use. This can be demonstrated by full and proper marketing of the site at reasonable prices for a maximum period of 30 months (2 ½ years).
- c) Ensuring that all proposals would have no significant adverse effects on the amenities of nearby residents, road safety nor create significant car parking problems.

#### SA/ SEA implications

- 4.16. This policy meets a number of sustainability objectives including objectives concerned with employment. It helps ensure that office employment in town and local centres is protected, which will improve employment opportunities in Merton and increase the ability of town centres to attract and accommodate a range of office-based businesses employment to the borough.

#### Justification

- 4.17. Merton's Core Planning Strategy policy CS 7 (Centres) and policy CS 12 (Economic development) seeks to maximise employment opportunities in Merton by supporting the development of offices and by directing new office space towards the most appropriate locations. Policy DM E2 will contribute towards delivering these policies by setting out a detailed approach to the protection of offices for which there is demand.
- 4.18. Merton's Core Planning Strategy and Economic Development Strategy aims to increase the borough's capacity for attracting and accommodating a range of jobs in Merton, including offices, to increase employment opportunities and to provide good quality employment in Merton.
- 4.19. Merton's Economic and Employment Land Study (2010) identifies the need, supply and demand for business development up to 2026 and identifies need for offices over the plan period, particularly medium to large floorplate modern offices.
- 4.20. Although this study highlighted that there are existing office vacancies in Merton, the vacant office stock mostly consisted of larger and older office blocks within Wimbledon and Mitcham town centres and Colliers Wood. Therefore offices are protected for which there is need and the

council will encourage the redevelopment/ refurbishment of existing vacant offices to modernise the space for reoccupation.

- 4.21. Proposals for change of use from offices to other uses will be considered, where it can be demonstrated that there is no need for office uses. The applicant will need to demonstrate that:
- The site has been marketed for the time period detailed in policy unless otherwise agreed with the council;
  - All opportunities to re-let the site has been fully explored (including more flexible use of the space);
  - The site has been marketed using a variety of methods and marketing tools available that are likely to attract office occupiers; and,
  - The site has been marketed at a price which is considered reasonable (based on recent and similar deals or transactions).
- 4.22. Change of use from offices to alternative uses on the lower ground located in town and local centres should be dealt with under Policy DM R4: Protection of shopping facilities within designated shopping frontages. Also outside of town and local centres, change of use from offices to alternative uses should be in accordance with policy DM R3: Protection of Scattered Employment Sites.

#### Delivery and monitoring

- 4.23. The council will undertake research regularly to monitor the provision of offices and other types of employment made against the needs of the local economy.
- 4.24. If monitoring and research shows that the council are losing employment opportunities for which there is identified need in Merton, the council will identify measures required to improve employment opportunities in Merton.

## **DM E3: Protection of scattered employment sites**

### ***(Amendments following consultation feedback, research and national policy changes)***

#### Policy aim

To ensure that there is a diverse mix of size, type, tenure and location of employment facilities which can support a range of employment opportunities towards creating balanced mixed – use neighbourhoods in Merton.

#### Policy

- a) Proposals that result in the loss of scattered employment sites will be resisted except where:
  - i. the site is located in a predominantly residential area and it can be demonstrated that its operation has had a significant adverse effect on local residential amenity;
  - ii. the size, configuration, access arrangements and other characteristics of the site make it unsuitable and financially unviable for whole-site employment use; and,
  - iii. it has been demonstrated to the council's satisfaction that there is no realistic prospect of employment or community use on this site in the future. This may be demonstrated by full and proper marketing of the site at reasonable prices for a maximum period of 30 months (2½ years).
- b) If proposals do not meet policy requirements DM E3 (a) (iii) above, the council will seek measures to compensate against the loss of employment land. Such measures may include:
  - i. providing employment, as part as a mixed use scheme on-site; or,
  - ii. providing alternative sites for employment use (for instance, 'land swaps').

#### SA/ SEA implications

- 4.25. The policy meets a number of sustainability objectives including objectives concerned with employment. The policy seeks to ensure that scattered employment sites within the borough are protected where there is a need; by supporting a range of businesses uses employment opportunities. Furthermore, the policy goes further and seeks to ensure the reduction of distances travelled by the local community across the borough, by ensuring that any appropriate development proposal considered access to public transport. This policy approach will assist creating sustainable local communities.

#### Justification:

- 4.26. Merton's Core Planning Strategy policy CS 12 (Economic Development) seeks to support new and maintain and protect existing employment land in Merton to maximize employment opportunities for Merton's residents by supporting the development of employment uses to the most appropriate locations. Policy DM E3 will contribute towards delivering these polices by setting out a detailed approach to the protection of employment land for which there is need.
- 4.27. In accordance with Merton's Core Planning Strategy Policy CS12 Economic Development, businesses or community uses will be supported on scattered employment sites throughout

Merton. Employment on scattered employment sites contribute towards Merton's existing and growing diverse economy.

- 4.28. Employment sites outside the designated town centres and designated employment areas detailed in the draft Proposals Map 2012 are referred to as 'scattered employment sites'. For the purposes of this policy, 'employment' and business refers to premises/ land that operates within in B1 (a), B1 (b), B1(c), B2 and B8 use classes and 'community' use refers to D1 use class, under the Town and County Planning Use Classes Order (as amended). In keeping with the spirit of the Core Planning Strategy objectives and Policy CS12: Economic Development, it is intended for Policy DM E3 to protect other uses located on scattered employment sites such as leisure and entertainment (D2 Use Class) and uses within the sui generis Use Class where appropriate.
- 4.29. There is constant pressure on scattered employment sites to be redeveloped for uses that will bring high value to the developer, especially housing. Merton's Viability Studies undertaken to support policies throughout the years demonstrates that in Merton residential uses have a significant higher land value, followed by retail and other town centre type uses and then followed by other employment generating uses including industrial, warehousing and waste management. Therefore the 'hope value' that speculative developers can pay for such sites in the expectation of planning permission for housing displaces existing jobs as well as outbidding potential investors in premises for business and community uses.
- 4.30. Although a delicate balance needs to be struck between delivering new homes and business/ job growth, Merton's extensive housing evidence base suggests that Merton has identified enough capacity to meet and exceed the housing target of achieving 4,800 residential units throughout the plan period (equating to 320 residential units annually) as set by the London Plan 2011.
- 4.31. Based on Merton's characteristic, a sustainable future for the borough relies on maximising opportunities for employment and local businesses, in some cases by prioritising business and jobs over high value alternative uses. Without this approach, Merton would not be able to support a diverse local economy and promote a commercially viable, thriving mix of employment, which increase jobs and services to local people. Scattered employment sites are valuable to local communities in providing services and local jobs whilst reducing the need to travel, helping create and maintain a robust local economy and achieving sustainable, mixed use communities.
- 4.32. However, where the employment use is not compatible with a residential environment because of noise, smell or other pollutants then the council will encourage redevelopment to community or other employment uses that do not harm the amenity of residential neighbours. The appropriateness and lack of financial viability of the site for employment purposes have to be demonstrated before the loss of employment land will be permitted.
- 4.33. In these instances, full and proper marketing at reasonable prices for employment or community uses would be required for a period of at least 30 months (2 ½ years), for employment and community uses as well as evidence to show that the site is no longer appropriate to accommodate employment or community uses.
- 4.34. To demonstrate that full and proper marketing has been undertaken to demonstrate that the employment and community uses are no longer viable, the council requires the applicant to demonstrate that:
- The site has been marketed for employment and community uses for the time period detailed in policy unless otherwise agreed with the council;

- All opportunities to re-let the site has been fully explored (including more flexible use of the space);
  - The site has been marketed using a variety of methods and marketing tools available that are likely to attract business or community occupiers; and,
  - The site has been marketed at a price which is considered reasonable for employment or community uses (based on recent and similar deals or transactions).
- 4.35. If proposals do not meet the terms of this policy, the council may also seek measures to mitigate against the loss of employment or community use.
- 4.36. In circumstances where proposals for mixed use development are considered, proposals must be designed to ensure the future occupation and function of employment uses, upon completion. The premises/ sites retained for employment uses must:
- be of attractive size and character for occupation by employment and community uses and flexible to accommodate alternative uses;
  - be compatible with the character and appearance of the area;
  - be designed to accommodate the proposed use (and other uses);
  - not be harmed by way of noise, disturbance, loss of light or privacy; and
  - allow adequate safe vehicle access to and from the highway, provide adequate car parking facilities (both cycling and car parking) and there should be links to modes of transport other than private vehicle.
- 4.37. The council may require other measures to support the local economy. Such measures may include the applicant providing alternative sites for employment use and community uses for which there is need (for instance 'land swaps).

#### Delivery and monitoring

- 4.38. The council will undertake research regularly to monitor the provision of offices and other types of employment made against the needs of the local economy.
- 4.39. If monitoring and research shows that the council are losing employment opportunities for which there is identified need in Merton, the council will identify measures required to improve employment opportunities in Merton.

## **DM E4: Local employment opportunities**

### ***(Amendments following consultation feedback, research and national policy changes)***

#### Policy aim

To improve the number and range of employment opportunities for Merton's residents.

#### Policy

The council will work with developers to increase skills and employment opportunities in Merton; by requiring all major development to provide opportunities for local residents and businesses to apply for employment and other opportunities during the construction of developments and in the resultant end-use.

#### SA/ SEA implications

4.40. The policy meets a number of sustainability objectives including objectives concerned with employment and work. The policy seeks to ensure that any appropriate development proposal within the borough providing greater employment and training opportunities for the local community.

#### Justification:

- 4.41. Merton's Core Planning Strategy policy CS 12 (Economic Development) seeks to maximize employment, business and other economic development opportunities for Merton's residents. Policy DM E4 will contribute towards delivering these policies by requiring all new developments to contribute towards increasing employment opportunities in Merton.
- 4.42. Merton is a relatively affluent borough, and is 28th in the Index of Multi-Deprivation (2011). As detailed in Merton's Economic Development Strategy and the Local Economic Assessment (2010) – although taken as a whole, Merton's economy is doing well compared to neighbouring boroughs – there is significant divide between the west and east of the borough in terms of economy activity, employment, qualifications, skills & income levels, business and investment opportunities.
- 4.43. The west of the borough, particularly Wimbledon (the borough's main employment centre), is more affluent, with a higher proportion of the area's residents having higher level skills which enable them to get jobs locally, in neighbouring boroughs and in central London.
- 4.44. In contrast, the centre and east of the borough, especially Mitcham and surrounding areas, contain pockets of deprivation - characterised by:
- long-term unemployment;
  - low education and skills levels particularly among the under-24s;
  - lack of jobs and major employers; and,
  - physical decline which does not encourage private sector investment.
- 4.45. The current recession has been felt particularly in the east of the borough, although employment has dropped across most of Merton's town centres. As highlighted by recent statistics, analysis

suggests that whilst unemployment has risen in all wards across the borough, the unemployment rate has risen at a faster rate in the wards in the Mitcham area.

- 4.46. Reducing deprivation, sourcing local labour and reducing the need to travel is a fundamental part of creating sustainable communities.
- 4.47. It is required in the London Plan for strategic development to support local employment, skills and training. Strategic developments are those defined as the development of over 150 units for residential use and development over 15,000 sqm for commercial uses. However Merton is a small borough and it is highlighted in the Annual Monitoring Report's throughout the years that Merton rarely sees development of this quantum and size.
- 4.48. Therefore to increase employment opportunities for Merton's residents and for new developments to benefit the whole community, this policy proposes to require major schemes to contribute towards increasing residents' employment opportunities and skills.
- 4.49. For this policy major developments include proposals for:
- i. residential development comprising of 10 units or more / on sites of 0.5 hectares above.
  - ii. commercial developments where the floor space is 1,000 square metres or more / on 1 hectare site or more.
- 4.50. 'Other opportunities' includes applicants procuring local companies in the supply-chain and may include offering local residents apprenticeships or work experience to improve skills. Apprenticeships/ work experience opportunities would be particularly relevant for the large major developments.
- 4.51. For applicants to demonstrate to the council that they have met this policy, applicants should advertise employment and business procurement opportunities (including jobs, work experience and apprenticeships for residents):
- i. in local newspapers which are regularly delivered to homes in Merton;
  - ii. in Merton's job centre plus centres; and,
  - iii. on local job recruitment sites.
- 4.52. For larger major schemes planning conditions may be used to require the submission of a local employment strategy. This local employment strategy would detail measures to demonstrate that training and employment opportunities could be accessed by local people during the construction phase and resultant end-use of the scheme.
- 4.53. Further detail on Merton's employment needs will be contained in the forthcoming employment skills and training strategy, which is expected to be completed in the winter of 2012.

#### Delivery and monitoring

- 4.54. The council are currently working on developing an Employment Skills and Training Strategy to increase employment opportunities and the range of jobs for Merton's residents.

## 5. Natural Environment

### **DM O1: Open space**

***(Significant amendments following consultation feedback, and national policy changes, in particular the National Planning Policy Framework (March 2012))***

#### Policy aim

To protect and enhance open space and to improve access to open space.

#### Policy

- a) The council will continue to protect Metropolitan Open Land (MOL) and designated open spaces from inappropriate development in accordance with the London Plan and government guidance.
- b) In accordance with the National Planning Policy Framework 2012, existing designated open space 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 needs for which clearly outweigh the loss.
- c) Development proposals within designated open spaces will be required to 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;
  - 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 and green chains are preserved or enhanced.
- d) The council supports the creation of new open spaces as part of major development proposals where suitable and viable.
- e) Development in proximity to and likely to be conspicuous from MOL or designated open space will only be acceptable if the visual amenities of the MOL or designated open space will not be harmed by reason of siting, materials or design.

#### SA/ SEA implications

- 5.1. The policy meets a number of sustainability objectives relating to green issues particularly well, including health and wellbeing and climate change. The policy ensures that any appropriate development is concentrated on the most appropriate brownfield land therefore; protecting the open spaces and improving biodiversity within the borough this will ensure that any development proposal does not have a negative impact on the local environment. This policy approach will enhance the quality of life through the provision of open spaces, recreation areas, conservation

area and green corridors. Open spaces can also assist surface water runoff and help to mitigate flood risk to properties and people.

