

To: The Inspectors, Mr Fort and Mr Aston

Comments: Topic Paper for Areas of Deficiency in Access to Nature – November 2022, with specific representations on Site 34: Land to rear of Cannon Hill Lane 274 – 312 for which Open Space status is proposed to be removed as part of the new “Local Plan”.

In the topic paper “Areas of Deficiency in Access to Nature – November 2022” we do not see a proposed modification to the Council’s plan to remove Open Space status i.e. we expect the outcome of the inspection to be that green land is preserved, in line with the very policies being proposed!

Not only does this make a mockery of the Council’s “plan” to tackle climate change and retain or improve the living conditions for residents, but it also shows negligence by the Council in not adequately consulting with residents.

It is unclear whether such modification would be in this Topic paper or another paper. We would therefore like to reiterate some valid points which have not been responded to adequately and add more:

1. Lack of consultation

We ran a petition against the planning application to build on this site and gained more than 110 signatures, only from people living in our street or those impacted directly by the proposal, and the number is limited only by the amount of time we had for door knocking.

The consultation was inadequate. So inadequate that we would say there was no consultation.

We happened to find out that consultants working for the Council recommended removing the Open Space status from this site, after requests from the land owner.

We were not informed by Merton Council about the proposed change to the land’s designation and we believe that we should have been told of this potential loss of the land’s designation. The process lacks transparency and is undemocratic.

We note the response provided by Merton Council as part of this local plan inspection and we had also previously received a response from Councillor Natasha Irons, Cabinet Member for Local Environment and Green Spaces. The Council say that they used a variety of methods to publicise the local plan including:

- Emails sent to over 1,600 people who have signed up to the Local Plan consultation database
- The My Merton magazine which is delivered to every household in the borough
- Social media updates, including the Merton Council Facebook and twitter accounts
- The Council's Local Plan webpage
- Some public consultation events and community meetings

There are two major flaws:

Number 1 - no direct consultation to neighbours of the site: The population of Merton, according to Merton’s website is around 215,000. So Merton Council emailed 0.8% of the population. The My Merton magazine is unlikely to be read cover to cover by many households – and can’t be expected to be. Not all the neighbours have social media accounts – one neighbour doesn’t even have email yet. Those that do, if they are like me and have built up an immense distrust and disrespect of Merton Council through their incompetent handling of this matter, hypocrisy and complete disregard for the welfare of residents, Merton Council is the last entity I would follow on twitter and facebook.

There should have been direct consultation to residents as we would be significantly impacted and any change in status of the land is distressing.

Number 2 – communication content: Even if we had all read My Merton magazine and followed on twitter and read one of the 1,600 emails, unless there was direct reference to a proposed change in land status, no one would know about the change or to look for the change. Indeed, many of us, who are educated professionals and involved in the community, don't even know what the Local Plan is. We used to be of the belief that the Council acted in the interests of residents and would surely not put resident's health and nature in danger. So we wouldn't have looked for a change in status of this land.

So, how Merton Council can justify having performed a consultation directly with residents or directly drawing their attention to this change in plan, beggars belief and only reinforces their hypocrisy, or lack of care to do what is right.

## 2. Lack of justification for removing Open Space status

### a) In the Council's proposed local plan and existing policies it says the following

Policy CS13 We will: a. Protect and enhance the borough's public and private open space network including Metropolitan Open Land, parks, and other open spaces;

To improve opportunities for our residents and visitors to experience nature we will: 1. Protect and enhance biodiversity through supporting the objectives of the London Biodiversity Action Plans; 2. Encourage new green links, green corridors and islands to seek to reduce areas of deficiency in nature conservation and to create safe species movement and havens for nature; 3. Refuse development that has a significant adverse effect on the population or conservation status of protected or priority species and priority habitats;

“Visual accessibility is equally as important as physical access.”

