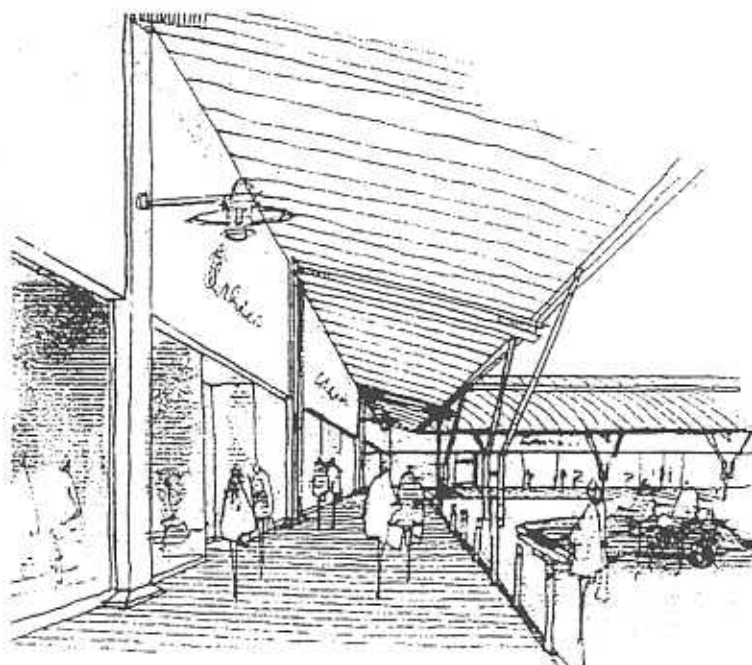


MERTON UNITARY
DEVELOPMENT PLAN



SPG

SUPPLEMENTARY PLANNING GUIDANCE NOTES

Out of Centre Retail Development

SEPTEMBER 1999

If you require a translation of this document,
please contact:

এই ডকুমেন্টটির একটি অনুবাদ যদি আপনি পেতে
চান তা'হলে অনুগ্রহ করে যোগাযোগ করুন:

如果閣下對這份文件需要翻譯
請聯絡：

જો તમને આ દસ્તાવેજનું ભાષાંતર જોઈતું હોય તો,
મહેરબાની કરી સંપર્ક સાધો:

यदि आपको इस दस्तावेज़ के अनुवाद की आवश्यकता है तो,
कृपया सम्पर्क करें:

ਜੇਕਰ ਤੁਹਾਨੂੰ ਇਸ ਦਸਤਾਵੇਜ਼ ਦੇ ਅਨੁਵਾਦ ਦੀ ਲੋੜ ਹੈ ਤਾਂ,
ਵਿਰਧਾ ਕਰਕੇ ਸੰਪਰਕ ਕਰੋ:

இத்தகவல் பத்திரத்தின் மொழிபெயர்ப்புப்
பிரதி உங்களுக்குத் தேவையாயின்
தயவுசெய்து தொடர்பு கொள்ளவும்:

اگر آپ کو اس دستاویز کے ترجمہ کی ضرورت ہے، تو برائے مہربانی
رابطہ قائم کریں:

0181 545 3060

(9am - 5pm)

For information on the **Merton Unitary Development Plan**, for people who are visually impaired,
please telephone **0181 545 3060**. Information can be provided in large print. For enquiries from members
of the public with hearing impairments, a minicom facility is available on **0181 545 3245**.

Supplementary Planning Guidance Note

Explanatory Note

The Unitary Development Plan (UDP), adopted in April 1996 is undergoing a process of review. A revised version of the UDP has been placed on Deposit for public consultation from 27 September - 18 November 1999.

This Supplementary Planning Guidance Note (SPG) has been prepared as part of the review and is available for public comment over the same period. The SPG does not form part of the UDP but will be taken into account by the Council in determining Planning Applications.

Any comments on the SPG should be made on the prescribed form available from Merton Civic Centre and at Deposit locations, and should be returned to the Council before 18 November 1999.

Please note that, except where indicated otherwise, all reference to UDP policies in this document relate to the adopted 1996 UDP and your comments should now be considered in the context of the reviewed UDP.

Having received public comments on the SPG and the new policies within the Revised Deposit UDP, the Council may decide to make changes to this SPG.

Should this be the case, there will be a further opportunity for public comment on proposed changes to the SPG before it is formally adopted by the Council.