#### Justification

- 5.2. The protection and enhancement of green open spaces will provide spaces for passive and active leisure activities, have a positive impact on health and wellbeing, provide opportunities for social cohesion between members of Merton's diverse communities, provide safe pedestrian and cycle routes, provide areas for nature within an urban area and can provide areas for flood mitigation measures.

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

- 5.3. Wimbledon Common is protected by European legislation as a Special Area of Conservation (SAC) and national legislation as a Site of Special Scientific Interest. 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'.

#### *Metropolitan Open Land*

- 5.4. As set out in Merton's Core Planning Strategy, Policy CS13 'Open Space, Nature Conservation, Leisure and Culture', the council will continue to protect Metropolitan Open Land (MOL) from inappropriate development in accordance with the London Plan and government guidance.
- 5.5. Guidance regarding the limited instances when development within MOL might be acceptable is set out government guidance and the London Plan.
- 5.6. Development of land outside the boundaries of MOL, but in proximity to it, may damage the open character of the MOL. MOL therefore needs to be protected from development proposals which would be visually intrusive, particularly high buildings or other high structures. In paragraph 21.4 of Merton's Core Planning Strategy, Policy 13, it is also stated that "Development adjacent to open spaces must not adversely affect the amenity, quality or utility of the open space".

#### *Open spaces*

- 5.7. The open spaces relevant to this policy are designated on Merton's Policies Map 2013 (formerly known as the Proposals Map) and includes Green Corridors, Sites of Importance to Nature Conservation, Local Nature Reserves, cemeteries, allotments and other open spaces shown on the draft Policies Map 2013.
- 5.8. Core Planning Strategy policy CS 13 ensures the protection and enhancement of open space. However many designated open spaces have existing buildings within them, such as leisure facilities and changing rooms.
- 5.9. Redevelopment of these sites for a mix of uses should re-provide existing uses as part of a new scheme that complements and enhances the function of the open space (e.g. pavilions and changing rooms for playing pitches). Where redevelopment can provide for more than one use,

this can increase the occupancy of the building, creating a more secure environment and helping to minimise vandalism and crime.

- 5.10. Due to transport and access considerations, it is considered that buildings nearer to the edges of open space that have independent access may be appropriate for a greater range of uses than buildings that are accessible only by crossing the open space.
- 5.11. Proposals to redevelop these buildings should be of high quality design, and of a scale and massing that are appropriate to their setting. Redevelopment should re-provide the existing use of the building where this use is needed and is linked to the function of the open space, for example pavilions, changing rooms, and other leisure uses which are appropriate and necessary for playing pitches to function effectively. Such developments can also help to provide leisure and community uses linked to the function of the open space for which there is need where these were not provided before.
- 5.12. The visual amenity provided by designated open spaces has much public value and therefore development in proximity to and likely to be conspicuous from designated open spaces must not harm these amenities. In paragraph 21.4 of Merton's Core Planning Strategy, Policy 13, it is also stated that "Development adjacent to open spaces must not adversely affect the amenity, quality or utility of the open space".
- 5.13. Where new publically accessible open space is proposed as part of major developments, for which it is proposed that the council will take responsibility, the council will require developers to make contributions towards maintenance for the first 5 years.
- 5.14. There are numerous small pockets of landscaped undesignated open space which often form part of the road reserve. These open spaces make a positive contribution to the public realm and in some neighbourhoods such as the St. Helier Estate, are characteristic features recognised in the Borough Character Study, but these open space areas are not relevant to this policy.
- 5.15. Matters regarding nature conservation and sport and leisure are respectively addressed in paragraphs g and h of Core Planning Strategy policy CS 13.

*Improving links between open spaces and other public areas*

- 5.16. In line with Merton's Core Planning Strategy policy CS.14 (*Design*) and DM.D1: *Design considerations in all developments* iv, viii and ix, proposals for development in Merton should take the opportunity to integrate landscaping into developments, provide outdoor amenity space and conserve and enhance the natural environment.
- 5.17. It is important to protect the existing green chains and improve links between and across open spaces. Such 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.
- 5.18. A large number of open space areas in Merton are linked by rivers, brooks and small or linear open spaces, or are separated from one another by short sections of built development. This provides opportunities to exploit the informal recreation potential of the open spaces and waterways by making them more accessible to the public, in line with the principles set out in the Mayor's All London Green Grid supplementary planning guidance (March 2012).

- 5.19. Where appropriate, proposals should utilise opportunities to improve public access to the existing open spaces. Improving accessibility to open space will be delivered in tandem with Core Planning Strategy policy CS 18.

Delivery and monitoring

- 5.20. This policy will be delivered through the development management process and monitored through the local performance framework. Community Infrastructure Levy and, where appropriate, planning obligations may be used to protect and enhance open space, encourage biodiversity and support leisure and culture in the borough.
- 5.21. The council will work with the GLA and recognised agents such as the Environment Agency, Natural England and National Trust to maintain protection and encourage enhancement of our designated open spaces. This may also involve working with agencies such as CABE, Mitcham Common Conservators, and Wimbledon and Putney Commons Conservators.

## **DM O2 Trees, hedges and landscape features**

### ***(Amendments following consultation feedback, research and national policy changes)***

#### Policy aim

To protect trees, hedges and other landscape features of amenity value and to secure suitable replacements in instances where their loss is justified.

#### Policy

- a) A development proposal will be expected to retain, and where possible enhance, hedges, trees and other landscape features of amenity value.
- b) Development will only be permitted if it will not damage or destroy any tree of amenity value which is:
  - i. protected by a tree preservation order;
  - ii. within a conservation area; or,
  - iii. has significant amenity value as perceived from the public realm.
- c) However, development may be permitted when:
  - i. the removal of the tree is necessary in the interest of good arboricultural practice; or,
  - ii. the benefits of the development outweighs the tree's amenity value.
- d) In granting permission for a proposal that leads to the loss of a tree, hedge or landscape feature of amenity value, replacement planting or landscape enhancement of a similar or greater value to that which has been lost, will be secured through the use of conditions or planning obligations.
- e) Proposals for new and replacement trees, hedges and landscape features should consist of appropriate native species to the UK.

#### SA/ SEA implications

- 5.22. The policy meets a number of sustainability objectives and objectives concerned with green issues, health wellbeing and climate change. The policy ensures the sustainability objectives relating to green issues by improving biodiversity within the borough as well as ensuring development that does not have a negative impact on the local landscape features within the borough. Trees, hedges and landscape features can also help to mitigate the heat island effect and manage surface water runoff.

#### Justification

- 5.23. As set out in Merton's Core Planning Strategy, biodiversity and the natural environment can lead to various opportunities, not just for wildlife activity and connection, but also health, recreation, contributing to climate change adaptation and improving quality of life. Trees make an important contribution to the borough's townscape and the quality of life for residents. The council will use the existing planning mechanisms i.e. Tree Preservation Orders and Conservation Area

designations to protect existing trees on private land.

- 5.24. 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 5837:2005 'Trees in relation to 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'.
- 5.25. The council may require semi-mature replacement trees when, for example, the original trees had an important landscape or screening function.
- 5.26. 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.

#### Delivery and monitoring

- 5.27. This policy will be monitored in consultation with the council's arboricultural officers.

## 6. Design

### **DM D1 Design considerations in all developments**

*(Amendments following consultation feedback, research and national policy changes)*

#### Policy aim

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

#### Policy

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

#### SA/ SEA implications

- 6.1. The policy meets the majority of the sustainability objectives as it covers a variety of design considerations that would need to be accounted for in development proposal. The policy ensures that any appropriate development proposals meeting this design criterion will promote high quality design that respect the local character of areas within the borough and ensure sustainable environments for people who live, work and visit the borough.

Justification

- 6.2. Merton's Core Planning Strategy promotes a high quality and sustainable environment in Merton, where development is well designed and contributes positively to Merton's character. Core Planning Strategy policy CS14 (Design) sets out how development needs to be designed to respect, reinforce and enhance the local character to contribute to Merton's sense of place and identity. Merton's Design SPD will contain more detail on how this is to be achieved.
- 6.3. The council will encourage high quality innovative, contemporary and sustainable design. New development proposals will be welcomed that respect the character of the wider area and reinforce a "sense of place" by recognising the local distinctiveness of areas as identified in the Borough Character Study or Conservation Area Character Appraisals.
- 6.4. The council will seek a minimum garden area of 50 square metres as a single usable regular shaped amenity space for all new houses and a usable 10 square metres amenity space in the case of flats per habitable room. Further guidance will be contained in Merton's Design SPD.
- 6.5. Personal safety and security are important concerns for people in the borough. It is therefore important that the design of any development must take account of these requirements, by providing well designed public areas and routes and facilitating the natural surveillance of the public realm from adjacent buildings. Detailed guidance will be contained in Merton's Design SPD.
- 6.6. Lighting can contribute towards improving the safety and security of areas. Careful consideration is needed to ensure that places and spaces are appropriately lit and there is an appropriate balance between issues of safety and security and reducing light pollution. Lighting can extend the hours of use of outdoor sporting facilities, especially in the winter months, and can be used to advertise or exhibit particular buildings, landscapes or features. However, inappropriate and unnecessary lighting or lighting which is insensitively used can adversely affect amenity in terms of light pollution to neighbouring occupiers and to the night sky. When considering light proposals the council will seek to ensure that unacceptable levels of illumination are controlled by conditions or, where this is not possible, that unacceptable proposals are refused planning permission.
- 6.7. New developments should not cause significant adverse impacts on species, habitats and landscape. Back gardens are an important element in the borough's wildlife habitat provision and biodiversity. New developments should provide for sufficient space for new planting or existing planting to grow. They should incorporate opportunities including green roofs, roof gardens, terraces, permeable surfaces, window boxes and climbing plants.
- 6.8. In considering applications for development, good use of all intrinsic site features will be sought. Existing site characteristics prior to the commencement of development will be evaluated. The council will normally impose planning conditions requiring any landscape scheme to be implemented within a specified period following completion of the main building works.
- 6.9. In accordance with Core Planning Strategy policy CS15, applicants will need to demonstrate how new developments make effective use of resources and materials, minimises water use and CO2 emissions is required.
- 6.10. Core Planning Strategy Policy CS15 (Climate Change) requires all development to meet certain national sustainable design and construction standards (eg. Code for Sustainable Homes or BREEAM). The management of waste on construction sites can save costs and result in waste

being treated in the most sustainable manner, thereby contributing to the development's attainment of the applicable sustainable design and construction standard.

- 6.11. All applications shall be accompanied by a design and access statement (DAS) to demonstrate how the design has been arrived at. The format and content of DAS should follow the guidance set out in the CABI publication 'Design and Access Statements (2006).
- 6.12. In accordance with policy CS14, All new build accommodation must ensure that it complies with the most appropriate minimum space standards, the London Plan and its supporting guidance. These include the London Plan housing space standards set out under policy 3.5 (table 3.3); policy 4.5 hotel development requirement of 10% wheelchair accessible bedrooms and policy 7.7 student accommodation requirement of 10% wheelchair accessible units or easily adaptable for wheelchair users. Further detailed guidance will also be contained in Merton's design SPD with area specific guidance set out in the accompanying borough character study.
- 6.13. A number of key documents have been published that provide guidance on design considerations in all developments. These go into more detail than the council's policies can and should therefore be referred to aid the design of proposed new development. The council will have regard to such documents when considering planning applications. These documents include The GLA London Housing Design Guide August 2010; The Mayor's Housing Supplementary Planning Guidance November 2012; By Design: Urban Design in the Planning System – Towards Better Practice; DETR & CABI; May 2000; Urban Design Compendium I; English Partnerships, The Housing Corporation (HCA) & Llewellyn Davies; August 2000; Urban Design Compendium II – Delivering Quality Places; English Partnerships, The Housing Corporation (HCA) & Roger Evans & Associates; September 2007; Car Parking: What Works Where; English Partnerships; March 2006; Manual for Streets; DCLG & DfT; March 2007; Manual for Streets 2, Wider Application of the Principles, CIHT, September 2010, Safer Places – The Planning System and Crime Prevention and OPDM (DCLG) & Home Office; February 2004; Secured by Design Guidance.

#### Delivery and monitoring

- 6.14. The council will produce supporting documents to assist with the implementation of policy DM D1 including a design SPD which will provide additional guidance on design matters and considerations and the borough character study which will include more locally specific guidance. The council will also have regard to best practice on urban design as detailed in paragraph 6.13 above, including Secured by Design Guidance, "By Design – Urban Design in the Planning System: towards best practice (DETR, 2000), By Design, Manual for Streets, Urban Design Compendium and English Heritage and CABI guidance. Policy DM1 will be monitored via the Annual Monitoring Report.

## **DM D2 Alterations and extensions to existing buildings**

*(Amendments following consultation feedback, research and national policy changes)*

### Policy aim

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

### Policy

- a) Alterations or extensions to buildings will be expected to meet the following criteria:
  - i. Respect and complement the design and detailing of the original building;
  - ii. Respect the form, scale, bulk, proportions and materials of the original building;
  - iii. Use external materials that will be appropriate to the original building and to its surroundings;
  - iv. Respect space between buildings where it contributes to the character of the area;
  - v. Complement the character and appearance of the wider setting;
  - vi. Ensure that noise, vibrations or visual disturbance resulting from the development do not diminish the living conditions of existing and future residents;
  - vii. Where the proposal incorporates a new or altered roof profile, ensure that materials are sympathetic to the existing building and the surrounding area;
  - viii. Ensure proposals for dormer windows are of a size and design that respect the character and proportions of the original building and surrounding context, do not dominate the existing roof profile and are sited away from prominent roof pitches, unless they are a specific feature of the area;
  - ix. Ensure that roof forms and materials are of an appropriate size, type, form and materials for the existing building, such that they are not unduly dominant, and respect the prevailing positive characteristics of the area.

