

Merton Council Topic Paper for the Examination in Public on the draft New Local Plan on Sites of Importance for Nature Conservation and Areas of Deficiency in Access to Nature - November 2022

1. During the Stage 2 Hearing sessions, on 19 October 2022, the Planning Inspectors requested that the Council should:
 - a. in collaboration with Greenspace Information for Greater London (GiGL), review the maps showing the existing areas of deficiency in access to nature by including the proposed modifications to Sites of Importance for Nature Conservation (SINC) and to produce a brief topic paper, which includes information on GiGL's methodology for the calculation of Areas of Deficiency, outlines any mapping changes and proposes any necessary modifications to ensure that the draft New Local Plan is 'sound'.
 - b. review the wording of the draft Local Plan *Policy O15.3 'Biodiversity and Access to Nature' part-f* ([LBM15](#)) with reference to the wording in The London Plan *Policy G6 'Biodiversity and access to nature' part-B 2* ([OD32](#)) and any relevant proposed site allocations that refer to Areas of Deficiency in access to nature.

Relevant Planning Policy

2. The London Plan([OD32](#)) Policy G6 'Biodiversity and access to nature' states in part B:

B Boroughs, in developing Development Plans, should:

 - 1) *use up-to-date information about the natural environment and the relevant procedures to identify SINC's and ecological corridors to identify coherent ecological networks*
 - 2) *identify areas of deficiency in access to nature (i.e. areas that are more than 1km walking distance from an accessible Metropolitan or Borough SINC) and seek opportunities to address them*

...
3. 'Areas of deficiency in access to nature' is defined on page number 497 of The London Plan([OD32](#)), in the Glossary in Annex 3 as:

*Areas of deficiency in access to nature
Areas where people have to walk more than one kilometre to reach a publicly accessible metropolitan or borough Site of Importance for Nature (SINC).*
4. Merton Draft Local Plan Policy O15.3 'Biodiversity and Access to Nature' (with proposed modifications)([LBM15](#)) states:

We are committed to protecting and enhancing the natural environment. We aim to protect and enhance Bbiodiversity, particularly on Ssites of

*R*ecognised *N*ature *C*onservation linterest, and to improve accessibility to nature throughout the borough. We will:

...

f. *Expect all development on sites found in an area of deficiency in access to nature to incorporate appropriate **B**iodiversity elements and habitat features to improve nature conservation, and to improve accessibility to SINC~~s~~ through site design.*

5. Within the Supporting Text to Policy O15.3, under the subheading 'Areas of Deficiency in Access to Nature' ([LBM15](#)), are the following two paragraphs:

15.3.22. *There is generally good access to green spaces and nature conservation areas in Merton, however some parts of the borough are considered to be deficient in access. For clarity, areas of deficiency in access to nature are areas where people have to walk more than 1km to reach a publicly accessible metropolitan or borough SINC. These areas have been identified and mapped in the Merton Green Infrastructure Study 2020. These maps are regularly updated by GiGL and should be referred to when preparing planning applications.*

15.3.23. *Major development proposals on sites that are located in these areas of deficiency will be expected to alleviate these deficiencies. We will support improvements in accessibility to SINC~~s~~ in areas of deficiency through all developments, where this is possible and practical.*

Proposed Policy Modifications

6. Except for new (shorter) access routes to borough and metropolitan grade SINC~~s~~, only large sites are likely to be able to address Areas of Deficiency through the provision of new local grade SINC~~s~~ that meet the criteria to alleviate Areas of Deficiency. For the policy to be justified and clear, the current expectation in Policy O15.3 part-f, for “*all*” development to address Areas of Deficiency, will have to be modified to be the same as that in paragraph 15.3.23, where the expectation is only for “Major” development to address Areas of Deficiency.
7. The requirement in Policy O15.3 part-f for sites in Areas of Deficiency “...to incorporate appropriate **B**iodiversity elements and habitat features to improve nature conservation...” is an unnecessary duplication of the requirements for proposals to protect and enhance Biodiversity in the other parts of Policy O15.3, in particular part-d.
8. For improved clarity and conformity with The London Plan, the expectation in Policy O15.3 part-f, for sites “to improve accessibility to SINC~~s~~ through site design”, should be modified to use wording similar to that in Policy G6 part-B 2 of The London Plan ([OD32](#)), i.e., “seek opportunities to address them” and similar caveats as for the provision of new Open Space in Policy O15.2 part-d, i.e., “where suitable and viable.”

9. In conclusion from the above, the council now proposed the following Main Modifications to Policy O15.3:

- f. Expect ~~Major~~ development on sites found in an area of deficiency in access to nature to address the deficiency, where suitable and viable incorporate appropriate Biodiversity elements and habitat features to improve nature conservation, and to improve accessibility to SINC through site design.