LEGISLATION AND GUIDANCE

National and Strategic

- **PPG 12 Development Plans and Regional Planning Guidance**

This guidance discusses the role of Planning Guidance (SPGs) issued by Local Authorities, which it sees as supplementing the policies and proposals of the Unitary Development Plan (UDP). It states that SPGs may be taken into account as a material consideration when determining a planning application. Relevant paragraphs for the purposes of this SPG include 3.18 and 3.19.

- **PPG 6 Town Centres and Retail Developments**

This guidance emphasises a plan led approach to promoting development in town centres through policies and the identification of sites for development. Development proposals will be subject to the sequential test whereby out of centre sites will only be considered if suitable sites are not available in town centres or in suitable edge of centre locations. The relevant paragraphs include 1.8 – 1.17, 3.1 – 3.17 and 4.1 – 4.14.

- **PPG 13 Transport**

This guidance emphasises the need for UDP policies relating to retail to promote the vitality and viability of existing urban and suburban and rural centres. Shopping should be promoted in existing centres, which are more likely to offer a choice of access, particularly for those without the use of a private car. Relevant paragraphs include 3.9 and 3.10.

- **RPG 3 Strategic Planning Guidance for London 1996**

This guidance reiterates the advice given in the PPGs, stating that out of centre development is only likely to be acceptable where existing centres are incapable of providing good retail opportunities. And where such development would not undermine the vitality and viability of existing centres and is located where development can be well served by public transport. Relevant paragraphs include 5.8 – 5.11.

- **Retail Need Statement**

In a statement issued by the former Planning Minister Richard Caborn in February 1999, increased emphasis is placed on the concept of “need” to justify retail or leisure development outside town centres or unallocated sites. In this statement the Planning Minister confirmed that unless a proposal for retail or leisure development relates to a town centre site or is in accordance with an up to date Development Plan, failure to demonstrate both “need” and the use of the sequential approach in selecting the site “would normally justify refusal of permission”.

- **Town and Country Planning (Development Plans and Consultation) (Departures) Directions 1999**

These new Directions (replacing the 1992 version) which came into force at the end of August, order councils to refer all proposals for retail, leisure and office use over 5000m² and which do not conform with the development plan, to the environment secretary. Under previous rules, only retail development over 10,000m² needed to be referred.

- Road Traffic Reduction Act 1997.
This Act sets a target of a 20% reduction in all road traffic by 2008.

Merton's Unitary Development Plan.

- The Unitary Development Plan, Adopted 1996 sets out policies that relate to Government legislation, guidance and local issues. Relevant policies include:
 - Policy M.28 Car Parking Standards**
 - Policy M.31 Contributions for Alternative Modes**
 - Policy M.41 Transport Infrastructure and Development**
 - Policy M.44 Consistency Of Development Proposals With Movement Policies**
 - Policy S.11 Small Scale Development Outside Existing Shopping Centres**
 - Policy S.12 Large Food Stores Outside Designated Centres**
 - Policy S.13 Durable Good Stores Outside Designated Centres**
 - Policy S.18 Vehicle Sales**
 - Policy W.1 General Employment Policy**
 - Policy W.6 Storage and Distribution Development Within the Industrial Areas**
 - Policy W.8 Storage and Distribution Development Outside the Industrial Areas**
- The Revised Deposit Unitary Development Plan, September 1999. Relevant policies include:
 - Policy E.1 General Employment Policy**
 - Policy E.6 Storage and Distribution Development within the Industrial Areas**
 - Policy E.10 Land Uses on Sites outside the Designated Industrial Areas**
 - Policy LU.1 Transport Infrastructure and Development**
 - Policy LU.2 Public Transport Accessibility**
 - Policy LU.3 Transport Impact of New Development**
 - Policy LU.5 Developer Contributions**
 - Policy PK.2 Car Parking Standards**
 - Policy PK.3 Car Parking and Development**
 - Policy PK.4 Management of Public Parking**
 - Policy S.6 Small Scale Development Outside Existing Shopping Centres**
 - Policy S.9 Vehicle Related Development**
 - Policy TC.1 Promoting Development in Town Centres**
 - Policy TC.2 Application of the Sequential Approach to Development**
 - Policy TC.3 Mixed Use Development**
 - Policy TC.6 Promoting Vitality and Viability**
 - Policy TC.7 Large Retail and Leisure Development**
 - Policy TC.9 Land Assembly**

DRAFT SUPPLEMENTARY PLANNING GUIDANCE:

OUT- OF - CENTRE RETAIL DEVELOPMENT.

SEPTEMBER 1999.