### SA/ SEA implications

- 6.15. The policy meets a number of sustainably objectives including those promoting good design and historic environments. The policy ensures that any appropriate development proposals achieve high quality design. The policy also ensures that any alteration and extension to existing buildings contribute positively to the character and quality of an area within the borough.

### Justification

- 6.16. Merton's Core Planning Strategy policy CS 14 (Design) sets out how development needs to be designed to respect, reinforce and enhance the local character to contribute to Merton's sense of place and identity and policy DM D2 provides further detailed direction regarding this.
- 6.17. Well designed buildings make an important contribution to the character and quality of an area. Whilst the council would not wish to remove or reduce the freedom of architectural expression, some basic guidelines are considered necessary for the public and developer alike in order to protect the established character and distinctiveness of the Borough or enhance this wherever possible. The council's proposed Design SPD and accompanying Borough Character Study will provide further detailed guidance on this subject.

- 6.18. New development proposals should be based on an assessment of character and recognise the local distinctiveness of areas and emphasise a positive local sense of place. All applications shall be accompanied by a Design and Access Statement (DAS) to demonstrate how the design has been arrived at. The format and content of DAS should follow the guidance set out in the CABI publication 'Design and Access Statements (2006).

Delivery and monitoring

- 6.19. The council will produce supporting documents to assist with the implementation of Policy DM D2 including a Design SPD and Borough Character Study which will provide additional guidance on design matters and considerations.

## **DM D3 Managing heritage assets**

*(Amendments following consultation feedback, research and national policy changes)*

### Policy aim

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

### Policy

- a) Development proposals affecting a heritage asset or its setting will be required to be in accordance with the following criteria:
  - i. Principles set out in PPS5 (or the National Planning Framework) and the detailed guidance set out in the accompanying Historic Environment Planning Practice Guide, the London Plan, and further English Heritage Guidance;
  - ii. Merton's published conservation area character appraisals and management plans and the guidance statements set out in the Borough Character Study.
- b) All development proposals associated with the borough's heritage assets or their setting will be expected to demonstrate, within a Heritage Statement, how the proposal conserves and where appropriate enhances the significance of the asset in terms of its individual architectural or historic interest and its setting.
- c) Proposals that will lead to substantial harm to the significance of or the total loss of heritage assets, will only be granted in exceptional circumstances where substantial public benefits outweigh the harm or loss in accordance with the National Planning Policy Framework or that all of the following apply:
  - i. the nature of the heritage asset prevents all reasonable uses of the site; and,
  - ii. no viable use of the heritage asset itself can be found that will enable its conservation; and,
  - iii. conservation by grant funding or some form of charitable or public ownership is not possible; and,
  - iv. the harm or loss is substantially outweighed by the benefit of bringing the site back into use.
- d) The loss of a building that makes a positive contribution to a conservation area or heritage site, should also be treated as substantial harm to a heritage asset.
- e) Outline applications will not be acceptable for developments that include heritage assets.
- f) Proposals affecting a heritage asset or its setting should conserve and enhance the significance of the asset as well as its surroundings and have regard to the following;
  - i. The conservation, or reinstatement if lost, of features that contribute to the asset or its setting. This may include original chimneys, windows and doors, boundary treatments and garden layouts, roof coverings or shop fronts. In listed buildings, internal features such as fireplaces, panelling, ceilings, doors and architraves as well as the proportion of individual rooms may also be of significance.

- ii. The removal of harmful alterations such as inappropriate additions, non original style windows and doors and the removal of paint or pebbledash from brickwork.
- iii. Where there is evidence of deliberate neglect or damage to a heritage asset, the current condition of the heritage asset will not be taken into account in any decision.

#### SA/ SEA implications

- 6.20. The policy meets a number of sustainability objectives including objectives concerned with biodiversity and open space. The policy encourages the preservation and enhancement of Merton's heritage assets. This policy approach will create a sense of place, encourage belonging and pride in the borough for the wider community.

#### Justification

- 6.21. Merton's Core Planning Strategy policy CS14 (Design) aims to conserve and enhance Merton's heritage assets and wider historic environment. Policy DM D3 contributes towards the delivery of policy CS14 by setting out detailed requirements that development proposals affecting a heritage asset will need to accord with.
- 6.22. Merton has a rich and varied heritage ranging from designated heritage assets of national importance such as the remains of Merton Priory founded in 1117 (a scheduled ancient monument) to the suburban heritage of the 1930's. The council has a duty to consider the significance of all these areas that are positively identified as having heritage significance when carrying out its statutory functions and through the planning system. Conservation and enhancement of heritage assets, and where appropriate, associated new development, can contribute towards reinforcing local distinctiveness and character in the borough.
- 6.23. Heritage assets are the valued components of the historic environment. They are defined as any building, site, place, area or landscape, positively identified as having a degree of significance meriting consideration in planning decisions. The term embraces all manner of features, whether standing, buried or submerged, whether designated or not and whether or not capable of designation.
- 6.24. The identification of a heritage asset could be through a range of means including; formal designation such as conservation area or listed building status and undesigned heritage assets identified within the borough character study or during the development control process itself.
- 6.25. Heritage assets covered by this policy include:
- Listed buildings (designated HA)
  - Locally listed buildings (undesigned HA)
  - Buildings in conservation areas (designated HA)
  - Historic parks and gardens (designated HA)
  - Local Historic Parks and Gardens (undesigned HA)
  - Scheduled ancient monuments (designated HA)
  - Archaeological Priority Zones (designated HA)
  - Any other building, monument, site, area, streetscape or landscape
  - that is positively identified as having a degree of significance

- 6.26. Heritage statements will be required to set out how proposals conserve, enhance or restore heritage assets and where appropriate, conservation management plans should be prepared for the future maintenance and management of the asset. Special attention should be paid to the conservation or reinstatement of individual details of the asset that contribute towards its particular character, for example; chimneys, windows, doors, roof covering, boundary treatments and the individual elements of shop fronts. The loss or alteration of individual features can cause substantial harm to the significance of heritage assets.
- 6.27. The level of detail provided in the heritage statement should be proportionate to the asset's importance in terms of the significance of the asset affected and the impact of the proposal. Where the proposal has a substantial impact on the significance of a heritage asset, it should be carried out by a specialist historic environment consultant.
- 6.28. Where the Heritage Statement identifies the potential of archaeological remains within an Archaeological Priority Zone, an Archaeological Evaluation Report (and where necessary a field evaluation) will also be required in accordance with the requirements set out in the Archaeology SPG.
- 6.29. All development proposals affecting heritage assets or their setting will need to be in accordance with the detailed guidance set out in the Historic Environment Planning Practice Guide that accompanies PPS:5 Planning for the Historic Environment. The guidance covers issues such as recording of information relating to heritage assets, guidance on repairs and restoration, change of use and improving energy performance etc.
- 6.30. Once harmed or lost, heritage assets cannot be replaced. The council maintains, with English Heritage, a list of Heritage at Risk and will work with owners and organisations able to offer grant funding, to ensure the sustainable conservation of these important heritage assets.
- 6.31. The council makes available on its website details of the borough's heritage assets including conservation areas (design guidance, appraisals and management plans) as well as details of listed and locally listed buildings, Registered Parks and Gardens and Scheduled Ancient Monuments.

#### Delivery and monitoring

- 6.32. The council will work with strategic partners such as English Heritage, The National Trust, The Heritage and Design Working Group and local amenity societies and organisations to conserve and enhance Merton's historic environment. This may include identifying additional areas or buildings of heritage significance within the borough. The council's Design Review Panel and the Design Champion will advise on development proposals. The council will also undertake further Conservation Area Appraisal and Management Plans, and identify additional buildings for local and statutory listing as appropriate.
- 6.33. The Borough Character Study identifies areas where the conservation and enhancement of heritage assets can contribute towards enhancing local distinctiveness and character.

## **DM D4 Urban design and the public realm**

*(Amendments following consultation feedback, research and national policy changes)*

### Policy aim

To ensure high quality design of buildings and places in the borough.

### Policy

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

- a) The creation of urban layouts based on a permeable and easily navigable network of recognisable streets and spaces that link in seamlessly with surrounding development and facilitate walking, cycling and use of public transport. (Permeability)
- b) The creation of urban environments which are easy to understand and navigate through, by provision of legible routes, spaces and landmarks and clearly defined buildings and spaces. (Legibility)
- c) The creation of buildings and spaces which are economically and socially sustainable, by offering variety and choice, and by being able to adapt to changing social, technological and economic conditions without the need for future remedial intervention. (Robustness)
- d) The maintenance and enhancement of identified important local views, panoramas and prospects and their settings and where appropriate, create new views.
- e) New development should provide and reinforce a clearly identifiable network of public streets and spaces that constitute the public realm, based on the creation of 'defensible space', and a clear distinction and appropriate gradation between public and private space.
- f) Proposals for changes to and enhancement of the highway shall be designed according to best practice and, depending on their scale and impact, may be subject to a design review process. Proposals should include tree planting where possible and appropriate.
- g) Development in town centres and other retail and mixed use areas must provide a mix of compatible uses appropriate to their location that together create high quality neighbourhoods, respect local character (see Borough Character Study) and promote vitality and vibrancy across the borough whilst supporting regeneration initiatives. Proposals must also interact positively with the public realm by the creation of active and attractive frontages that promote natural surveillance and not create dead frontage through lack of windows or provision of advertising.
- h) Proposals for the conversion of front gardens for vehicle parking should not be detrimental to the character of the street or highway safety or undermine biodiversity, prevent sustainable drainage or reduce highway safety. Opportunities for enhancing biodiversity in all amenity space should be taken where appropriate, to strengthen the green infrastructure of the borough (further guidelines on this are included in Merton's Design SPD. Also Policy DMT3 refers to parking bay dimensions).
- i) As part of larger developments and enhancements, the council will seek to achieve innovative and interesting provision of public art in the public realm.

### SA/ SEA implications

- 6.34. The policy meets the majority of the sustainability objectives as it covers a variety of design considerations for development proposals. The policy encourages that any appropriate

development proposals meeting Merton's design criterion. This policy approach will promote high quality design that respects the borough character and ensures sustainable environments for people who live, work and visit the borough.

#### Justification

- 6.35. Merton's Core Planning Strategy policy CS 14 (Design) sets out how development needs to be designed to respect, reinforce and enhance the local character to contribute to Merton's sense of place and identity and policy DM D4 sets out further detailed direction regarding the achievement of good urban design and the public realm.
- 6.36. Building places based on sound and established principles of good urban design is a fundamental element of successful place-making. It is a holistic approach to the physical arrangement of our environment. It encompasses issues of layout, land use, security, economic development, regeneration, community and social life and the general appearance and attractiveness of places. It is also key to achieving the sustainability of our environments by building places that have inherent longevity and an ability to adapt to changing circumstances inexpensively.
- 6.37. The council will be seeking high quality public realm irrespective of the existing state. The existence of poor public realm should be no justification for average or mediocre proposals for yjr public realm. The National Planning Policy Framework states that it is important to plan positively for the achievement of high quality and inclusive design for all development including individual buildings, public and private spaces and wider area development schemes. Developments are expected to ensure the establishment of a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit.
- 6.38. All developments irrespective of size should be able to deliver public realm improvements. Public realm improvements cannot be used to justify inappropriately large or dense proposals that do not accord with other development plan policies. Successful public realm is not solely dependent on having a mix of uses. Rather, having appropriate uses in appropriate locations will be the basis of a successful public realm. This may not necessarily require mixed use.
- 6.39. Well designed places feel safe because they have built-in natural surveillance through the design of buildings and spaces, as well as having complementary mixes of uses and activities. Places that work well and look good also help engender a sense of belonging and local pride, which in itself encourages community participation and helps keep a place safe. Excessive and overt manifestations of security features often have the opposite effect.
- 6.40. An example of this is gated development which may address security concerns, however they restrict public access and therefore choice. This is considered divisive as it reduces social, visual and physical permeability and actively works against engendering community and social cohesion. It is therefore likely that most types of gated developments will be contrary to this policy, particularly parts (a) (b) and (e) and are therefore discouraged by the council. The Council's proposed Design SPD will contain further guidance on this matter.
- 6.41. A vital part of how we perceive our environment comes from the design, layout and appearance of our streets and spaces – the public realm. New, larger developments create new streets and spaces. Smaller, individual developments affect the appearance and perception of the existing public realm. Careful urban design consideration needs to be given to the impacts on the public realm by all development, from small scale safety and parking schemes to major town centre enhancement projects.

- 6.42. The council will seek to improve the quality of street furniture, lighting, landscape treatments, surfacing materials and signage in the borough either as part of the development of sites or through environmental improvement schemes.
- 6.43. A number of key documents have been published that provide guidance on good urban design, for buildings, places and the public realm. These go into more detail than the council's policies can and should therefore be referred to aid the design of proposed new development. The council will have regard to such documents when considering planning applications. These documents include The GLA London Housing Design Guide August 2010; The Mayor's Housing Supplementary Planning Guidance November 2012; By Design: Urban Design in the Planning System – Towards Better Practice; DETR & CABI; May 2000; Urban Design Compendium I; English Partnerships, The Housing Corporation (HCA) & Llewellyn Davies; August 2000; Urban Design Compendium II – Delivering Quality Places; English Partnerships, The Housing Corporation (HCA) & Roger Evans & Associates; September 2007; Car Parking: What Works Where; English Partnerships; March 2006; Manual for Streets; DCLG & DfT; March 2007; Manual for Streets 2, Wider Application of the Principles and CIHT, September 2010, Safer Places – The Planning System and Crime Prevention.
- 6.44. All applications shall be accompanied by a design and access statement (DAS) to demonstrate how the design has been arrived at. The format and content of DAS should follow the guidance set out in the CABI publication 'Design and Access Statements (2006)'.

