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Dear Future Merton,

I attach the response from the John Innes Society to the above consultation. Thank you so much for allowing us a little extra time to submit this.

We hear you have received a number of communications from Merton Park at the last minute, which did not say whether they were about the Character Study or the Small Sites Toolkit. I think you can take it, depending on what was said, they were about either or both. As the deadline approached, we sent a reminder to John Innes Society members that if they wished to comment, they must meet the deadline of 23rd March.

We also noticed on Nextdoor, a posting from local resident Ken Hawes, reminding people of the deadline and saying they would find reference to building in gardens "deep within the Small Sites Toolkit". He included a link to the Consultation document.

We know from local contacts, that the promotion for Infill development of garden land and privately owned open spaces, many of which have public access for recreation, is of very great concern.

Kind Regards,

Co-Chair John Innes Society.



# THE JOHN INNES SOCIETY

*For Conservation in the John Innes Estate at Merton Park.*

*Charity Number 803759.*

## RESPONSE OF THE JOHN INNES SOCIETY TO MERTON CHARACTER STUDY CONSULTATION

March 2021. (6 pages.)

The John Innes Society was founded fifty years ago and is a Civic Amenity Society registered as Charity Number 803759. The aim of the Society is conservation in the John Innes Estate at Merton. Our Area of Benefit includes the John Innes (Wilton Crescent) Conservation Area, the John Innes (Merton Park) Conservation Area and the Merton Hall Road Conservation Area, which together amount to some 47.24 Hectares plus the residential area to the South as far as Morden, which was developed by the Merton Park Estate Company after the death of John Innes.

We have about 700 members, most of whom live within the Area of Benefit. We have links with the John Innes Horticultural Institute, now at the John Innes Centre at Norwich, which was originally established in Merton Park.

The area is unique in that it is one of London's first garden suburbs, developed on former farmland by John Innes (1829 to 1904). There are a variety of styles and sizes of houses, the earlier ones in the Domestic Revival style, followed by Arts and Crafts designs, all set in tree lined streets, with holly hedges being a unifying feature throughout the estate. One could say that John Innes was the original "Place Maker". As well as the protection afforded by Conservation Area status, there are several Article 4 Directions in force, including one to require planning permission for new crossovers, designed to protect the historic vistas of holly hedges.

The Society has contributed to the Character Appraisals and Management Plans for our Area of Benefit and we review planning applications and make representations whenever we consider the development proposed would be out of character or fail to preserve and enhance the area. We also review relevant Borough policy documents.

We have taken part in public consultations on land use, both locally and nationally.

### **GENERAL COMMENTS.**

#### **Terminology:**

The Government's White Paper "Planning for the Future" August 2020, introduced three categories of Strategic Planning land use. **"Growth, Renewal and Protect"**.

Instead of working within those categories and admitting this is an Intensification Strategy document, the Study uses “Re-Imagine, Re-examine and Repair” That does not turn it into a Character Study when so much of its content is about Intensification. The introduction of Opportunity Areas (Map p 136) confirms its real intention is intensification.

Titles, and words, should be used which are consistent with content and National Planning Rules, such as those governing Conservation Areas. The Study should work within meaningful terminology.

### **Housing Targets:**

We were looking forward to a Character Study which reflected and celebrated the value of Merton’s built and natural environment, and in particular we were looking for appreciation of Merton’s three gems, Wimbledon Village, Mitcham Village and Merton Park. What we find instead is a document, funded by the Mayor of London’s Capacity Fund, which is almost entirely about Intensification. It ignores or glosses over any factors which might hinder or restrict intensification.

We appreciate that Merton has drawn the short straw when it comes to housing targets and is now encumbered in the London Plan with a target to provide about twice as many new homes as at least two other, not dissimilar, neighbouring Outer London Boroughs. This problem is compounded because Merton is a small Borough with a large proportion of its land taken up by Open land such as Wimbledon Common, Mitcham Common, MOLs, Recreational Open Spaces, Woods and Allotments. That makes finding sites for new homes more of a challenge. It is highly likely the targets have been set on overestimates and Merton should be questioning them, not rolling over.