BACKGROUND

1. This guidance supplements shopping and other policies in Merton's UDP and relates new national and regional planning guidance to the Merton context. It provides advice to landowners and applicants on planning considerations for changes to existing stores specifically but it will also be of value to proposals for new development. Supplementary Planning Guidance, is a material consideration in the consideration of planning applications.
2. Merton has a large stock of retail warehouse and superstore development outside its town centres. There is concern about the health of Mitcham and Morden town centres and the level of future investment in Wimbledon town centre. There is also concern about the levels of traffic and a need to reduce future traffic generation from retail development. In view of the scale of retail development outside Merton's town centres and the potential for long term cumulative impact on existing town centres and travel patterns, the Council wishes to ensure that changes to this stock are carefully controlled and consistent with the latest Government policy, including that in PPG6 and PPG13. This additional guidance is intended to provide up to date and detailed guidance for potential applicants, to supplement policies in Merton's UDP.

SUPPLEMENTARY PLANNING GUIDANCE

New retail development and extending the floorspace of existing retail stores.

3. In general terms, the Council considers that new retail development and extending the floorspace of existing retail stores outside town centres is contrary to the aims of Government planning guidance, in particular PPG6 and PPG13. It will, over time add to the cumulative impact on town centres and weaken their vitality and viability. Such development will also generally increase car use and the length of car trips.
4. Any planning application for large scale retail development (over 500m²) to develop a new store or extend the floorspace of an existing store may need to be accompanied by an appropriate retail and transport impact assessment which addresses these issues. Applicants should refer to the guidance set out in PPG6

and PPG13 regarding the submission of such information. In particular it would need to demonstrate how access to the store by means other than the car can be provided and to make appropriate proposals. The long-term cumulative impact should be assessed and the health of nearby town centres evaluated. In addition, applicants would need to demonstrate how their proposals comply with the sequential approach set out in PPG6 and 'retail need' as clarified by Richard Caborn in February 1999. Where extensions are proposed the Council will consider whether the additional floorspace could be accommodated in a town centre. Where justified by retail impact concerns the Council will impose planning conditions on the range of goods sold in both new development and existing stores, including stores subject to extension proposals (see Revised UDP policies, September 1999).

Car and Cycle parking, access and layout.

5. When any proposals are made to vary the use or size of an existing retail store outside a town centre the Council will expect the applicant to include proposals to modify existing parking and access arrangements to comply with current Government and Council policy and standards. In particular, this should include the provision of high quality and safe pedestrian access, cycle parking facilities and access, parking for disabled people and parents with young children, and to comply with maximum parking standards. Standards are set out in the Council's Supplementary Planning Guidance Note on Highway and Parking Standards, September 1999.
6. Relevant policies in the Adopted UDP include M28 (Revised UDP policy D2 on parking standards) and M31 (Revised policy LU5 for contributions for alternative modes). Parking standards require a minimum of one cycle parking space per 100m² gross retail floorspace, a maximum of one car parking space per 40m² gross retail floorspace (DIY 40m²) and a maximum of one car parking space per 18m² gross retail floorspace for food superstores. In addition, one space in 20 should be designed for disabled people with further provision for people with young children.
7. In appropriate cases, the Council will seek financial contributions from developers towards improved public transport services and off site cycle and pedestrian facilities.

Proposals to change or increase the range of goods sold.

8. With respect to non food stores, in order to comply with PPG6 and other guidance the Council will normally only consider proposals to vary the range of goods sold when a named user is identified and a product range can be considered in detail. This is necessary for the Council to evaluate potential retail and traffic implications. The Council may require a retail impact assessment, which

addresses long term cumulative impact, where the scale and significance of the proposal raises concerns over the effect on nearby town centres. The applicant will also be asked to assess the 'need' for the development and how the proposal complies with the sequential approach set out in PPG6. A transport impact assessment may also be required.

9. Appropriate planning conditions and legal agreements will be imposed to limit the range of goods to genuinely bulky goods and to exclude goods more suited to a town centre location such as: clothing (including sportswear and children's clothing), shoes, toys, books, fashion accessories including handbags and jewellery, perfume and toiletries, computer software, music records/cd/tapes, pet products. Goods, which may be acceptable are the bulky goods listed in PPG6, namely: DIY, carpets, furniture and bulky electrical goods.
10. Within large foodstores the Council will limit the range goods sold to exclude non food sales and impose planning conditions to prevent separate franchises such as newsagents, chemists, post offices, dry cleaners etc being included, in accordance with guidance in PPG6.

Proposals to subdivide existing retail stores into smaller units.