#### Delivery and monitoring

- 6.45. The council will require design and access statements to support applications. The council will produce supporting documents to assist with the implementation of policy DM D4 including Merton's design SPD which will provide additional detailed guidance concerning urban design and public realm.

## **DM D5 Advertisements**

*(Amendments following consultation feedback, research and national policy changes)*

### Policy aim

The aim of this policy is to ensure:

- High quality design and protection of amenities within the borough.
- That the quality, character and amenity of the borough is not diluted or undermined by inappropriate or excessive advertising on buildings, in the street or on shop-fronts.
- That expenditure of scarce public resources on public realm enhancement schemes and regeneration initiatives achieves the desired results and is not diluted or undermined by inappropriate proliferation of advertisements.

### Policy

Express consent will only be granted for advertisements where they do not harm the character of an area, amenity or public safety in accordance with government guidance and Merton's proposed Design SPD. When assessing proposals for new advertisements, cumulative impacts will be taken into account

### SA/ SEA implications

- 6.46. The policy meets the sustainability objectives concerned with social inclusion. The two policies ensure that any appropriate development proposals would not result in a negative impact to the local environment or public safety.

### Justification

- 6.47. Merton's Core Planning Strategy policy CS 14 (Design) sets out how development needs to be designed to respect, reinforce and enhance the local character to contribute to Merton's sense of place and identity.
- 6.48. Advertisements are a regular feature of our urban environment and, when well designed and located sensitively, can play a positive role in creating a vibrant and interesting place. However it is important that advertising material (including advertisements that may be considered individually acceptable) does not proliferate to an extent to spoil the appearance of individual buildings, the street or the wider public realm. The council will be vigilant in using its powers to prevent such an excess. When assessing the impact of an advertisement proposal, the cumulative impacts of advertisements on the streetscape and public realm will be taken into account.
- 6.49. Advertisements should not represent a safety or security hazard to pedestrians or motorists by impeding views, unduly distracting attention, creating opportunities for concealment or otherwise undermining perceptions of safety.
- 6.50. The erection of advertisements can block views and vistas along streets – important for orientation and understanding the public realm - or deflect attention inappropriately from the general townscape or important local landmarks, local established views and historic buildings and areas. Potential losses of views will be taken into consideration when determining applications. Inappropriately designed, sized or sited, advertisements can detract from the visual

appearance of individual buildings and the wider townscape. This can be the case in any part of the borough, but particularly sensitive are Conservation Areas, Metropolitan Open Land or the vicinity of Listed Buildings. The council will use its Discontinuance Notice Powers to remove advertisements that adversely affect the local amenity and environment.

#### Delivery and monitoring

- 6.51. The council will produce supporting design guidance on advertisements in Merton's proposed Design SPD to assist in the implementation of Policy DM D5.

## **DM D6 Telecommunications**

*(Amendments following consultation feedback, research and national policy changes)*

### Policy aim

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

### Policy

Proposals for telecommunications apparatus will be considered in accordance with International Commission guidelines, relevant Government guidance, Merton's Design SPD and the Borough Character Study.

### SA/ SEA implications

- 6.52. The policy meets the sustainability objectives concerned with social inclusion. The two policies ensure that any appropriate development proposals would not result in a negative impact to the local environment or public safety.

### Justification

- 6.53. Merton's Core Planning Strategy policy CS 14 (Design) sets out how development needs to be designed to respect, reinforce and enhance the local character to contribute to Merton's sense of place and identity and policy DM D6 seeks to contribute to achieving this aim by ensuring proposals for telecommunications apparatus do not result in negative impacts.
- 6.54. The council recognises the benefits of an up-to-date telecommunications industry and the needs of telecommunications companies in maintaining this. This needs to be balanced with minimising the environmental impact and ensuring a high quality urban environment.
- 6.55. The council is therefore keen to minimise the adverse impacts on visual and environmental amenity and public safety of proposals for telecommunications, particularly in residential areas, on sensitive skylines and in other sensitive locations. Telecommunications apparatus should be sited unobtrusively and the council will have regard to policy DM D1 in assessment of development proposals for this apparatus.

### Delivery and monitoring

- 6.56. Policy DM D6 will be monitored via the Annual Monitor Report, including the number of appeal decisions citing this policy.

## **DM D7 Shop front design, alterations and advertising**

*(Amendments following consultation feedback, research and national policy changes)*

### Policy aim

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

### Policy

a) Proposals for new shop fronts or alteration to existing shop fronts should relate to the scale and character of the building and enhance the street scene. Proposals for alteration or removal of existing shop fronts shall:

- i. Secure the retention and restoration of quality shop fronts where this will contribute to the established character of their shopping centre or parade;
- ii. Require original features and details to be preserved where they are of historic value or contribute to the character or appearance of the street scene;
- iii. Resist the introduction of solid external security shutters;
- iv. Resist the removal of existing separate access to accommodation above;
- v. Where practical, secure the restoration of separate accesses to upper floors where these have been removed;
- vi. Provide for satisfactory access for people with disability, special sensory and mobility needs.

b) Proposals for shop fascias, will be expected to enhance the street scene. The design and means of illumination of advertisements and signage on shop premises should:

- i. Relate to the appearance, scale and character of the shop front and its associated features;
- ii. Relate to the shopping parade within which it is located;
- iii. not harm local amenity by means of light pollution or visual intrusion or place public safety at risk

### SA/ SEA implications

6.57. The policy meets the majority of the sustainability objectives and covers a variety of design considerations concerning development proposals. The policy encourages high quality design that protects local amenities.

### Justification

6.58. Shop front alterations have an impact on individual building or local character. The council wishes to make particular effort to improve standards of shop fronts and the character of the street that they form a part of. In order to assess the relationship of the shop front of the building the council will require the submission of the elevation of the whole building frontage. Further detailed guidance on shop fronts will be contained in Merton's Design SPD and where appropriate the Borough Character Study will include more locally specific guidance. Please also refer to Policy DM D5 (Advertisements).

6.59. A new shop front should complement the style existing on the street. It should reflect the dimensions of the original unit.

- 6.60. Security is particularly important when shops are closed, either at weekends or in the evenings after normal opening hours, particularly in the hours of darkness. The use of solid steel security shutters to deter crimes is usually unsightly and detracts from the appearance of individual shops and the surrounding area. They can also attract graffiti, look forbidding and discourage people from walking through a shopping area after normal trading hours. Window-shopping, as a result, is no longer possible and loss of light from illuminated shop window displays can reduce natural surveillance. They can also prevent Police and passers-by from seeing thefts taking place within shops and delay the detection of fires. The council will not grant planning permission to applications proposing solid and opaque external shutters unless their need can be demonstrated.

#### Delivery and monitoring

- 6.61. The council will produce supporting documents to assist in the implementation of Policy DM D7 including a Design SPD which will provide additional guidance on shop front design matters and considerations and where appropriate the Borough Characterisation Study will include more locally specific guidance.

## 7. Environmental protection

### **DM EP1: Opportunities for decentralised energy networks** ***(Amendments following consultation feedback, research and national policy changes)***

#### Policy aim

The identification of areas of opportunity for establishing new decentralised energy networks within the borough. To prioritise connection to planned decentralised energy networks.

#### Policy

The council has identified areas of the greatest opportunity for decentralised energy networks (see

**Figure 7.1).** Within these areas the provision of decentralised energy network infrastructure should be pursued as a higher priority than renewable energy solutions to reduce carbon emissions or a feasibility study should be provided to demonstrate why this is not possible.

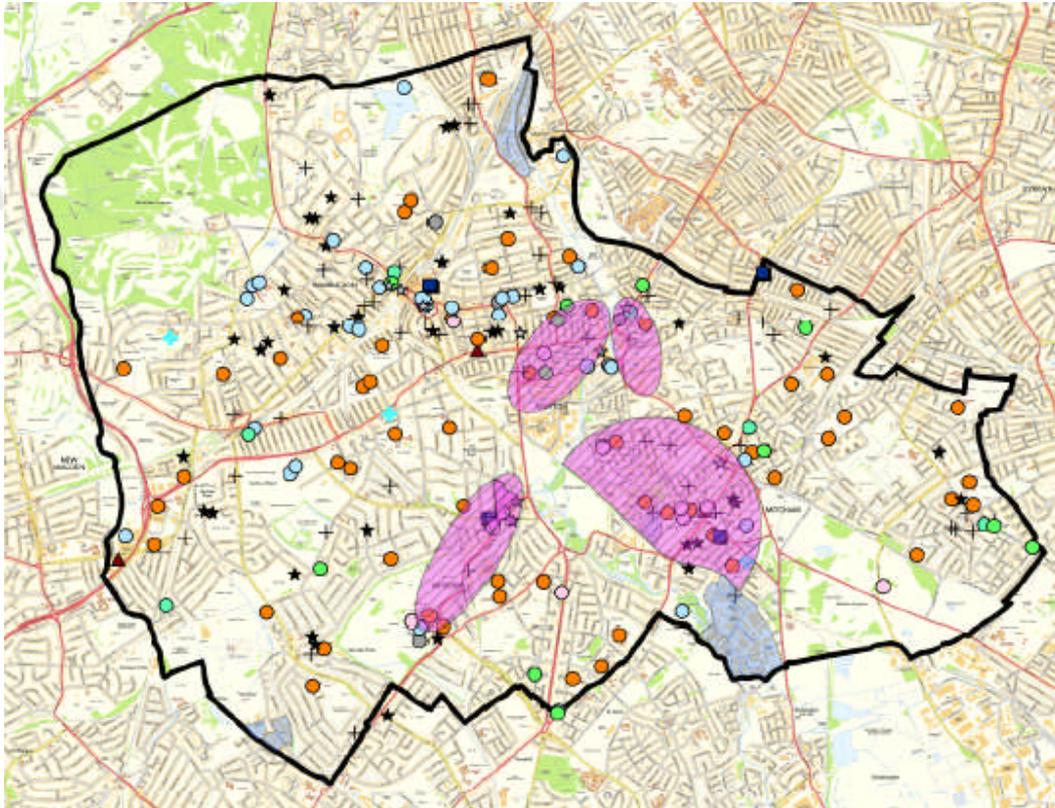
During the 10-year lifetime of this plan, the council will identify further areas of opportunity for the development of decentralised energy networks to which this policy will apply.

#### SA/ SEA implications

- 7.1. The policy meets a number of sustainable objectives with many positive impacts in relation to energy consumption and reduction of green house gas emissions. There are also potential associated benefits in terms of fuel security and fuel poverty; by ensuring that the requirement for renewable energy and decentralised energy will contribute to meeting the UK's reduction in carbon emission targets and renewable energy targets.

**Figure 7.1 - Merton Heat Map (Areas identified for decentralised energy networks are shown hatched)**

Justification



7.2. To achieve national CO2 reduction targets, the London Plan outlines a number of policies intended to help deliver emissions reductions through the planning system. The London Plan energy hierarchy (Policy 5.2) states that “developments should seek to make the fullest contribution to minimising CO2 emissions in accordance with the following energy hierarchy:

- Be lean – use less energy.
- Be clean – supply energy efficiently.
- Be green – use renewable energy.

7.3. The London Plan also contains targets for the level of energy that is expected to be delivered by decentralised energy networks, setting a strategic target for 25% of heat and power within the capital to be generated through the use of localised decentralised energy systems by 2025.

7.4. London Plan Policy 5.5 on decentralised energy networks also highlights the need for local authorities to consider decentralised energy through the development of their LDF policies to:

- Identify opportunities of establishing new networks.
- Develop energy master plans for specific decentralised energy opportunities which:
  - Identify major heat loads;
  - Major heat supply plants;
  - Implementation options for delivering feasible projects, considering issues of procurement, funding and risk and the role of the public sector.
- Require developers to priorities connection to planned decentralised energy networks where feasible.

- 7.5. The Core Planning Strategy encourages all major developments to be 'Multi Utility Service Company' (MUSCo) in Policy CS 15(d).
- 7.6. Any development occurring within the identified decentralised energy opportunity areas that do not make any contribution towards provision for or the consideration of the reduction of emissions through the efficient supply of energy would be deemed to be failing to make effective use of resources and materials and CO2 emissions in line with the requirements of Merton's Core Planning Strategy Policy CS 15(a) and would not comply with the London Plan energy hierarchy.
- 7.7. Developments in these decentralised energy network opportunity areas will be expected to:
- Include decentralised energy when examining the feasibility of different energy strategies for developments;
  - Include the carbon savings that will arise from the use of decentralised energy networks in their sustainability appraisal, if they make adequate provision for connection to a planned network, even if the network is not yet operational.
- 7.8. Developments in decentralised energy network opportunity areas will be expected to connect to, or be ready to a decentralised energy network.
- 7.9. During the course of the 10-year plan period, the council will continue to work with partners (including the Mayor of London) to identify more areas of opportunity for establishing new decentralised energy networks. Further opportunities could arise from areas with major developments, new anchor loads and other factors not foreseen in 2013. This policy will be applied to these new opportunity areas.

#### Delivery and monitoring

- 7.10. The council will work with developers and energy consumers to foster the development of decentralised energy networks, and establish energy master plans or decentralised energy feasibility studies for areas of regeneration.

## **DM EP2: Reducing and mitigating against noise**

### ***(Amendments following consultation feedback, research and national policy changes)***

#### Policy aim

To ensure that development is sustainable and managed to minimise its impact on the local environment and residential amenity.

#### Policy

Development which would have a significant effect on existing or future occupiers or the local amenity due to noise or vibration will not be permitted unless the potential noise problems can be overcome by suitable mitigation measures.

Development proposals will be expected to meet the following criteria:

- i. Noise-generating developments should be appropriately located so as to minimise its impacts on noise sensitive land uses; and,
- ii. Noise-sensitive developments should be located away from noise priority locations and noise generating land uses; and,
- iii. Where relevant, the council will require the submission of a Noise Impact Assessment; and,
- iv. That where applicable suitable mitigation measures will be sought by planning obligation or condition.