15.3.23. *Major development proposals on sites that are located in these areas of deficiency will be expected to ~~alleviate~~address these deficiencies, where suitable and viable. We will support improvements in accessibility to SINC in areas of deficiency through all developments, where this is practicable~~possible and practical~~.*

GiGL methodology for calculating Areas of Deficiency

10. GiGL updates and maintains the council's Areas of Deficiency information, alongside the council's SINC data (boundaries and citations) but it is the council that determines whether a SINC alleviates Areas of Deficiency. To inform their decisions, the council uses the detailed criteria set out in the GiGL document attached in Appendix 1 and currently available on the GiGL website at: <https://www.gigl.org.uk/wp-content/uploads/2022/11/G020SINCAoD.pdf>.

SINC Changes

- 11. SINC are reviewed and designated through the Local Plan process and associated changes to Areas of Deficiency will only be recalculated when the Local Plan is adopted.
- 12. The results of the most recent review are published in the Merton Green Infrastructure Biodiversity and Open Space Study 2020([15D1](#)) and officers have carried out subsequent reviews of some specific sites. All the proposed changes were published as part of the Stage 3 'submission' version of the Policies Map in July 2022([0D2](#)), except for the proposed extension to Wimbledon Park SINC (MeBI02) and the reduction to the Myrna Close Valley SINC (MeBII10), which were proposed as part of the Main Modifications([0D4a](#)) submitted for examination on 2 December 2021.
- 13. The council has provided GiGL with all the proposed modifications to the SINC as set out below and GiGL has used this information, including the alleviation of Areas of Deficiency from adopted SINC in neighbouring boroughs, to generate the 'predicted' Areas of Deficiency map that is attached as Appendix 2:
 - a. The following sites had their boundaries reduced:
 - i. Mitcham Common (M093)
 - ii. Streatham Junction to Wimbledon Railsides (MeBII01A)

- iii. Sutton line south of Wimbledon (MeBII01F)
 - iv. Myrna Close Valley (MeBII10)
 - v. Merton Park Green Walks (MeBII12)
- b. The following sites had their boundaries expanded:
- i. Wimbledon Park - Merton section (MeBI02)
 - ii. Morden Park (MeBI11)
 - iii. Lower Pyl Brook (MeBII03)
 - iv. Atkinson Morley's Hospital Woodland (MeBI09)
- c. The decision to alleviate Areas of Deficiency for two sites was updated:
- i. Wimbledon Park - Merton section (MeBI02) was changed from 'No' to 'Part'
 - ii. Atkinson Morley's Hospital Woodland (MeBI09) was changed from 'No' to 'Yes'
- d. The following changes to Local grade SINCs, which do not contribute to alleviating Areas of Deficiency:
- i. reduction to Haig Homes estate, Green Lane (MeL22)
 - ii. new site - Woodmansterne Nature Reserve (MeL23)
 - iii. new site - Bellamy's Copse (MeL24)

Proposed Modifications to Site Allocations

14. Following a review of the Predicted Change in Areas of Deficiency map in Appendix 2 and the related wording in the proposed site allocations, in conjunction with the above proposed modifications to the policy wording, the council proposes that the standard 'Areas of Deficiency' wording in the 'Infrastructure requirements' part of the site allocation for Mi4, Mi14, Mo2, Rp2, Rp3, Rp4, Rp7, Wi3 and Wi9 be amended as follows:

This site is in an area ~~identified as being deficient~~ of deficiency in access to nature. The Council will ~~require~~expect proposals to ~~alleviate~~address this deficiency in accordance with the Green Infrastructure policies.

15. Furthermore, the above new modified standard wording should be inserted in the 'Infrastructure requirements' part of the following site allocations RP1, Wi10, Wi13 and Wi16, where the former standard 'Areas of Deficiency' wording was, prior to their proposed deletion as part of MM3.2b in ([LBM13](#)) in September 2022.

Appendix 1 – GiGL’s ‘Principles of Measuring Areas of Deficiency in Access to Nature’

(Currently available on the GiGL website at:

<https://www.gigl.org.uk/wp-content/uploads/2022/11/G020SINCAoD.pdf>.)



Principles of Measuring Areas of Deficiency in Access to Nature (SINC AoD)

Contents

Introduction.....	1
GiGL SINC AoD standards	2
Criteria for selecting sites which alleviate AoD	2
Guidance for AoD Review	4

Introduction

Areas of Deficiency in Access to Nature, also known as SINC AoD, are a meaningful measure of access to nature in London. SINC AoD are defined as built-up areas more than 1km walking distance from accessible Sites of Importance for Nature Conservation (SINCs) of borough importance or above. The distance is measured along actual walking routes via roads, bridges and paths from site access points.