In 2020 Merton’s population was **211,787**, whereas the ONS estimated it would be **239,600**. That estimate was revised downwards to **223,900** but that was before Brexit, Covid and the rapid advance of digital communication. All three will make a difference and are likely to reduce growth in City populations further as well as free up former commercial space for alternative uses. Once land has been allocated to development, whatever the ecological and social consequences, it is very difficult to row back so great care needs to be taken not to over-react and destroy natural features and habitat when that is not necessary. Planning for intensification as set out in the Study seems irreconcilable with the emerging Local Plan’s strategic policies to provide a healthy and ecologically sustainable environment for all Merton’s residents.

### **Consultation:**

Due to Covid restrictions, it has been necessary for the Study to be published online and this has been done in a way which, sadly, deters genuine consultation. The smallest possible font has been used, pages have been copied side by side instead of in sequence, and most plans require 300% magnification before they can be seen. The Study cannot be read without access to a large screen so readers on mobile phones, or without internet access, were excluded, which is against Equalities legislation. No hard copies have been made available.

For instance, one of the maps on page 136, on close scrutiny, places long established and fully occupied residential areas, such as Sandbourne Avenue and Daybrook Road in Merton Park, within an Area of Opportunity. It is no defence to say “we would not let that happen”. If a Planning proposal came forward which met the definition of an Area of Opportunity, the Council would have no grounds for refusal. Maps showing Areas of Opportunity should be well researched, very accurate and should not include residential streets.

**We ask that all residential streets in the Borough, and that includes in Merton Park: Sandbourne Avenue, Daybrook Road, the Morden end of Dorset Road, the Morden end of Kenley Road, Windermere Avenue, the Morden end of Grasmere Avenue, the Morden end of Martin Way and all residential roads to the South and West of Morden Road and Martin Way, are removed from any Area of Opportunity designation.**

The heralded prior consultation was a sham. The fact that only 416 people out of 211,787 responded to the initial survey, and many of them were complaining about the erroneous mapping of Merton, speaks for itself.

The online workshop was “telling” not “asking” and the breakouts were so badly organized that the representative from the Wimbledon Society was placed into the overcrowded Mitcham Group and the Morden Group only had two people. Anything one tried to say was immediately refuted.

In short, nothing has been done to enable realistic public participation both in the formative stage and in this current consultation. That is maladministration, contrary to “informed by Local Preference” Government Policy and could become subject to legal challenge.

#### **New Policies:**

The Study claims it is an SPD because it does not contain any new Policies. If it had been a genuine Character Study that might be true, but this is actually a Roadmap for Intensification of Development and the proposals in it are new Policies to allow land to be released for building which has previously been exempt.

e.g. Cabins in gardens are currently restricted to uses “incidental” to the host dwelling.

In this Study, infill development for new housing on garden land and privately owned Open Space, is actively promoted. There are illustrations to show how this can be done. e.g. page 111 – “back garden infill”, “side garden infill” and “mews infill”. **That is new Policy.**

**Policies for how to implement Intensification should be in the Local Plan, not in a Character Study.**

## **Character of Merton:**

If this document had been a Character Study, we would have judged it by its accuracy to guide planning decisions and to protect interests of acknowledged importance. We would have expected it to build on the Conservation Area Character Assessments, Design Guides, Sustainability Appraisals and Management Plans which Merton has already prepared, and to complete the gaps in the Merton Borough Character Study 2011-2015. They have been ignored.