#### SA/SEA Implications

- 7.11. The policy generally has a positive outcome in meeting the broad principles of all of the sustainability objectives and in particular climate change and has a positive impact on the health and well being. This policy ensures that noise and vibration is controlled and managed by minimising impacts to the environment and people.

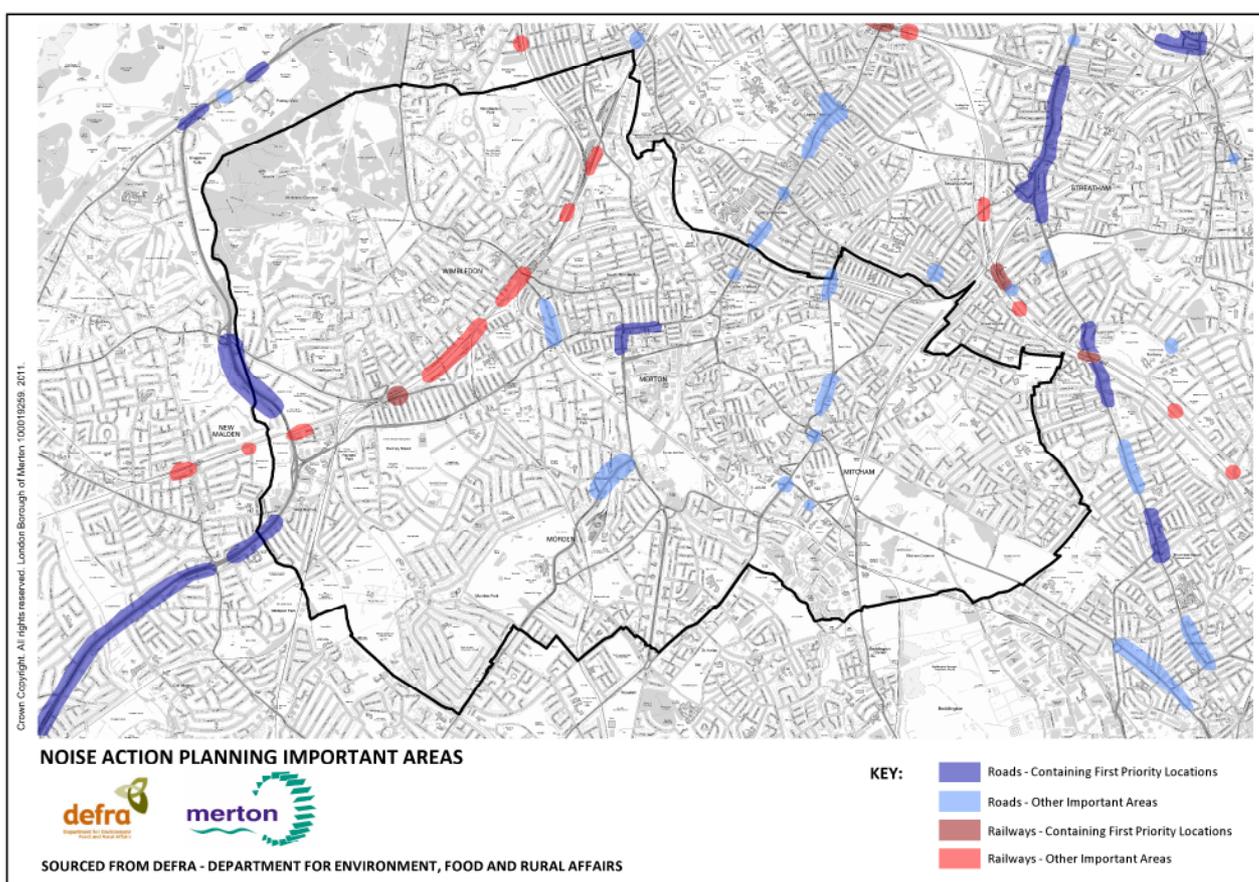
#### Justification

- 7.12. Noise can have a considerable impact on people's health, enjoyment of public places and the environment. It is therefore important that new development reduces this exposure. In locations where noise is most likely to have a significant impact, developers will need to demonstrate that the development has been designed to reduce its impacts, including surrounding transport noise. Examples of treatments include ensuring that sensitive rooms are on the quietest façade, installing noise barriers and designing streets to encourage slower/smooth driving. This will be achieved by obligation or condition.
- 7.13. The Department for Environment Food and Rural Affairs (Defra) has produced a strategic noise map (see Figure 7.2) for major airports, roads and railways in London and the council will have regard to this information in the assessment of development proposals, in addition to regional

and national policy guidance, such as the Noise Action Plan for London and the Mayor of London’s Ambient Noise Strategy. This mapping helps to identify areas where noise needs to be managed most (based on average noise level, outdoors, on an average day in an average year). Priority areas identified include alongside the A3 Kingston Bypass, Plough Lane/Haydons Road junction, Cricket Green and South Wimbledon Junction.

- 7.14. It is also necessary to separate sources of noise from noise-sensitive developments and control noise at source where possible. Examples of noise-sensitive land uses are hospitals, housing and schools. Developments that are close to noise sensitive areas will be expected to minimise the effects of noise during construction and operation of the development.

**Figure 7.2 - Noise action planning important areas**



### Delivery and monitoring

- 7.15. The reduction of noise pollution from new developments can be delivered and monitored through the use of sustainable design and construction standard credits relating to the reduction of noise pollution.
- 7.16. The on-site mitigation of noise pollution through design and building fabric improvements can also be delivered and monitored through the use of sustainable design and construction standards. For more information please see the councils Supplementary Planning Document: Sustainable design and construction.

- 7.17. The effects of traffic can have a significant impact on the quality of the public realm in terms of noise. Where it is not possible to satisfy or mitigate against noise pollution on-site the delivery of remedial measures to the highway, obligations and contributions will be co-ordinated with Merton's Sustainable Transport Strategy and Local Implementation Plan (LIP 2) and other council funding streams and through the council's monitoring, road maintenance and delivery management structures.
- 7.18. The council will work with transport stakeholders, providers and developers to identify physical, operational and capacity constraints within the public transport network to deliver proposals identified through the Transport Assessments.

## **DM.EP3 Allowable solutions**

***(Amendments following consultation feedback, research and national policy changes. Please note that policy EP4: Allowable Solutions in the Stage 2A consultation (June-July 2012) is now titled as EP3 in this document).***

### Policy aim

To promote sustainable development and ensure carbon savings have an associated community benefit by establishing a transparent professional body to guide Merton's Allowable Solutions projects within the borough.

### Policy

- (a) Planning applications that propose using Allowable Solutions within the borough may be reviewed by the Allowable Solutions Working Group to ensure that the proposals are the most effective method of saving carbon and benefiting the local community. The views of the Allowable Solution Working Group would then become a material planning consideration.
- (b) Merton Council will establish the Merton Community Energy Fund to administer local projects funded via Allowable Solutions.

### SA / SEA implications

- 7.19. The policy meets a number of sustainability objectives including environmental and social objectives. The policy encourages sustainable development and ensures any carbon savings can benefit local communities. This policy approach could help address social and economic inequalities, for example fuel poverty.

### Justification

- 7.20. Government is in the process of establishing the Allowable Solutions Framework to help minimise the impact of emissions from new development. Starting in 2016, the Framework is a flexible route to allow development proposals to meet Part L of the Building Regulations (conservation of fuel and power) by investing in carbon-saving measures on-site or off site.
- 7.21. From 2016, new developments will be required to reduce 100% of regulated emissions (for example, electricity/gas used in heating, cooking and lighting, an essential part of every home). There will be three ways in which developments can reduce emissions:
- i. By installing additional measures to address unregulated emissions within the proposed development.
  - ii. By investing in carbon saving projects elsewhere within the local authority area in which the development is proposed (for example, loft insulation in a school).
  - iii. By investing in carbon saving projects nationally (for example, an off-shore wind farm).
- 7.22. Local authorities have been encouraged to have policies in place to administer and deliver allowable solutions locally. Those without adequate policies in place risk losing out on the ability to direct allowable solutions investment towards achieving local strategic objectives.

- 7.23. Merton’s Core Planning Strategy objectives include the desire to develop a low carbon economy and to promote community cohesion by tackling deprivation and reducing inequalities. To this end, the council proposes that Allowable Solutions investment projects provide community benefits, such as addressing fuel poverty, as well as the necessary carbon savings.
- 7.24. Guidance is given on local allowable solutions<sup>1</sup> stating that they should include “a mechanism for approving particular Allowable Solutions within the overall local plan”. Merton proposes establishing an Allowable Solutions working group with the relevant technical skills and knowledge to assess the carbon saving and community benefits of each project and giving material consideration to their comments approval for projects will be supported by an appropriate level of professional technical and local input.
- 7.25. Merton will also establish a Community Energy Fund at arms length from the council with charitable status to administer and account for carbon credits and other funds generated through Allowable Solutions.
- 7.26. Having sufficient Allowable Solutions projects in place would also be required if Merton was to desire to increase the level of emissions reductions required in advance of the national timetable of Part L improvements.

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<sup>1</sup> Allowable solutions for tomorrow’s new homes: towards a workable framework 2011

## **Policy DM. EP4: Pollutants**

***(New policy following consultation feedback, research and national policy changes)***

### Policy Aim:

Seek to minimise pollutants and to reduce concentrations to levels that have minimal adverse effects on human or environment health in Merton.

### Policy:

To minimise pollutants, development:

- a) Should be designed to mitigate against its impact on air, land, light, noise and water both during the construction process and lifetime of the completed development.
- b) Individually or cumulatively, should not result in an adverse impact against human or natural environment.

### SA/SEA implications:

The policy meets a broad number of sustainability objectives and seeks to avoid actions that will generate environmental, social and economical harm.

### Justification:

- 7.27. The National Planning Policy Framework (NPPF) states that development plans should aim to minimise pollution and other adverse effects on the local and natural environment. Merton's Core Planning Strategy Policy 15: Climate Change seeks to make Merton a municipal Leader in improving the environment, taking the lead in tackling climate change, reducing pollution, developing a low carbon economy, consuming fewer resources and using them more effectively.
- 7.28. In addition to EU regulations, national and regional policy and guidance, Policy DM EX will contribute towards these policies by setting out a detailed approach to the assessment of pollution (potentially) caused by development in Merton.

### *Air Pollution:*

- 7.29. In accordance with the aims of the National Air Quality Strategy, the Mayor's Air Quality Strategy seeks to minimise the emissions of key pollutants and to reduce concentration to levels at which no, or minimal, effects on human health are likely to occur.
- 7.30. To meet the aims of the National Air Quality Objectives, the council has designated the entire borough of Merton as an Air Quality Management Area (AQMA). Therefore, development that may result in an adverse impact to local air quality may require an Air Quality Impact Assessment in order for the council to consider any possible pollution impact linked to development proposals.

- 7.31. Necessary mitigation measures will be secured through negotiation on a scheme, or through the use of planning obligations or conditions where appropriate. Permission may be refused for proposals that cannot provide adequate pollution mitigation.
- 7.32. Further guidance on the requirements for an Air Quality Impact Assessment is detailed in the forthcoming SPD dealing with pollutants.

*Land Pollution:*

- 7.33. 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. Past dispersed sources of pollution, such as fall out from vehicle emissions and past industrial use can also be a contributing factor in land pollution and contamination.
- 7.34. In accordance with the requirements of the Environmental Protection Act (EPA) 1990, the council keeps a Contaminated Land Register of sites in the borough.
- 7.35. 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.
- 7.36. Where development is proposed:
- On or near a site known or reasonably believed to be contaminated; or,
  - A nearby use maybe sensitive to contamination.
- 7.37. A site assessment in accordance with guidance set out in the forthcoming SPD dealing with pollution will be required to establish the nature and extent of the contamination prior to determining the application. Contamination sensitive development would typically include developments that potentially put people in direct contact with contamination; such as a residential use, open space or school uses.
- 7.38. Development should not be permitted unless effective measures are taken to treat or control any contamination in order to:
- Expose occupiers of the development and surrounding area to unacceptable risk;
  - Threaten the structural integrity of any building on or in the surrounding area;
  - Contaminate any watercourse, waterbody or aquifer; and,
  - Cause the contamination of adjoining land or allow the contamination to continue.
  - A nearby use maybe sensitive to contamination.
- 7.39. Hazardous Gas Installations also affects parts of Merton. Planning Authorities must consult the Health and Safety Executive (HSE) on planning applications using methodology and software known as PADHI+, which is available online. The HSE provide advice on safety grounds as to whether or not planning permission should be granted. Information on whether a site is affected by this requirement is available from the council.

*Other Pollution:*

- 7.40. Other types of pollution such as light, noise and water are dealt with in other policies in the Sites & Policies DPD. These are as follows:

- Light pollution includes artificial light that is allowed to illuminate or intrude upon areas that are not intended to be lit for example, inconsiderately direct security light shining into a bedroom window or sky-glow which can severely affect our view of the night sky. Proposals which may cause light pollution should be in accordance with Policy DMD1: Design consideration in all developments.
- The planning system should also ensure that, wherever practicable, noise-sensitive developments are separated from major sources of noise (such as road, rail and air transport and certain types of industrial development) which generate noise pollution. This is further dealt with in Policy DM EP2: Reducing and Mitigating Against Noise.
- Proposals which may have water implications need to be in accordance with DM F2: Sustainable Drainage Systems (SUDS).

7.41. 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 Department. Therefore, we would advise applicants to discuss proposals with potential adverse impacts on air, land, light pollution, noise and water at the early stages of the planning application process.

Delivery and monitoring:

Minimising pollutants and reducing concentrations to levels that have minimal adverse effect on human health or environment in Merton will be achieved through the planning process and Merton's Environment Health Department.

## 8. Flooding and Drainage

### **DM F1: Support for flood risk management**

*(Amendments following consultation feedback, research and national policy changes)*

#### Policy aim

To mitigate against the impact of flooding in Merton in line with the National Policy Planning Framework (NPPF), the Flood and Water Management Act 2010, Flood Risk Regulations 2009, The Water Framework Directive and Merton's Local Flood Risk Management Strategy.