SINCs are London's Local Wildlife Sites and are non-statutory sites designated by London borough councils and local authorities. The SINCs selection process is overseen by the London Wildlife Sites Board (LWSB), which is chaired by the Greater London Authority (GLA). There are three tiers of sites: Metropolitan, Borough (Grade 1 and 2) and Local. SINCs are afforded a high level of protection within the planning system.

This document outlines the basic standards and principles to apply when measuring AoD and selecting sites that alleviate AoD.

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GiGL SINC AoD standards

GiGL have developed a number of standards for SINC AoD, detailed here.

1. One kilometre distance is measured along an actual walking route via roads, bridges and paths from access points.
2. AoD is drawn from the entire SINC site boundary. Sites can be exempt from this if only some parts provide a 'hands on' experience of nature. For example, The River Thames, the Docks and parts of the Canals in central and east London do not provide 'hands on' nature and so do not alleviate AoD, but areas where there is a footpath through vegetated areas alongside semi-natural river banks are included. If only part of a larger designated site provides a 'hands on' nature experience then AoD should be drawn from a sub-area of the site. In the GiGL dataset, this is recorded as a site that partially alleviates AoD and the sub-areas are mapped in a partially accessible SINC GIS layer.
3. As standard, only accessible Borough or Metropolitan grade SINC sites are included in the network analysis and are thereby considered to alleviate AoD in the surrounding area. However, Local Authorities can make individual recommendations on what sites contribute to AoD alleviation. Additional details are given in the section below.
4. AoD is not defined within Greenbelt. This is because few people live or work in such areas, and future development there is seen to be unlikely.
5. Sites outside the Greater London boundary may affect mapped AoD in the outer boroughs. GiGL make assessments as to the effects of county wildlife sites surrounding London and this is incorporated into calculations.
6. Inaccessible Metropolitan or Borough SINC sites are included within non-AoD areas, as anyone who is within such a site must have gained access. However, these sites do not alleviate AoD in the surrounding area.

Criteria for selecting sites which alleviate AoD

It is the role of Local Authorities to determine whether a SINC alleviates AoD. New sites follow the default positions outlined below unless the Local Authority advises otherwise.

All accessible Metropolitan and Borough SINCs alleviate AoD.

Access classifications are divided as follows:

Access Classifications	Default AoD Decision
Free public access (all/most of site)	Include*
Free public access (part of site)	Include accessible parts of site*
Access on public footpaths only	Include*
Access at limited times	Include if at least 5 days a week*
No public access	Exclude
Access by prior arrangement	Exclude
Public access (entry fee)	Exclude
Can be viewed from adjacent paths or roads only	Exclude*

** indicates exceptions can be made by Local Authorities*

A list of exceptions that LPAs should consider against this default position are listed below.

1. If the site was designated as Metropolitan or Borough for a specialist interest, for example lichens in a churchyard or great crested newts in a pond, the SINC should only alleviate AoD if other features of the site give an experience of nature, e.g. the churchyard is reasonably wild or the pond is sufficiently large, attractively vegetated and accessible.
2. Local sites can alleviate AoD if they give a sufficient experience of nature and are therefore likely to be upgraded to a Borough or Metropolitan grade site in the near future.
3. If a site is too small to afford a sufficient experience of nature it cannot be considered to alleviate AoD, as people would be unlikely to travel up to 1 km to visit the site.
4. If the main area of nature interest is inaccessible to the public then consideration should be given to whether the site as a whole counts as alleviating deficiency.
5. Some consideration should be given to the environmental quality of a site. If a site is covered in rubbish, or is narrow and noisy, an assessment should be made as to whether people would really walk 1 km to visit it.
6. The inclusion of sites where access is restricted to footpaths and non-accessible sites with adjacent footpaths should be decided on a case by case basis, considering the nature value either side of the path. For example, a SINC that is only visible from nearby paths, such as parts of London's rivers and canals, can give a good experience of nature.

7. A site open for less than five days a week can alleviate AoD if it is regarded as important enough to the nature value of the area, or if the area of conservation interest has different opening arrangements from the site as a whole.
8. A site that is not accessible to all groups can be considered to alleviate AoD if the group of interest is significant, for example if the principal conservation interest is within a children's play area which is only accessible to children under ten years of age and their carers.
9. City farms are not generally regarded as giving sufficient actual experience of nature, with the exception of Mudchute Farm.

Guidance for AoD Review

GiGL receive information on SINC and SINC AoD from local authorities and their Local Planning documentation. Local authorities are encouraged to update GiGL on any changes to the designated sites. GiGL also request SINC data from local authorities on a regular basis, and when they become aware of new Local Plans. Every time a Local Plan is updated, SINC should be reviewed and GiGL should be notified of any changes, including those affecting the alleviation of AoD. If a site is lost at any time GiGL should be informed as soon as possible so that AoD can be recalculated straight away.

