

SMO/669/34/1

19 February 2013

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

Dear Sir/Madam

**RE: CONSULTATION ON MERTON DRAFT SITES & POLICIES DEVELOPMENT PLAN  
LAND TO THE SOUTH OF RAVENSBURY LANE, MORDEN ROAD, MITCHAM**

We act on behalf of GPG No 5 Ltd and write in respect of the above document, which is currently out for consultation until 27 February 2013. Our client is the owner of land to the south of Ravensbury Lane, Morden Road, Mitcham. Please see a site location plan attached, which confirms our client's ownership.

The purpose of these representations is to seek a policy framework which will accommodate the proper future economic use and thereby maintenance of the undeveloped part of the site, through objecting strongly to inappropriate and unjustified designations of it and the wider site.

**Background**

As background, it should be noted that this site benefits from an extant planning permission (ref: 06/P0320 approved August 2007) for a medical centre, café and nursery. The medical centre and café have been built and have been open since November 2012. However, the nursery element of the proposal has not been built to date, due to there being no demand for such a use within this area. This element of the site is fully cleared and ready for development should demand arise, and could be implemented at any point in the future (given that development of the wider site has been commenced). There is no evidence to indicate that there will be any demand for the consented use for the foreseeable future and it is therefore imperative to find an alternative economically viable use for this part of the site, to avoid its long-term vacancy and disuse.

**Objection to Open Space Designations**

We have reviewed the draft Sites and Policies DPD in the context of our client's ownership, and note that the Council is intending to extend the 'open space' and 'green corridor' designations

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from the 2003 UDP proposals map to include the site, along with including the site within the boundary of the Wandle Valley Regional Park. This is illogical and unjustified given the site's recent planning history and current condition.

We consider that it would be inappropriate to extend the above designations to include our client's landholding, for the following reasons:

- The appropriateness of the principle of development of the site is established by the 2007 consent, whereby the land does not comply with the Council's 'open space' and 'green corridor' policies which seek to resist built development, unless it is ancillary to the use of the open space, which the currently consented development is not.
- The site is within private ownership and there is no provision for its use or maintenance as 'open space' or as a 'green corridor'. Furthermore, the general public have no access to the site, therefore there is no 'public value' to the site as per the definition of open space within Annex 2 of the NPPF.
- The site is not being used as open space. As advised above, it is partially developed as a medical centre and café, and the remainder is cleared for development and secured by a gate and close board fencing (ensuring no public access). It therefore does not comply with the London Plan 2011 definition of 'open space' which defines it as "*All land in London that is predominately undeveloped...*". In fact, section C-5 (p.370) of this consultation document specifically advises that "*Buildings, and their adjoining land, on the edge of open space of which the primary use is not ancillary to the use of open space*" are excluded from open space. On this basis, the site should be excluded from any open space designation.
- Similarly, the inclusion of the site within the 'green corridor' is inappropriate for the reasons above, but further offers no benefit for inclusion within the existing green corridor as it does not assist the primary purpose of 'green corridors', which is to provide opportunities for walking and cycling between the built development and opportunities for wildlife migration. In these terms, the green corridor should not be extended to include this site.
- The inclusion of the site within the Wandle Valley Regional Park does not accord with the objectives of the Wandle Valley Area Framework. In particular, the site is privately owned, with no public rights of way, and does not provide access to open space. Therefore, there is no justification for inclusion of the site within the park.

Accordingly, we consider the Development Plan, as drafted, is unsound if it proceeds to extend the 'open space' and 'green corridor' designations to include our client's site, as it would not serve any relevant planning purpose. Furthermore, as the site is largely developed (and the remainder of the site can be built at any stage in the future without the need for planning permission), it would be illogical to include it within the Wandle Valley Regional Park. In terms of the tests of soundness (as set out in paragraph 182 of the NPPF), it is considered that to include the site within the above mentioned designations would not be justified or effective, and in turn not deliverable.



### Promotion of a Residential Allocation

In the context of the above, it is considered that the remaining undeveloped area of the site is suitable for residential development, in the absence of any demand for the nursery to be built, as a preferable alternative (in planning policy terms), to the proposed designations.

Although we note that the Council's website advises that additional sites cannot be considered at this stage of consultation process, we consider this site offers a logical sustainable solution to help meet housing needs, on a site where the Council has accepted the principle of development. Therefore, in the interests of positive forward planning and given the document has yet to reach 'submission stage', these representations also respectfully seek the inclusion of the site as a residential allocation in the emerging DPD.