#### Policy

- a) To minimise the impact of flooding in the borough the council will:
  - i. Encourage development to locate in areas of lower risk by applying the Sequential Test; any unacceptable development and land uses will not be permitted.
  - ii. Ensure that flood resilient and resistant measures are incorporated into design of development proposals in any area susceptible to flooding to minimise and manage the risk of flooding.
  - iii. Ensure that developments consider all sources of flooding from fluvial, groundwater, surface water run off, ordinary watercourse, and sewer; and including the risks of flooding arising from and to the development.
  - iv. All development proposals must have regard to the Local Flood Risk Management Strategy.
  - v. Permit appropriate development in Flood Zones 1, 2, 3a and 3b subject to meeting the criteria in the following table:

Flood Zones	Sequential Test	Exception Test	Flood risk assessment
<p><b>Flood Zone 1 Low Risk:</b>  <b>This zone has 1 in 1000 or less annual probability of fluvial flooding or less (&lt;0.1%) in any year.</b></p> <p>No land development restrictions.                      (Except for areas that have been identified as having critical drainage problems by the Environment Agency).</p>	<p>Not applicable.                      (Except for areas that are within a Critical Drainage Area).</p>	<p>Not applicable.</p>	<p>Required for sites greater than 1 ha or other developments proposals where there is evidence of risk from other sources of flooding including surface water, groundwater, ordinary watercourses and sewer flooding.</p>
<p><b>Flood Zone 2 Medium Risk:</b>  <b>This zone has between 1 in 100 and 1 in 1000 annual probability of fluvial flooding (between 1% and 0.1%).</b></p> <p>In this zone self-contained residential units at basement level and bedrooms at basement level will not be permitted by the council without appropriate mitigation measures in line with Environment Agency guidance.</p> <p>All basement, basement conversions and basement extensions must:</p> <ul style="list-style-type: none"> <li>• have access and escape routes to a higher floor, including other emergency planning measures; and,</li> <li>• Adopt flood resilient and resistant design techniques.</li> </ul> <p>Flooding from all sources (including surface and groundwater flooding) should be considered where basements are proposed with mitigation measures as part of the development proposal and layout to reduce the risk of flooding to and from the development and surrounding area.</p>	<p>Required for all developments (including minor development and change of use).</p>	<p>Required for developments classed as <i>'highly vulnerable'</i>.</p>	<p>Required for all development proposals unless the development is for change of use from <i>'water compatible'</i> to <i>'less vulnerable'</i> classification development.</p>
<p><b>Flood Zone 3a High Risk:</b>  <b>This zone has 1 in 100 annual probability or greater (&gt;1%) of fluvial flooding.</b></p> <p>Development proposals are constrained to <i>'water compatible'</i>, <i>'less vulnerable'</i> and <i>'more vulnerable'</i> classification.</p> <p><i>Development classed as 'Highly vulnerable'</i> will not be permitted by the council in line with Environment Agency guidance.</p>	<p>Required for all developments.</p>	<p>Required for developments classed as <i>'more vulnerable'</i> and <i>'essential infrastructure.'</i></p>	<p>Required for all development proposals.</p>

<p>Self contained residential basement and bedrooms at basement level will not be permitted by the council.</p> <p>All, basement, basement conversion and basement extensions must:</p> <ul style="list-style-type: none"> <li>• have access and escape routes to a higher floor, including other emergency planning measures; and</li> <li>• adopt resilient design techniques and be flood resistant.</li> </ul>			
<p><b>Flood Zone 3b</b></p> <p>The functional floodplain will be protected by not allowing any form of development on undeveloped sites unless it:</p> <ul style="list-style-type: none"> <li>• classed as <i>'water compatible'</i></li> <li>• For development of <i>'essential infrastructure'</i> which has to be located in a flood risk area and where no alternative locations are available, should be developed safely, without increasing flood risk elsewhere and where possible reduce the flood risk overall.</li> </ul> <p>The council will only support redevelopment of existing developed sites if there is no greater flood risk than currently exists to the re-development or wider community.</p> <p>Developments classed as <i>'highly vulnerable'</i> will not be permitted without Environment Agency approved mitigation measures.</p> <p>Basements, basement extensions and conversion of basements to a <i>'higher vulnerability'</i> classification or self contained units will not be permitted by the council.</p>	<p>Required for developments classed as <i>'essential infrastructure'</i>.</p>	<p>Required for developments classed as <i>'essential infrastructure'</i>.</p>	<p>Required for all development.</p>

\* Appendix 7: Sets out the flood risk vulnerability classification and flood zone compatibility

SA/ SEA implications

- 8.1. The policy meets a number of sustainability objectives including the objectives concerned with flooding and land use.

Justification

- 8.2. Merton's Core Planning Strategy policy CS16 *Flood Risk Management* identifies the council's approach to managing flood risk in the borough. Merton's Strategic Flood Risk Assessment 2009 (SFRA), approved by the Environment Agency (EA), identifies the detailed criteria against which a planning application will be assessed for flood risk. Policies DM F1 and DM F2 support the Core Planning Strategy and provide further detail for consideration alongside the information contained within the SFRA. In addition DM F1 and DM F2 are in conformity to the London Plan.
- 8.3. The Strategic Flood Risk Assessment (SFRA) document also contains guidance on building design, site or area-specific Flood Risk Assessments and vulnerability, developments behind flood defences, developments located within the River Wandle and Beverley Brook floodplains, surface water flooding and the use of Sustainable Drainage Systems (SuDS), water resources, residual risk and emergency planning. The council will use the SFRA alongside the advice of the Environment Agency when considering any development and infrastructure.
- 8.4. Merton is affected by a number of different sources of flood risk, including fluvial (or river), surface water, ordinary watercourse, sewer and groundwater and critical drainage flooding.
- 8.5. The Environment Agency's Flood Map for Surface Water and Thames Catchment Flood Management Plan, alongside Merton's SFRA and historical flooding records of the borough, indicate that several areas along the Wandle, including around Colliers Wood town centre, West Barnes and Rayne Park (around the Pyl Brook which feeds into Beverly Brook), and Plough Lane (Wimbledon) towards the Wandsworth border are affected by multiple flood risk.
- 8.6. The council will consult the Environment Agency on all applications for new developments within a flood risk zone. Inappropriate development in areas of highest flood risk should be avoided and if possible steered towards areas of lower flood risk.
- 8.7. Where there are no reasonably available sites in Flood Zone 1, the council will take into account the flood risk vulnerability of land uses and consider reasonably available sites in Flood Zone 2, applying the Exception Test if required. Only where there are no reasonably available sites in Flood Zones 1 or 2 will the council consider sites in Flood Zone 3, taking into account flood risk vulnerability, applying the Exception Test where necessary and ensuring that there is no risk of increasing flooding elsewhere.
- 8.8. A site specific Flood Risk Assessment will be required to justify the Exception Test to assess the flood risk posed to proposed developments and to ensure where necessary and appropriate, suitable mitigation measures are included in the

development. Where a development type is not entirely compatible with the classification of flood risk as set by the Environment Agency and National Planning Policy Framework (NPPF), the applicant must demonstrate through a Flood Risk Assessment that all three elements of the Exception Test have been passed.

- 8.9. Information regarding how the Sequential Test and Exception Test should be carried out and guidance on what should be included within a Flood risk Assessment is contained within Merton's Strategic Flood Risk Assessment. Further guidance can be found in the Environment Agency's current advice on Flood Risk Assessment requirements and the Technical Guidance to the National Planning Policy Framework (2012).
- 8.10. In order to ensure efficient drainage of fluvial rivers it is important to maintain, and where necessary improve the river banks. Environment Agency consent will be required for any development within 8m of fluvial watercourses including the River Wandle, Beverley Brook and Pyl Brook. This is to enable the river channel to be inspected, cleared, repaired, modified or raise defences as necessary.

### Delivery and monitoring

- 8.11. The council will continue to work in partnership with the Environment Agency, Mayor of London, and utilities companies to investigate how the objectives of the Water Framework Directive, the Flood and Water Management Act 2010 and the Flood Risk Regulations 2009 can be achieved.
- 8.12. As required under The Flood and Water Management Act 2010 the council will be consulting and producing a Local Flood Risk Management Strategy during 2013; which will be conformity with the National Strategy on flooding. It should be noted that the local strategy will not be secondary to the national strategy; rather it will have distinct objectives to manage local flood risks important to local communities.
- 8.13. The council will maintain, review, update as well as implement the actions in the Local Flood Risk Management Strategy.

## **DM F2: Sustainable drainage systems (SuDS) and; Wastewater and Water Infrastructure**

### Policy aim

To help reduce the overall amount of rainfall being discharged into the drainage system to reduce the borough's susceptibility to surface water flooding and to reduce water use.

### Policy

The council will require all developments to reduce water consumption, the pressures on the sewer network and the risk of flooding by:

- a) Ensuring all new developments have to consider Sustainable Drainage Systems (SuDS) and demonstrate 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 demonstrate the maintenance and long-term management of SuDS through a SuDS Management Plan.
- d) Requiring developers where feasible, are required to ensure designs incorporate soft landscaping and permeable surfaces into all new developments including non-residential developments to. Wherever possible, the council encourages:
  - The retention of soft landscaping and permeable surfaces in front gardens and the reduction of, or at least not an increase in, the amount of hard standing associated with existing homes
  - New driveways or parking areas associated with non-residential developments and those located in front gardens should be made of permeable material wherever possible.
- e) when discharging water including wastewater into the public sewer, development proposals are required to demonstrate that the local public sewerage network has adequate capacity to serve the development and existing developments. If the public sewer does not have adequate capacity, the developer should demonstrate alternative sustainable approaches to the management of water.
- f) Any development proposals with adverse impact including potential water pollution will be refused by the council.

### SA/ SEA implications

- 8.14. The policies meet the sustainability objectives that relate to the safeguarding and promotion of the natural environment, by ensuring individual development proposals will have no adverse impact, that essential infrastructure will not be at risk and reduce the risk of existing surface water flooding and to help reduce future problems.

Justification

- 8.15. Surface water flooding occurs when high intensity rainfall generates runoff which flows over the surface of the ground and ponds in low lying areas, before the runoff enters any watercourse or sewer. It is usually associated with high intensity rainfall events and can be exacerbated when the soil is saturated and natural drainage channels or artificial drainage systems have insufficient capacity to cope with the additional flow.
- 8.16. Studies indicate that we are likely to see an increased risk of flooding associated with climate change. This could mean that surface water flooding is likely to be an increasing problem in Merton.
- 8.17. In order to reduce the risk of surface water flooding in the borough it is important to ensure that all sites must consider and implement the principles of SuDS over and above what would be covered by national policy.
- 8.18. It is important to ensure that new developments sites located within the Strategic Flood Risk Assessment identified area of 'increased risk of surface water ponding' implement surface water attenuation.
- 8.19. The Flood and Water Management Act 2010 introduces new requirements for SuDS on future construction work. When the Act takes full effect, applicable construction works will not start until drainage systems have been approved by the SuDS Approving Body (SAB) which is in line with the National Standards for SuDS. The existing right to connect surface water drainage systems to public sewers (under Section 106 of the 1991 Water Industry Act) will be restricted to those approved under the Flood and Water Management Act 2010.
- 8.20. As the SAB, the council will be required to approve rainwater drainage systems before any construction work with drainage implications can start within Merton.
- 8.21. The Flood and Water Management Act 2010 applies to any construction work that is done by way of, in connection with or in preparation for the creation of a building or other structure, including anything that covers land (such as a patio or other surface), that will affect the ability of land to absorb rainwater. In other words all new buildings, roads and other paving, whatever the size, type or scale of the project, will be affected, as well as alterations that have drainage implications.
- 8.22. Therefore, where planning permission is required the developer will need to submit a SuDS application to the SAB alongside the planning application demonstrating SuDS requirement of a sustainable approach to drainage by:
- Appropriate design layout including consideration to the location of the development;
  - Construction of the development; and,
  - Maintenance of SuDS.

- 8.23. Approval from the SAB is required before construction can commence on all new developments and all re-developments.
- 8.24. The satisfactory performance of SuDS depends not only on good design but also adequate maintenance, and the provision for adoption and maintenance must be made from the outset.
- 8.25. Measures will be sought to minimise the potential for flooding and surface water run off and include SuDS, green roofs, grey water re-use and rainwater harvesting ensure these are considered in major developments and high water use developments in accordance with the London Plan.
- 8.26. All developments (including residential, residential care homes, hospitals and restaurants) that discharges water and waste water into the public sewer will be required to provide confirmation from the local water and/or sewer company that local sewer has adequate capacity to serve the new development and existing surrounding developments. It is advised that this is carried out early in the design process and confirmation submitted as part of the SAB application.
- 8.27. The council will require new developments and re-developments to minimise water consumption and the pressure on the combined sewer network. Development proposals should incorporate water saving measures and equipment to reduce water consumption. Where a development has capacity problems and improvements in offsite infrastructure are not programmed, planning permission will only be granted where the developer funds appropriate improvements which will be completed prior to occupation of the development.
- 8.28. As well as controlling surface water run-off at source to reduce the risk of flooding, SuDS can protect and improve water quality in receiving water courses, provide habitat creation opportunities, enhance the design of the development by providing amenity areas and landscape settings, and encourage natural groundwater recharge. Opportunities should be sought for the inclusion of SuDS which provide wider environmental benefits as part of the planning process.
- 8.29. The council will work with Water companies and drainage boards regarding any issues with wastewater infrastructure and water capacity.

### Delivery and monitoring

- 8.30. The council will continue to work in partnership with the Environment Agency, Mayor of London, Thames Water, Greater London Authority, Highway Agency, neighbouring Lead Local Flood Authorities and other strategic bodies to investigate how the objectives of the Water Framework Directive, the Flood and Water Management Act 2010 and Flood Risk Regulations 2009 can be achieved.
- 8.31. As required under the Flood and Water Management Act 2010 the council will monitor local flood risk in Merton through its Local Flood Risk Management Strategy. The council will maintain, review, update as well as apply and monitor the implementation of strategy.