In PPG17 it also says “1.2 The Government's policy that the focus for additional housing should be existing towns and cities could make existing open spaces seem attractive as potential development sites. In most instances, however, allowing redevelopment will not be good planning, even if the land in question has been neglected and is in poor condition.”

This piece of land is valuable to resident's mental health and valuable to biodiversity. There are bats, owls, hedgehogs, which are protected and priority species, many species of birds, and this space is an important ecologic corridor. There is a strong case for this land being protected as a green corridor.

The previous owners of the land, Cyril Marsh who was the first Mayor of Merton, wanted this land protected, specifically for residents and the community.

The Council is not applying any of these policies. The Council has a bias towards wanting to develop on the land. It simply says it “followed the criteria” but has not taken any of the above into account. This is not telling us which criteria and how it is justified to go against their own policy.

### b) Environmental appraisal and justification is outdated

The only justification I can find is an Open Space study by TEP dated 2020. It is significantly outdated.

It says “This site is located at the rear of six residential properties along Cannon Hill Lane.” This is factually incorrect”. It borders numbers 274 to 316 and the access way impacts 318 to 322.

“The land to the west is currently unused”. It is now used as an environmentally focussed children's nursery which has sought to retain the natural environment for the benefit of children.

“Given that it is landlocked, the site does not offer any public accessibility or visual amenity and is not designated as a Green Corridor or SINC.” As per PPG17, it doesn’t matter if the land is landlocked or not. Merton’s own policy says that visual access is equally as important as physical. This site offers visual amenity to residents. It is also factually incorrect.

c) Destroy local business

It needs to be highlighted that removing this protection will potentially destroy a thriving and valuable community serving business, the Little Forest Folk nursery, and will potentially put children in danger of harm.

d) Responses from the Council don’t answer the questions we asked when challenging it:

- The change in land status will inevitably lead to building on the land. How will the increased GHG emissions be mitigated or offset against reductions elsewhere? Where specifically in the climate plan?
- How does the Council expect residents to plant trees to help prevent climate change when they are reducing the protection of trees and green land?
- How does the Council expect residents to believe there is a Climate Emergency when they remove protection of green land?
- How is it justified that residents will suffer even further decline in standard of living, by losing precious visual amenity and land that provides clean air?
- How is it justified to lose valuable biodiversity, trees and nature?

The responses by the Council are this:

- The site was designated “Open Space” by mistake because neighbouring sites like AELTC were “Open Space”! Therefore, it should not be Open Space.
- The Green Infrastructure Study informs the decision to remove Open Space status.
- The site alongside is not Open Space.
- The consultation was adequate. (A list of their actions are provided, which clearly show that neighbours of the site were not consulted).
- The site is not a SINC or Green Corridor.

There are no answers to the questions above. As you can see, these are child-like responses with no justification. Where justification (or just extra words) is provided, it makes no sense, is incorrect or severely insufficient. For example, we have provided examples of how the Open Space Study is outdated and factually incorrect. But this is continued to be used as justification, with no acknowledgement that it is incorrect or how it is shown to be correct. How can this be acceptable? Just because the site next door is not Open Space, doesn’t mean this one shouldn’t be. We argue that and have provided reasons why both sites should be Open Space or Green Corridors.

### **Proposal**

Why the Council wants to destroy a nursery business, put children in danger, damage nature, further worsen our mental state and health, by removing Open Space status, beggars belief. And doing so by ignoring the residents with no direct consultation simply shows their negligence and that their underlying attitude is not in the interests of residents, despite what they say.

We propose that, in line with the proposed “Local Plan”, this piece of land should remain protected and should be designated as Open Space or Green Corridor, along with the neighbouring nursery’s land, for the reasons above and many others already provided, but ignored.

We find it ironic that a Local Plan can be approved whilst at the same time approving actions that go against the very same Plan! It invalidates the Local Plan and the governance of it. We already know about the obvious incompetence and mismanagement by the Council but thought the Local Plan and process to approve it would have more integrity.