11. When considering proposals for new retail stores or amendments to existing stores outside designated centres, the Council will seek to ensure that a minimum store size of 1000m² should be adopted and it will normally impose planning conditions and may apply legal agreements to achieve this aim. Smaller stores are generally capable of locating within or on the edge of town centres. Subdivision into smaller units is therefore likely to cause greater impact on town centre vitality and viability. It is large stores selling bulky goods which are often not suited to town centre locations and which can be considered as exceptions to town centre location policy, and only these types of store should be permitted in out of centre locations.
12. To control the subdivision of stores, planning conditions or legal agreements may be sought to prevent shops subdividing.

Proposals to increase opening hours and introduce Sunday opening.

13. There has recently been a significant change in retailing patterns of opening hours. Sunday trading has become established and late night shopping is becoming more extensive. This trend can give rise to adverse impacts on residential amenity, particularly from traffic and service vehicles. Where appropriate, the Council will control opening hours where appropriate in order to protect residential amenity, whilst recognising that such changes can also bring improved service to customers.

14. When considering opening hours, the impact on traffic and access and retail impact will also be assessed. Extended opening hours can significantly increase store turnover and reduce access for those using public transport due to stores being open when public transport services are not operating.

Retailing within Petrol Filling stations.

15. There has recently been growing national and local concern about the extent of retail activity on petrol station sites. When considering proposals for retail use at petrol stations the Council will seek to limit the size of these stores, in particular to comply with UDP Policy S11. The Revised UDP September '99, Policy S6 is also relevant. The Council considers that these stores, generally located outside designated shopping centres, should be limited in size to primarily provide for the needs of motorists buying petrol. Therefore the Council will not normally permit stores greater than 100m² gross retail floorspace.

Car Showrooms and Garages.

16. Car showrooms are defined as sui generis retail uses, which are a very specific form of retailing. Merton's UDP Policy S18 allows these uses subject to certain criteria. The Revised UDP Policy S9 is also relevant. The Council would normally permit these developments as part of a larger car workshop and servicing facility, often located on main roads outside designated retail centres.
17. The Council therefore considers that these developments are not suited for normal retail use. In allowing these proposals the Council would normally impose planning conditions and legal agreements to prevent general retail uses from being established.

Cash and Carry Showrooms/warehouses.

18. These uses are not considered to be retail uses. They fall outside the retail use class and will be treated as unique or sui generis. Appropriate planning conditions and legal agreements will be attached to any planning permissions for these activities to ensure that they provide a service for businesses and are not available for the general public. The Council will monitor compliance with such conditions and will take appropriate action to enforce conditions where necessary. There is no specific UDP policy for these activities, although the most relevant policies include: W1, W6, W8. The Revised UDP September 1999, policies E1, E6 and E10 are relevant. Changes of use from cash and carry to retail use will not normally be supported as the change would be contrary to guidance in Merton's UDP and PPG6.

Retail Clubs.

19. These uses will generally be considered as normal retail stores and will be considered against relevant shopping policy.

Planning conditions and Legal Agreements.

20. This Guidance refers to the need for suitable planning conditions and legal agreements in a number of instances. The Council has approved a list of standard planning conditions and these will be updated to include conditions referred to in this Guidance. In addition specific conditions may be used to control specific aspects of a development. When used appropriately, such conditions may overcome what would otherwise be a bar to the grant of a permission. However, the Council does not have an unrestricted discretion in these matters as in framing planning conditions it must take into account the advice contained in DOE Circular 11/95 and the guidelines laid down by the Courts as to how this power should be exercised. Planning Obligations contained in S106 Agreements may be used in cases where it is not possible to impose a suitable condition. These obligations are enforceable against the original parties to the Agreement and any subsequent owners of the affected land.

Information to be supplied by the applicant.

21. The need for retail impact, sequential test and transport assessments are referred to in this Guidance. Applicants must provide with their planning application submissions sufficient information to enable the Council to determine the application. Applicants are therefore strongly advised to clarify with the Council the information, which needs to be supplied at an early date and to include that with the submission.
22. If an application is for outline permission, the local planning authority may decide that the application should not be dealt with separately from all or any of the reserved matters. If so, it can, within a period of one month from date of receipt of the application, tell the applicant that it is unable to determine it unless further specified details are provided.
23. In the case of an application for approval of reserved matters, the application must include such particulars and be accompanied by such plans and drawings as are necessary to deal with those reserved matters. This is directory only, and failure to supply further details does not invalidate the application but may lead to a refusal.

Further information.

- 24 Further information is available on the advice in this Guidance. For information on planning policy matters contact **0181-545-3060/3053**. For information on planning applications contact **0181-545-3238/3117**. For transport information contact **0181-545-3058**.