- 8.32. The council will set-up and formalise the Merton SuDS Approval Body (SAB) in advance of the enactment of Schedule 3 of the Flood and Water Management Act 2010. The commencement date for Schedule 3 has not been announced by Defra.

## 9. Transport

### **DM T1 Support of sustainable transport and active travel**

#### ***(Amendments following consultation feedback, research and national policy changes)***

##### Policy aim

To promote the use of sustainable transport modes including public transport, walking and cycling, to alleviate congestion, promote social mobility, contribute towards climate change, air quality targets and improve health and well being through increased levels of physical activity.

##### Policy

- a) The council will secure improved public transport facilities and better access through planning obligations and the Community Plan Infrastructure Levy, including where appropriate rest/toilet facilities for drivers, public information infrastructure and cycle parking.
- b) Development must provide cycle parking in accordance with the standards set out in the London Plan.
- c) To improve access both on the public highway and off road, development will be expected to enhance existing walking and cycling routes and provide or enable new connections and/or land where gaps are identified.

##### SA/ SEA implications

- 9.1. The policy meets a number of sustainability objectives including reducing the effects of climate change, air quality and transport leading to improving accessibility by all modes.
- 9.2. The policy seeks to encourage sustainable transport and active travel that have a positive impact on improving travel journeys, patterns and promotes greater use of travel by modes other than the car. This policy approach can lead to an improvement in health and well being from increased levels of physical active travel and help reduce pollution as a result

##### Justification

- 9.3. Supporting sustainable travel choices and public transport for people through the planning process is essential to reducing the need to travel by car and to supporting new economic growth as well as relieving pressure in areas of transport congestion and improving access, especially in town centres.
- 9.4. This can be delivered by upgrading existing facilities and providing safe, legible, continuous and well connected walking and cycling routes to places where people wish to travel; in particular, between local centres, transport interchanges and services and facilities. Opportunities should also be taken to provide green chains

and links to and between open spaces. For larger developments the council may also seek improvements to public transport services, land and physical works to offset negative impacts and to improve access to public transport, walking and cycling networks. This will be achieved through legal agreement.

- 9.5. The provision of quality cycle parking supports active and healthier life styles and more sustainable travel patterns. All development will be expected to provide cycle parking in accordance with the London Plan standards.
- 9.6. Residential cycle parking facilities should be provided in secure, covered and conveniently sited positions with good access to the street. It should also be easy for everyone to use and manoeuvre cycles both to and within the facility. At non-residential development cyclists will also need proper storage for protective clothing, equipment and, at large sites, showers provided (see TfL workplace cycle parking guidance or London cycle design standards for advice).
- 9.7. An integral part of the Merton's Biking strategy, as supported by Merton's core planning strategy policy CS18 is the development of strategic cycle hubs or public accessible cycle storage facilities, in particular at Wimbledon, Colliers Wood and Morden town centres. Assistance towards securing these initiatives will be sought from new development as part of the council's general approach to promoting cycling across the borough. The council also supports the aims of the emerging Arcadian Thames and Wandle Valley Green Grid Areas and associated strategies.

### Delivery and monitoring

- 9.8. Merton's sustainable transport strategy and local implementation plan (LIP 2) 2011 – 26 sets out a programme of soft and hard physical measures to assist walking, cycling and access to public transport facilities including school travel plans, both adult and child cycle training and accessibility improvements at Wimbledon Station.
- 1.9. Merton's biking borough strategy and action plan presents a vision of the cycling environment in 2030 and a 15 year programme to improve the cycling experience. Actions will be delivered where opportunities and funding become available. This is supplemented by Merton's Cycle Skills Network Audit which maps out the bikeability of the borough's streets and other connections. It also reviews crossing issues and opportunities at junctions (see [http://www.merton.gov.uk/transport-streets/csln59\\_merton\\_csna\\_report\\_1-2\\_lo-res\\_18th\\_dec\\_2012.pdf](http://www.merton.gov.uk/transport-streets/csln59_merton_csna_report_1-2_lo-res_18th_dec_2012.pdf)). This report will be used to inform on the need for supporting cycling improvements on a case by case basis.
- 9.10. Pedestrian street audits have been undertaken across a number of key areas in the borough, including Mitcham town centre, Raynes Park, Wimbledon town centre, Colliers Wood and Pollards Hill. Gaps and issues identified will be considered as opportunities and funding arises.
- 9.11. Merton's public realm strategy outlines focus areas for improvement within the borough, which includes the pedestrian, cycle environment. The plan supports improvements in the consistency of design, materials and management of pedestrian areas, as well as the simplification of footways, reallocation of road

space to achieve a better balance, improvements to crossing and aesthetic enhancements.

- 9.12. The council will continue to work with local and regional transport partners in delivering public transport improvements through Merton's LIP2 programme, other council funding streams and developer contributions and obligations.

## **DM T2 Consideration of transport impacts of development** ***(Amendments following consultation feedback, research and national policy changes)***

### Policy aim

To ensure that development is sustainable and has minimal impact on the existing transport infrastructure and local environment.

### Policy

- a) Planning permission will be granted for development proposals providing they do not adversely impact on the road or public transport networks, safety or congestion particularly on strategically important routes.
- b) Development proposals will need to demonstrate their impact on the transport network through the provision a Transport Assessment and associated Travel Plan in accordance with Transport for London referral thresholds.
- c) Smaller developments that fall below Transport for London referral thresholds, which may impact on transport conditions, will be expected to demonstrate potential impacts through a Transport Statement.

### SA/ SEA implications

- 9.13. The policy meets a number of sustainability objectives including reducing the effects of climate change, air quality and transport leading to improving accessibility by all modes.
- 9.14. The policy seeks to encourage sustainable transport and active travel that have a positive impact on improving travel journeys, patterns and promotes greater use of travel by modes other than the car. This policy approach can lead to an improvement in health and well being from increased levels of physical active travel and help reduce pollution as a result.

### Justification

- 9.15. It is important that development is appropriately located and supported by good transport infrastructure to minimise its impacts on the environment and road network by reducing un-necessary journeys and to optimise the economic viability and attractiveness of a site in order to both promote and accommodate future growth.
- 9.16. The design and location of development and its relationship with the transport network and permeability of the public realm are important factors influencing peoples transport decisions and although many areas of the borough are well served by a range of travel options, some parts on the eastern side of the borough around Mitcham and Pollards Hill are relatively under developed in terms of their accessibility to the public transport network.

- 9.17. Merton's Core Planning Strategy policies CS18 – 20 help to ensure that transport implications are assessed and managed to ensure that transport infrastructure is provided where most needed and integrated across the borough and its borders.
- 9.18. Where a development is expected to have a impact on the road or public transport network, developers are required to submit a Transport Assessment to demonstrate how the transport demands of the site can be accommodated and to scrutinise the movement of people and goods including its impacts on the environment, air quality, congestion and noise.
- 9.19. Details on the preparation of a Transport Assessment (TA) and indicative thresholds for which Transport Assessments will be required can be found in Transport for London (TfL)'s guidance for Transport Assessments and Appendix A of Referred Planning Applications – Criteria of the same document. Supporting background data and further advice can be sourced from TfL's annual Travel in London Report and in the Department of Transport Indicative thresholds for Transport Assessment 2008 (or as updated).
- 9.20. Outside these referral thresholds, the council will consider the need and scope for a TA on a case by case basis taking into account local circumstances. For smaller developments where a full TA is less appropriate then a Transport Statement may be required to address local concerns this might include traffic surveys, draft travel plan and justification for the parking standards used.
- 9.21. Typically a Transport Assessment will include: -
- a) Construction impacts;
  - b) Details of the development proposals;
  - c) Development Study/Catchment Areas;
  - d) Policy Review;
  - e) Existing conditions;
  - f) Trip generation and modal split;
  - g) Trip Assignment;
  - h) Details on site access, servicing and on – site circulation;
  - i) Highway Impact;
  - j) Impacts and measures for cyclists and pedestrians;
  - k) Public Transport analysis;
  - l) Freight;
  - m) Environmental Impact;
  - n) Travel Plan;
  - o) Conclusions and recommendations.
- 9.22. To further help mitigate any unwelcomed transport impacts of development and to support the Transport Assessment, developers will also be required to prepare a Travel Plan setting out their overall management approach, transport objectives and a deliverable plan of soft and physical actions, as appropriate to promote sustainable travel choices. This should ensure that more favourable travel patterns and potential benefits are locked in from the outset. This should be prepared in accordance with Transport for London "Travel Planning for new development in London" guidance. For large developments the council will also seek a financial contribution to review the travel plan monitoring reports.

- 9.23. In recognition of the differences between certain types of community and religious facilities there is a need to adopt a more tailored approach in developing travel plans so that they meet the unique religious beliefs, practices and culture requirements of the site and organisation. Where considered appropriate travel plans should adopt the approach set out in Westran’s Travel Planning document “Having Faith in Travel Planning” guidance.
- 9.24. Merton uses the public transport accessibility level methodology (PTAL) to assist in determining the most appropriate location for new development and the level of parking to be provided (a map is contained within Merton’s Core Planning Strategy). Areas with high PTAL scores are usually well served by a range of facilities and services thereby reducing the need to travel and potential contributions to noise and pollution. For TfL’s PTAL web calculator see <http://www.webptals.org.uk/>.
- 9.25. Although PTAL is a useful tool, it does not consider crowding or ease of interchange on the public transport network. These issues will therefore need to be explored within the TA and where issues are identified, supported by improvements to the public transport network.

### Delivery and monitoring

- 9.26. The Delivery of developer transport proposals, obligations and contributions will be co-ordinated with Merton’s Sustainable Transport Strategy and Local Implementation Plan and other council funding streams and through the council’s management and delivery structures.
- 9.27. The council will work with transport stakeholders, providers and developers to identify physical, operational and capacity constraints within the public transport network to deliver proposals identified through the Transport Assessments.

**DM T3 Applying relevant car parking and servicing standards**  
***(Amendments following consultation feedback, research and national policy changes)***

Policy aim

To ensure that the level of residential and non residential parking and servicing provided is suitable for its location and managed to minimise its impact on local amenity and the road network.

Policy

- a) Development should only provide the level of car parking required to serve the site taking into account its accessibility by public transport (PTAL) and local circumstances in accordance with London Plan standards unless a clear need can be demonstrated.
- b) Planning permission for residential permit free development will be approved where the council is satisfied that this will not have an adverse effect on the level of on-street parking, road safety or local amenity. Permit free development will be expected to:
  - i. Prohibit through legal agreement and Title Deeds occupants from obtaining a parking permit.
  - ii. Benefit from good access to public transport (generally PTAL 4 or above).
  - iii. Be within an existing Controlled Parking Zone.
  - iv. Ensure that the public transport infrastructure has enough capacity to serve increased demand arising from the development.
- c) That for mixed use development parking spaces should be allocated to each specific use.
- d) Disabled and electric vehicles parking spaces should be provided in accordance with the London Plan standards. Where appropriate, provision should also be made for Car Clubs, motorcycles, taxi and coach parking where identified by a TA or in support of a Travel Plan.
- e) That car parking in retail and leisure development is allocated towards short stay parking, takes into account local charging structures, achieves a nationally recognised safety mark standard and is not reserved for any development.
- f) Planning permission for the conversion of existing parking places for other uses will be supported where it is demonstrated to be surplus to requirement, the site is well served by public transport and supported by a range of alternative travel choices and will not adversely impact on road safety, on-street parking and local amenity.
- g) New development or modification to existing development should make proper provision for loading and servicing in accordance with FTA guidance, except when a development would impact on a listed building or designated conservation area then facilities will be considered on a case by case basis.

- h) That car parking at ambulance, fire and policing facilities will be assessed on individual merits.

#### SA/ SEA implications

- 9.28. The policy meets a number of sustainability objectives including reducing the effects of climate change, air quality and transport leading to improving accessibility by all modes by, ensuring that the London Plan parking standards are met and encourages permit free development that will help reduce the amount of travel by car.

#### Justification

- 9.29. National guidance promotes the uses of parking policies and other transport measures to encourage sustainable travel choices to reduce the overall need to travel by car, its impact on congestion and to alleviate noise and pollution issues.
- 9.30. Development should sympathetically assess the parking needs of a site, concurrently with its wider impacts on neighbouring streets, movement and public transport. This is particularly relevant in town centre areas where a more diverse range of travel options are available and day to day services are more likely to be sited close by. Applying the appropriate level of parking is also an important factor in influencing sustainable travel patterns (see Merton's Core Planning Strategy policy CS18 - 20).
- 9.31. The Council's broad approach is to support a level of parking that recognises the sites accessibility, the type and mix of development and local car ownership levels whilst still respecting the need to reduce impacts on air quality and the environment.
- 9.32. The council follows the parking standards set out in the London Plan (as against to previous UDP standards) referred to in Merton's adopted Core Planning Strategy (see London Plan Chapter 6) <http://www.london.gov.uk/thelondonplan> also for parking bay dimensions see [http://www.planningni.gov.uk/index/policy/supplementary\\_guidance/spg\\_other/parking-standards.pdf](http://www.planningni.gov.uk/index/policy/supplementary_guidance/spg_other/parking-standards.pdf). However, the Council will take account of special considerations where justified and is supported by a range of measures to promote non car trips. For residential standards reference should also be made to the London Housing SPG and subsequent updates.
- 9.33. The level of parking should be demonstrated as part of any Transport Assessment or Access Statement and should be substantiated by recent parking surveys where appropriate. To encourage alternatives to the car and wider sustainable principles, developments will be expected to include car club facilities (see [Carplus.org.uk](http://Carplus.org.uk) for advice) and electric vehicle charging points.
- 9.34. For mixed use development, where competing demands for limited parking space may occur and to ensure that parking is operated as anticipated a Parking

Management Plan will be sought to both maintain access and to mitigate against operational issues. These will be secured through appropriate legal agreements.

