

# Merton Estates Local Plan Independent Examination

June 2017



## Response to Draft Matters, Issues and Questions Identified by the Inspector

Clarion Housing Group (CHG)

### Matter 3 – High Path (Policies EPH1 – EPH8)

This Statement is made on behalf of Clarion Housing Group (CHG). Representations were made to the Draft Estates Local Plan (ELP) DPD in March 2016 and to the Publication Version in February 2017.

An outline planning application with all matters reserved for the regeneration of the High Path Estate was submitted to the London Borough of Merton in April 2017. The application includes a number of parameter plans and an indicative masterplan. A copy of the indicative masterplan is enclosed as Appendix 1.

We reserve the right to make further representations on these draft matters, issues and questions identified by the Inspector, and to any other points that may arise during the course of the Examination.

**1. Does Policy EP H1 Townscape provide a sound, effective expression of the plan's overall vision (and interpretation of "New London Vernacular") for the estate? Should the Further guidance be included within the policy?**

In order to maintain flexibility, the Further Guidance should remain as that.

**2. Taken together, are Policies EP H2 Street Network and EP H3 Movement and Access justified and effective, particularly in the light of:**

- **traffic movement and highway safety implications;**
- **crime and community safety implications;**
- **whether some aspects of Further guidance and Justification (e.g. para 3.154 re parking strategy) should be included within the policy;**
- **whether appropriate flexibility is provided; and**

Policies EP H2 and EP H3 are prescriptive and do not allow for sufficient flexibility to allow for the proposals to evolve having regard to changing circumstances or unforeseen constraints particularly as the scheme will be delivered over a number of years. This is contrary to the NPPF Paragraph 59 which requires design policies to have sufficient flexibility.

The illustrative masterplan demonstrates there is potential to further expand the street network surrounding the High Path estate and neither does it restrict the opportunity for an additional entrance to the South Wimbledon Underground station. In addition, a new east–west street is created by extending Nelson Grove Road and Rowlands Way. The ELP refers to the provision of "clear views along its whole length" and this is considered to be overly



prescriptive. The masterplan layout does not provide for a clear view from one end of the east-west street to the other. Instead, the street responds to the alignment of existing streets: Nelson Grove Road to the East and Rowland Way to the West. The offset of these streets from one another allows for the views of the proposed street to have a new focal point towards the Neighbourhood Park, which is proposed to be at the heart of the neighbourhood. These views are also possible due to the length of the proposed inner streets (approx. 200m each). If the inner street were to be straightened from East to West, its total length (of approx. 450m) would not allow for such unobstructed views.

Both Nelson Grove Road and Rowland Way have historically been entrances into the Estate. Keeping these in their original location, links back to the history of the site. The position of the access from Morden Road is also in close proximity to an existing bus stop, which increases pedestrian movement into and from the site. Moreover, its location future-proofs for the potential new tram stop along Morden Road, allowing adequate distances and space for its development. Staggered streets also create character and can reduce vehicular speeding.

In order to maintain flexibility, the Further Guidance should remain as that.

- ***implications for places and projects essentially outside the plan area (e.g. High Path, Merantun Way, Merton High Street, Morden Road – including the potential Tramlink extension, Rodney Place and Abbey Mills)?***

The need to integrate the development proposals with the wider area is recognised; however works outside of the site demise such as those on Merton High Street and associated with the Tramlink extension are dependent on other organisations bringing these projects forward and are not within the control of Clarion.

Discussions have been undertaken with organisations, including TfL which demonstrate effective joint working in assisting with bringing forward the comprehensive regeneration of the Estate and surrounding area. As a result the estate regeneration is not considered to have wider implications for places and projects outside of the plan area, as it can be, and indeed the masterplan proposals have been, designed to future-proof for these works..

***3. Does Policy EP E4 Land use, when taken as a whole with the Further guidance and the Justification, and in the context of LP and CS policies, effectively set out clear and robust parameters in terms of density and non-residential land uses? Is the approach to increasing density positively prepared and justified?***

The planning applications will be considered against the Development Plan which already expresses policies on density. It is not considered necessary for the ELP to repeat these policies, instead, the ELP should provide flexibility for the masterplans to be developed following a design-led process to optimise development potential.

***4. Taking Policies EP H5 Open space, EP H6 Environmental Protection (in part) and EP H7 Landscape together, do they:***

- ***provide sufficiently clear and appropriate indication of the quantum of open, play and recreational open space, having regard to but not prescribing standards set out in other documents?***

Policy EP H5 must be read in conjunction with the wider Development Plan. It is not therefore necessary to repeat policy on standards for recreation, play and gardens, for example part (d) in relation to garden sizes. These policies do not require current standards to be exceeded and there is no evidence to demonstrate this is required. As shown on the indicative masterplan, some of the houses will be provided as Mews or town house style houses whereby the typology does not incorporate large private gardens. Greater flexibility should therefore be included in the policy

to allow for the provision of different typologies within the scheme which could contribute to place making, successful urban design and housing choice.

- ***provide consistent and compatible policy, at an appropriate level of detail, regarding location and distribution of open space together with retention and planting of trees?***

We have already made representations about the inconsistencies between policies in this regard, for example, Policy EP H7 requires a number of mature trees to be retained in the playground to the north of the Marsh Court block which is contradictory with the urban design requirements for a street network with buildings to be located fronting Pincott Road. The restrictive nature of this policy also limits the design-led process to which we understand that the Council supports. The policy should be amended to state that existing trees will be retained “where possible”. It is also relevant to note that the Council has resolved to grant planning permission for the first phase of the regeneration and this approves the removal of the trees to the north of Marsh Court.

It should be recognised in the Policy that the retention and / or removal of trees will be based on a robust arboricultural and urban design analysis which will be assessed at planning application stage. It is not justified for such detail to be included within the ELP.

- ***Deal appropriately with “green chains”, particularly where they extend beyond the plan boundary?***

***5. Is Policy EP H6 Environmental Protection, particularly regarding flood risk, energy, construction impact and waste, effective in terms of its relationship, and possible repetition of and consistency with, development plan and local and national policies and guidance and the Building Regulations?***

Other than in relation to battery storage, this Policy is considered to repeat existing development plan policies, national policy and Building Regulation requirements. Its inclusion could therefore be considered to be not necessary or justified.

***6. Is Policy EP H8 Building Heights justified and effective regarding:***

- ***the clarity of its proposals and constraints, including whether para 3.205 Further guidance should be part of the policy?***

In order to maintain flexibility, the Further Guidance should remain as that.

- ***internal consistency, particularly with respect to Morden Road and Rodney Place?***
- ***the inclusion of significant locations outside the plan area in parts (f) and (g)?***

The development proposals do not restrict the potential for creating a boulevard street in this location; however this location is outside of the site boundary control of CHG.