We consider there are a number of reasons why this site offers a deliverable and acceptable site for residential purposes, including:

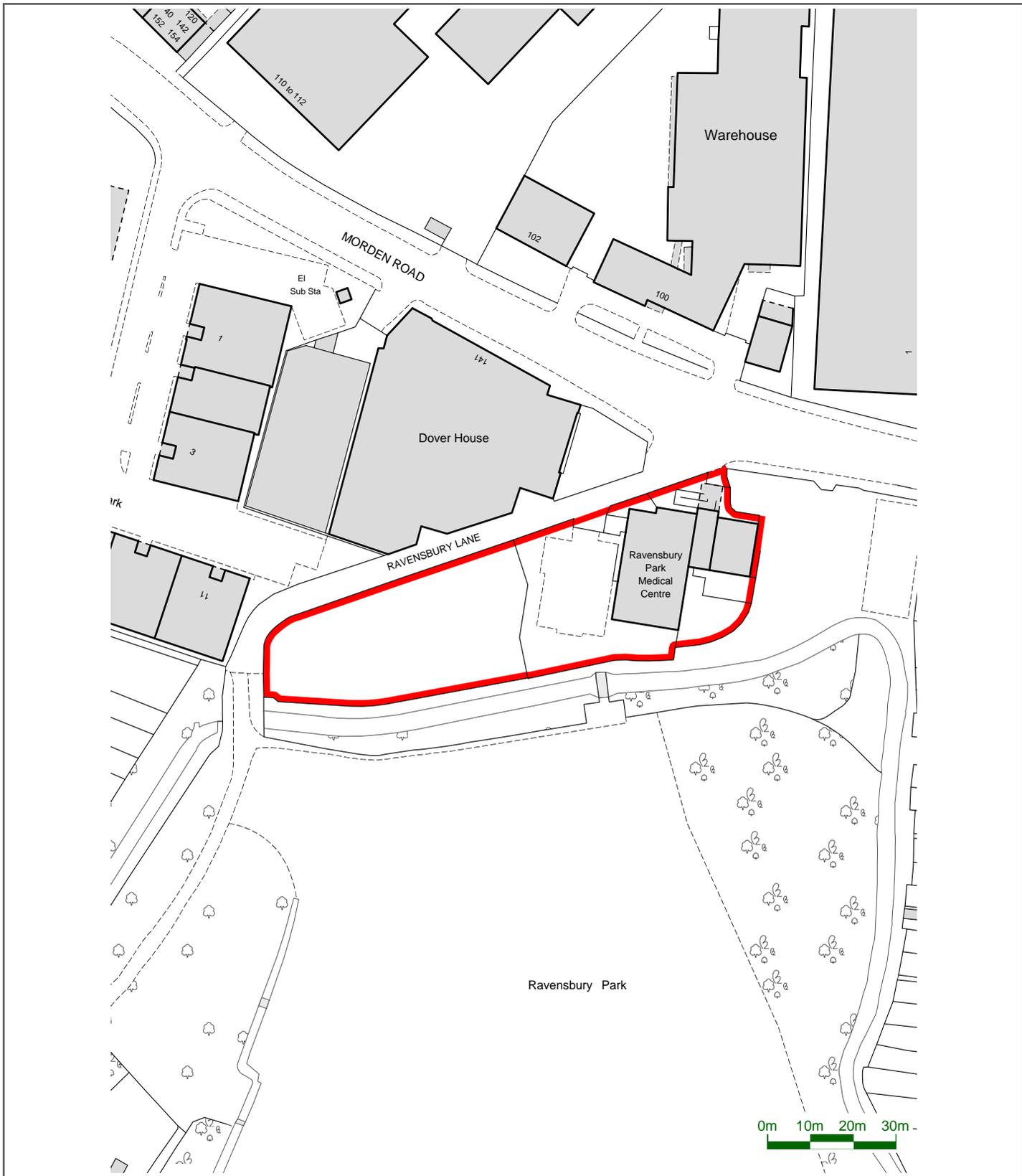
- The site represents a previously developed site within the built up area, where both local and national guidance advise that development should be directed in the first instance.
- The site lends itself well to residential development as it is located in a largely residential area, within close proximity to local amenities and public transport. Furthermore, its location adjacent to open space provides a good residential outlook for future residents.
- The site will assist the Council in providing housing for local people. It is understood that the Council will facilitate the provision of a minimum of 4,800 additional homes for the period 2011 - 2026, with 1550 -1850 dwellings directed to the Mitcham sub area (Policy CS 9 of the Core Strategy).
- Residential development on the site would be consistent with national policy, in that it would boost housing supply in line with paragraph 47 of the NPPF and further should be considered in the context of the presumption in favour of sustainable development (paragraph 49 of the NPPF).

We trust that these representations – made within the relevant timeframe – will be favourably considered. We look forward to receiving confirmation that they have been received and registered. In the meantime, should you have any queries in relation to the above, please do not hesitate to contact Sinéad Morrissey at this office.

Yours faithfully,

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Encs.



**SITE LOCATION PLAN**  
 Ravensbury Lane,  
 MITCHAM. CR4 4DG.



Scale @ A4 : 1:1250  
 Plan No. : 669/34/1\_1

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