- 9.35. The provision of new publically accessible off street car parking for retail or leisure uses should discourage long stay use and be available for other uses. To create a safe environment for both people and cars, facilities should be designed to meet nationally recognised safety mark standard.
- 9.36. As a realistic and proven alternative to owning a private car Merton's Core Planning Strategy CS20 supports the provision of Car Club membership schemes, car club parking spaces or related initiatives as part of a wider package of complimentary sustainable measures within a development. In particular, in areas where car parking is under pressure and any overspill parking would have a disproportionate impact on the surrounding neighbourhood.
- 9.37. Car Club initiatives can also facilitate lower levels of on-site parking provision thereby allowing developers to achieve a higher level of development on a site, especially for larger scale developments or in town centre sites where public transport provision is more extensive.
- 9.38. The provision a car club will normally supported through a legal agreement in conjunction with a Travel Plan. Developers will be encouraged to allow access to bays from the neighbouring community to improve the wider benefits of the spaces. Car Club operators should be part of an Accredited Scheme (see [Carplus.org.uk](http://Carplus.org.uk) for practical details and supporting guidance) and offer the option of hourly vehicle hire.
- 9.39. Merton's Core Planning Strategy policy CS20 supports the introduction of Electric Vehicle Charging Points both for the home and commercial premises (see [www.SourceLondon.net](http://www.SourceLondon.net) for additional information). The council will promote the widespread installation of electric vehicle car parking infrastructure in accordance with standards set out in the London Plan and Mayor's Electric Vehicle Delivery Plan for London. Where charging infrastructure is to be publically available membership of "source London" is recommended to maximise the number of car users who can benefit from the facilities. To accommodate future growth in electric vehicles, it is strongly encouraged that for residential development the underlying power and distribution network should be capable of supporting the simultaneous charging of all parking spaces. Also see TfL's Land for Industry and Transport SPG, Annex 5 – Electric Vehicle Charging Infrastructure – Guide for Developers.
- 9.40. In areas of good accessibility or areas of parking stress, with an operational CPZ, the council will expect developments to restrain the amount of on-site parking and restrict access to on-street resident parking permits (Permit Free). Any parking provided will need to include spaces for disabled motorists and where appropriate car club bays. This is normally secured through a legal agreement with the developer, who will then need to ensure that occupants are made aware through the Title Deed or Lease Agreement that they will not be eligible for a resident's parking permit.
- 9.41. Where development includes a mix of affordable and market units parking should be allocated on an equitable basis unless demonstrated through recent local census

or survey data that a different weighting should apply. The council also encourages parking to be as flexible as possible by not allocating spaces to individual dwellings.

- 9.42. In residential areas and town centres noise caused by delivery operations outside normal business hours can cause disturbance and health problems to residents. Poor access can also affect the viability of a site and restrict the type of uses that can safely operate. There are also potential air quality and economic benefits to be gained, where more flexibility on delivery times can help avoid busy peak hour periods. The council will promote “quite delivery” practices where supported by a Delivery and Service Plan (also see TfL Travel Planning for new development in London incorporating deliveries and servicing for further information).
- 9.43. Servicing should be provided off-street in accordance with Freight Transport Association guidelines to minimise its impact on congestion and the safe movement and operation of traffic. Where this is not possible or there is a need to protect the character of a historic building/conservation area then alternative approaches should be explored to mitigate potential adverse impacts on the road network as part of the accompanying Transport Assessment or Access Statement.
- 9.44. Where a development is likely to generate a significant amount of movement by goods vehicles or materials the council will require Delivery and Service Plans to be provided so that potential impacts are minimised.
- 9.45. A Delivery and Service Plan is a framework that identifies and manages transport impacts through the active management of business practices associated with the delivery of goods and servicing within an organisation to minimise the adverse impacts of delivery and servicing activity. This can be achieved through a range of interventions including modifying business practices, supplier and facilities management. Combined these actions help improve safety, reduce congestion, improve the reliability of deliveries and environmental impacts. Advice can be found in TfL Freight Plan and Travel Planning for new development in London incorporating deliveries and servicing.
- 9.46. Construction Logistic Plans aim to reduce the number of vehicle movements made to a site and their wider impacts on the local community and environment in a well-managed and safe manner, including noise, air quality and congestion to reduce the impact of construction operations where appropriate (also see TfL Building a better future for freight: Construction Logistic s Plans).
- 9.47. Coaches can significantly reduce car journeys by combining single journeys or drop offs thereby reducing congestion, provide a convenient means to convey people to large sporting/leisure events and major transport terminals. Development likely to attract coach trips will be expected to provide appropriate, managed picking up and setting down facilities. Where this not achievable within the site then alternative approaches need to be explored within the TA or Access Statement.

### Delivery and monitoring

- 9.48. This policy will be delivered through partnership working and the council’s of programmes of works, as well as through the development management and parking enforcement processes.

- 9.49. All development is assessed in accordance with London Plan parking standards.
- 9.50. Where a development will have a significant transport implication, a transport assessment will be required to appraise the effects of the development and to ensure that effective mitigation measures are in place to alleviate any adverse impacts.

## **DM T4 Transport infrastructure improvements**

### ***(Amendments following consultation feedback, research and national policy changes)***

#### Policy aim

To protect existing public transport infrastructure and to ensure that new public transport facilities and infrastructure is provided to support economic growth, increase social mobility, promote non-motorised transport and provide alternatives to the private car.

#### Policy

- a) Development which impacts on sites/land serving transport functions or safeguarded for transport uses, will be required to meet the following criteria:
  - v. The sites/land no longer serves any operational need and is not identified for future transport related uses; and,
  - vi. Equivalent alternative provision is made; and,
  - vii. It can be demonstrated that transport providers, operators and other relevant parties have been fully consulted;
  - viii. That in order to maintain services during any interim period, details of transitional arrangements will be requested by a planning obligation or condition.
  
- b) Land for new transport facilities and other infrastructure needs will be required where shortfalls have been identified and to accommodate future growth.

#### SA/ SEA implications

- 9.51. The policy meets sustainability objectives on reducing the adverse impact of climate change and air quality. This policy helps to secure improvements to accessibility for all by sustainable modes, in particularly public transport, by ensuring that transport infrastructure have regard to new appropriate developments proposals and to the wider transport needs by providing appropriate public transport facilities. This policy also impacts positively on health and wellbeing.

#### Justification

- 9.52. There is a strong relationship between land use planning and transport. In order to support expected population and employment growth, it is necessary to improve the transport infrastructure to accommodate this anticipated expansion by improving accessibility to public transport, walking and cycling.
- 9.53. Merton's Core Planning Strategy policies CS18 – 20 seek to ensure that transport impacts are appropriately assessed and managed so that transport infrastructure is provided where it is most needed and that this is provided in an integrated and balanced way. It is therefore essential to identify and protect existing and potential sites and routes, which could be critical to providing the necessary transport infrastructure. This approach is in accordance with the Mayor's Supplementary Planning Guidance "Land for Industry and Transport".

- 9.54. This policy safeguards existing land that is used for transport infrastructure and seeks the provision of additional land or physical improvements where this is required to increase capacity or to improve the transport network to accommodate growth. Where appropriate, improvements will be secured through planning obligation.
- 9.55. The council's Core Planning Strategy objectives also seek to overcome social and economic disparity across the borough and to support economic growth. The provision of improved public transport connections and facilities will help to reduce this inequality by seeking improved accessibility to areas currently poorly served by public transport.
- 9.56. A list of strategic regional transport proposals, as highlighted in the London Plan and Sub-regional transport plans (as amended), together with more locally important proposals are indicated on the council's Proposals Map. Although this list is not exhaustive, it nevertheless outlines many of the key projects envisaged for delivery during the plan period, although it is accepted that some larger schemes will take longer to complete. Proposals have only been included where there is a strong commitment for delivery, such as where proposals are already formally safeguarded, as in the case for the Chelsea – Hackney Rail Line.
- 9.57. Details of transport improvements needed to overcome existing congestion, road safety, access or movement issues, together with associated impacts on the environment, air quality and noise, such as around South Wimbledon Underground Station, Wimbledon Stadium, Burlington Road Roundabout and the Church Road/western Road junction in Colliers Wood, are also identified on the proposals map and policy EP2 (Reducing and Mitigating Against Noise). It is important that new development does not compromise the efficiency of existing facilities nor future transport infrastructure requirements, especially where transport proposals would aid regeneration.
- 9.58. Another example is the recognition of TfL's emerging approach to meeting the challenges of upgrading and extending the tram network as outlined in the recent amendment to the South London Sub-regional transport plan - 2012 update. Improvements being considered include capacity or service upgrades on the Wimbledon Branch line, for instance further twin tracking; extended stop facility at Wimbledon Station and a new tram stop to serve Willow Lane Industrial Estate. Potential tram extensions include a route between Crystal Palace and Wimbledon and Sutton town centre to Wimbledon via St Helier Hospital and Morden town centre.
- 9.59. Other proposals include rail infrastructure projects outlined in Rail Industry Plans. These include proposals to improve passenger and platform capacity at Wimbledon Station, platform lengthening, where deliverable and station enhancement/accessibility programmes.
- 9.60. The Willow Lane Industrial estate has poor road connections, which results in goods vehicle using inappropriate routes, congestion and is also inefficient for business. To overcome these barriers the council will continue to promote proposals for a new access road for the estate.

- 9.61. Improving accessibility by walking and cycling is a key objective of the council's transport policies, in particular between town centres and where physical barriers result in poor access, such as in Raynes Park, where a key walking route with a new shared pedestrian/cycle tunnel is proposed alongside the existing road link. Other initiatives include developing a series of town centre based cycle hubs (Morden, Colliers Wood and Wimbledon) and expanding the cycle route network, including new feeder routes to TfL's Cycle Superhighway at Colliers Wood.

### Delivery and monitoring

- 9.62. Delivery of developer transport proposals, obligations and contributions will be coordinated with Merton's Sustainable Transport Strategy and Local Implementation Plan (LIP 2), other council funding streams and through the council's management and delivery structures.
- 9.63. The council will work in partnership with transport stakeholders, providers and developers to identify the physical, operational and capacity needs of the public transport network and to deliver enhancements to transport infrastructure.

## **DM T5 Consideration of Connections and Access to the Road Network** ***(Amendments following consultation feedback, research and national policy changes)***

### Policy aim

To ensure that development makes a positive contribution to sustainable transport and the environment.

### Policy

Developers will be expected to demonstrate the impact of their plans on the highway network. In addition, development proposals will be required to meet the following criteria:

- a) That they minimise any impacts on the safety, movement of people or goods, are appropriately located and connected to the road hierarchy;
- b) Contribute to building strong local communities through the delivery of a high quality, inclusive environment and public places in accordance with the Department of Transport's Manual for Streets 1 & 2, [or relevant updated guidance] with an emphasis on delivering Sustainable Places;
- c) Ensure that new public roads or footways are constructed to adoptable standards and accessible for people with mobility problems;
- d) Are located close to the Strategic or London Distributor Roads if they involve development generating significant numbers of journeys by goods vehicles; and,
- e) That vehicle crossovers must satisfy the requirements detailed in Merton's "Vehicle.

### SA/ SEA implications

- 9.64. The policy meets sustainable sustainability objectives on climate change, air quality, improving accessibility by all modes and improving public transport accessibility. It ensures that new development provides a positive contribution to sustainable transport and environment by minimising impacts on the movement of people and goods to appropriate areas in accordance to the road hierarchy. The policy also seeks to ensure that improvements to interchange facilities would potentially bring wider benefits to the townscape and would allow the full potential of each area to be realised, thereby making the best use of land within the borough.

### Justification

- 9.65. Development should be appropriately located in order to facilitate sustainable growth; to reduce the number and length of journeys; be sympathetic to the local environment; and maintain the efficiency of the road network whilst still meeting climate change challenges.
- 9.66. Merton's Core Planning Strategy policies CS18-20 discuss the importance of providing a transport network that meets the needs of a growing economy, and

which ensures that development sites can be accessed by a range of transport options. These requirements are especially relevant in Morden, Mitcham and Colliers Wood town centres where significant changes to the highway layout are envisaged to meet the council's regeneration aspirations. Where appropriate, improvements that are required to mitigate impact from individual developments will be secured through planning obligations.

- 9.67. To minimise impacts on residential areas and local roads that are generally unable to cope with large volumes of traffic, it is important that developments generating or attracting high traffic volumes and in particular access by heavy goods vehicles are appropriately connected to the road hierarchy.
- 9.68. New streets should respect and link to the local neighbourhood they serve and provide good connections to community facilities and shops, promote improved travel choice by creating an attractive, permeable, well designed and balanced environment. Priority should be given to non-motorised modes of travel and the use of traffic management measures investigated to reduce adverse traffic impacts. The council supports the principles and approach set out in Manual for Streets1 & 2. Gated development can reduce permeability, increase social division and reduce community spirit. This issue is especially pertinent where access through the site would enhance wider connectivity or access to public transport.
- 9.69. For further detailed guidance on design refer to the councils Street Design Guide and Councils Vehicle Crossover Information Pack, available on the council web site [http://www.merton.gov.uk/transport-streets/roads-highways-pavements/pdf-vehiclecrossover\\_infopack\\_version3\\_apr11.pdf](http://www.merton.gov.uk/transport-streets/roads-highways-pavements/pdf-vehiclecrossover_infopack_version3_apr11.pdf) (or as subsequently amended).
- 9.70. The council will seek advice from Transport for London (TfL) on developments that impact on the TLRN (Red Routes) or Strategic Road Network.

### Delivery and monitoring

- 9.71. The consideration of developments that include new highway access, and the requirement for planning obligations and contributions associated with all new development will be coordinated with Merton's Sustainable Transport Strategy; the Local Implementation Plan (LIP 2); other council funding streams and through the council's monitoring, road maintenance and delivery management structure.