**All these documents should be incorporated in this Study and listed in full in Appendices.**

## **Character of Merton Park:**

We searched almost in vain, and our members have reported similar experiences, for a recognizable reference to Merton Park. What we found instead was a shallow and inaccurate brief reference on page 98. To claim Merton Park radiates from Circle Gardens, and is part of Morden, shows the authors of this Study have not listened to the representations they received, or consulted the Plan of the John Innes Estate at Merton, which was supplied to them. As they were told, Merton Park is a standalone neighbourhood, in the same way as Wimbledon Village. If anything, Merton Park is Wimbledon centric, sharing an SW19 postcode, whereas Morden has an SM postcode.

Morden is not Merton Park's town centre. It has a very limited range of shops and facilities - no clothing or shoe shops, no book shops, no white goods shops, no furniture shops, no gift shops, and no cinemas or theatres.

For Merton Park, Morden is a useful transport interchange, has plenty of food shops and is the location of the Civic Centre and a Library.

To compound the misconceptions, the heart of Merton Park, and its 11<sup>th</sup> century (not 13<sup>th</sup>) Church, founded by the Augustinian Canons who also founded Merton Priory, has been classified as Wimbledon Chase ( Page 63 and pages 7, 8 and 26 of the Consultation Summary). Wimbledon Chase is within the Parish of St. Mary's Merton but (with apologies to Lewis Carroll) St. Mary's Merton is not in Wimbledon Chase. The names, John Innes (Merton Park) Conservation Area and John Innes (Wilton Crescent) Conservation Area were ignored. According to this study, "Wimbledon Chase has hilly hedges". It is Merton Park's Holly hedges that are the unifying feature of the tree lined streets which fulfilled John Innes' Masterplan plan for one of London's First Garden Suburbs. Kingston Road was not a natural boundary then, nor is it today. Merton Park's Communities and Architecture are found both North and South of Kingston Road.

The Hogg (Educational) Trust's development of their former Polytechnic Estate (now known as Wimbledon Chase) does not share that character, nor is its land use restricted by Covenants imposed by the John Innes development companies. It does not have holly hedges.

The Merton Park Estate Restrictive Covenants affect most of Merton Park (north and south of Kingston Road) and limit land use to one house per plot, prohibit subdivision of larger properties,

prescribe minimum plot widths and even include sufficient fine detail to prohibit structures “on wheels adapted for sleeping”. They are the original concept of a legal Building Scheme and are stated to be enforceable for the benefit of each and every part of the estate. Their presence explains why there has been very little infill development in Merton Park, or conversion of large houses into flats. The cost of dealing with the threat of covenant enforcement, which can come after the covenants are breached, outweighs the value of development and makes mortgages difficult to obtain.

**We ask that this Study is corrected to identify Merton Park, from Martin Way, London Road and Morden Road in the South, through to Dundonald Road in the North, as one distinct area. Not part of Morden, and certainly not in Wimbledon Chase. Please see map attached.**

Having corrected its identity, what should be included in Merton Park’s Character Study?

**The answer is that rather than trying to summarize them, the Conservation Area Character Assessments, Sustainability Appraisals, Management Plans, Design Guides, Article 4 Directions and Part 15 of the Merton Borough Character Study 2011-2015, should have been listed as reference sources for determining Planning Applications. A great deal of skilled work, research and public participation has gone into them, and there is no reason for their content to be dismissed. Government policy requires Character Studies and Design Guides to be informed by local preference and that is exactly what these documents do.**