SINC AoD may be affected if:

- A SINC has been newly designated or de-designated
- A SINC is upgraded to a Borough or Metropolitan site or downgraded to a Local site
- The boundary, accessibility or quality of a SINC which alleviates AoD has changed

Changes caused by new or upgraded SINC designations will only be recalculated when a Local Plan is formally adopted. It is recommended that local authorities liaise with GiGL during the draft stages of planning to ensure that up to date SINC and AoD maps are included in planning documents.



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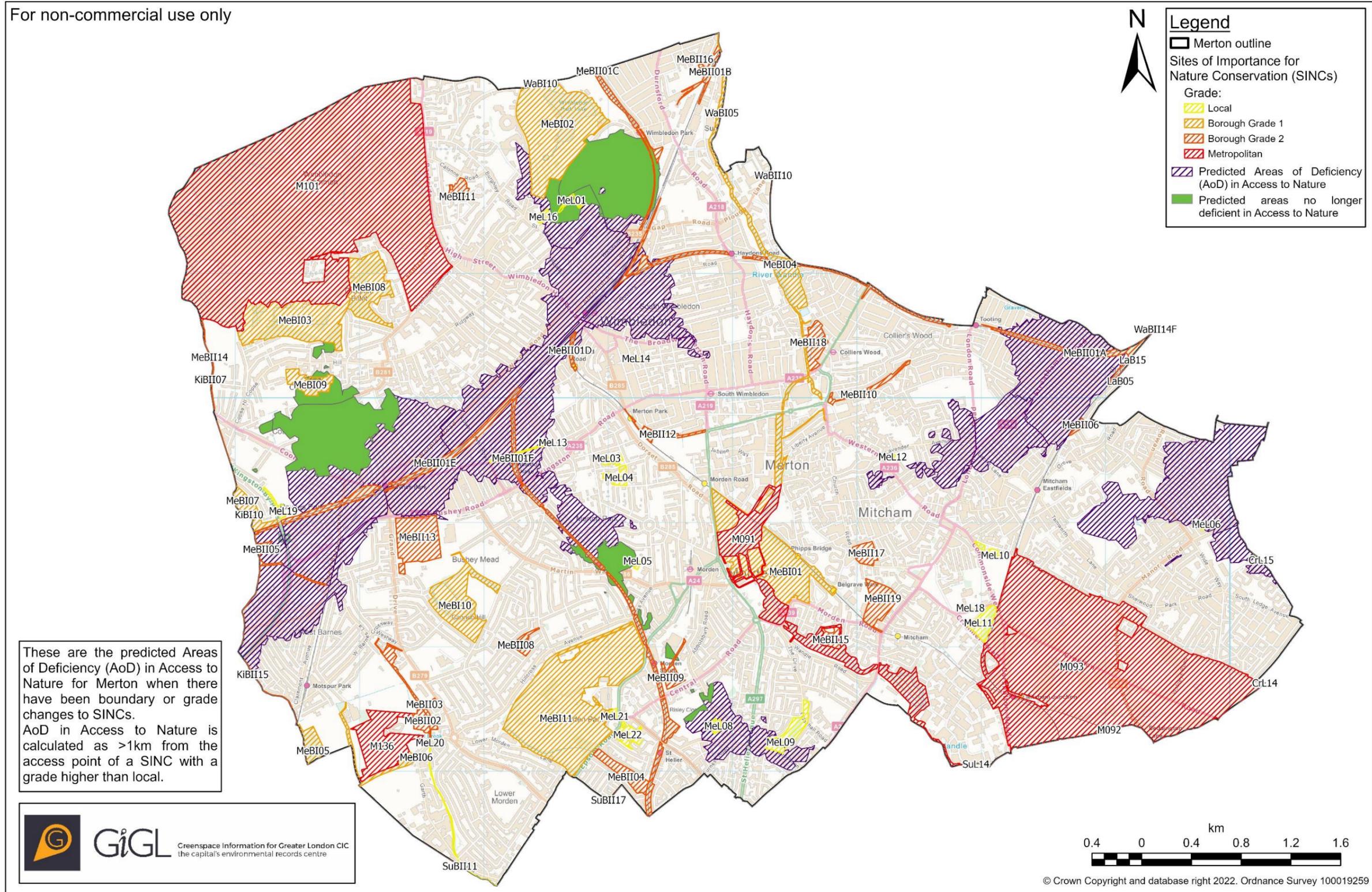


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Predicted Change in Areas of Deficiency in Access to Nature within LB Merton

Produced by Greenspace Information for Greater London CIC on behalf of LB Merton, November 2022

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These are the predicted Areas of Deficiency (AoD) in Access to Nature for Merton when there have been boundary or grade changes to SINCs. AoD in Access to Nature is calculated as >1km from the access point of a SINC with a grade higher than local.