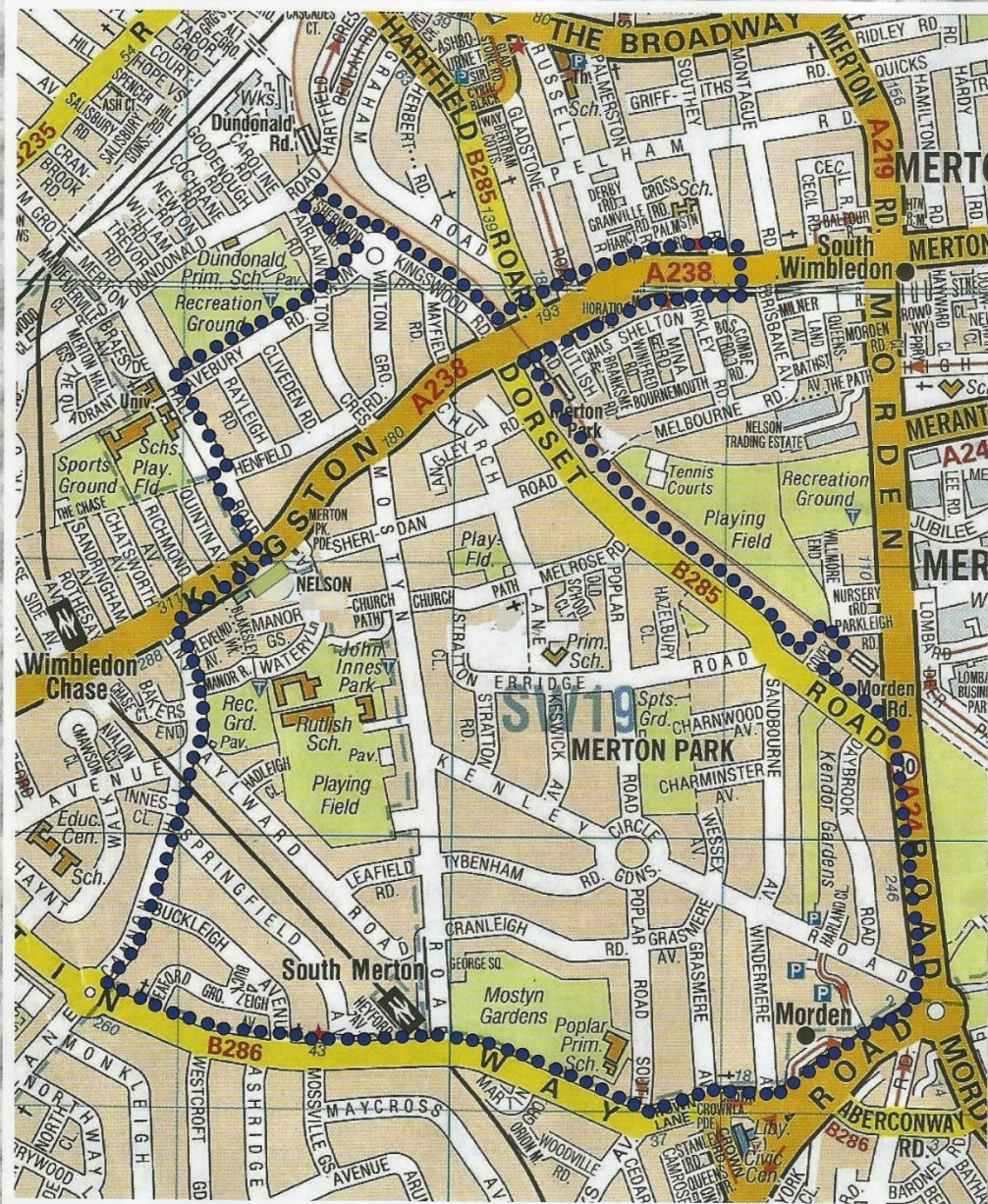
**In Summary, we cannot support this document as a Character Study. It needs radical amendment and correction, and we trust Future Merton will take heed of Local Preference by incorporating the representations they have received.**

See next page - Map of the John Innes Estate at Merton Park which is also the John Innes Society’s Area of Benefit.

John Innes Society March 2021 Contact: email to [mail@johninnesociety.org.uk](mailto:mail@johninnesociety.org.uk)

# The John Innes Society Area of Benefit

Originating in the Merton Park Conservation Area, the John Innes Society has extended its Area of Benefit to include adjoining neighbourhoods and the Wilton Crescent and Merton Hall Road Conservation Areas, as shown on this map.



●●●●● Area of Benefit Boundary

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