

MERTON ESTATES LOCAL PLAN  
INDEPENDENT EXAMINATION

MATTERS, ISSUES AND QUESTIONS  
IDENTIFIED BY THE INSPECTOR  
14 MAY 2017

Abbreviations used:

- ELP – Estates Local Plan
- CS – Core Strategy
- LP – The London Plan
- The Framework - National Planning Policy Framework
- PPG – Planning Practice Guidance
- MA – Minor Amendment (as proposed by the Council’s Minor Modifications Table, March 2017)
- GLA – Greater London Authority
- TfL – Transport for London
- Clarion – Clarion Housing Group/Latimer/Savills
- Met Police – Metropolitan Police

MATTER 1	The Overall Plan (including certain issues and policies common to all three estates)
Issue	Has the ELP been positively prepared; is it justified, effective and consistent with the national and local policy and guidance contexts?
Questions	<p>1. In the absence of a specific policy or policies:</p> <ul style="list-style-type: none"> <li>• is the overall vision and strategy for the estates clear, in terms of full or partial regeneration, regardless of tenure and ownership, so as to ensure the plan’s deliverability?</li> <li>• should the question of the viability of regeneration of all three estates together (see paras 2.19 – 2.22 and MA3) be expressed in policy?</li> <li>• does the ELP provide sufficient flexibility over time and robustness in the light of unforeseen constraints, such as infrastructure implications, or changes to legislation, policy or financial conditions?</li> </ul> <p>2. Is the quantum, density and mix of housing (in terms of sizes and types) appropriately clear, whether expressed as target figures, ranges, proportions or minima/maxima, whilst recognising the need for flexibility? Is it consistent with LP Policies 2.13, 3.4 and 3.7?</p> <p>3. Is the ELP sufficiently clear about the proportion and types of</p>

	<p>affordable housing, and viability implications, consistent with national policy and guidance, the development plan and current and emerging London policy and guidance?</p> <ol style="list-style-type: none"> <li>4. Is the ELP's relationship with the overall development plan clear and consistent? Is it easy to understand where reliance is on policies in other development plan documents whilst avoiding unnecessary duplication?</li> <li>5. Does the ELP make sufficient provision for inclusive design and accessible environments in accordance with paragraphs 57, 58, 61 and 69 of the Framework?</li> <li>6. Is the ELP positively prepared, based on robust evidence, and consistent with national policy in the light of Objective 3 of Sport England's Planning for Sport: Aims and Objectives and paragraph 74 of the Framework?</li> <li>7. Is simple reference to "gardens or amenity space that meet or exceed current space standards" in Policies EP E5, EP H5 and EP R5, necessary or effective expression of policy?</li> <li>8. Does the ELP satisfactorily address any risk of harm to the Wimbledon Commons SAC or Richmond Park SAC, including provision for mitigation if necessary?</li> <li>9. Is the general approach to matters and development beyond the tight ELP boundaries appropriate?</li> <li>10. Should the requirement for phasing plans (paragraph 5.7) be given the status of policy?</li> <li>11. Is the status of the 'Urban Design principles' and Part 04 'Design requirements for planning applications' clear and appropriate in all instances? Do, or should, they comprise policy, guidance, explanation or validation checklist?</li> <li>12. What is the general status of the "Further guidance" to each of the policies? What criteria have been used to determine what goes into a policy and what into Further guidance? Should it be incorporated in the policies in some instances?</li> <li>13. Is the status of drawings and diagrams within 'The Vision' section and accompanying the policies sufficiently clear?</li> </ol>
Participants	The Council, GLA/TfL, Sport England, Met Police, Natural England, Environment Agency, Clarion.

<p>MATTER 2</p> <p>Issue</p>	<p>Eastfields Estate (Policies EP E1 – EP E8 inclusive)</p> <p>Are the plan’s policies for the Eastfields Estate positively prepared, justified, effective and consistent with national and local policy and guidance?</p>
<p>Questions</p>	<ol style="list-style-type: none"> <li>1. Does Policy EP E1 Townscape provide a sound, effective expression of the plan’s overall vision (and interpretation of “Contemporary Compact Neighbourhood”) for the estate? Should the Further guidance be included within the policy?</li> <li>2. Taken together, are Policies EP E2 Street Network and Policy EP E3 Movement and Access justified and effective, with particular regard to: <ul style="list-style-type: none"> <li>• whether the Further guidance should be policy?</li> <li>• proposals for Acacia Road/Mulholland Close/Clay Avenue in part (a) of both policies, in terms of traffic circulation, public transport, highway users’ safety and crime and community safety;</li> <li>• part (b) of Policy EP E3 relates primarily to an area outside the plan boundary?</li> </ul> </li> <li>3. Is Policy EP E4 Land use, together with the Further guidance, sufficiently clear and precise to be effective, particularly with regard to density and provision for non-residential uses?</li> <li>4. Is Policy EP E5 Open space, together with the Further guidance, sufficiently clear and precise to be effective; in particular, in its description of the quantum, distribution and type of space, including references in other documents to standards for recreation, play and gardens?</li> <li>5. Is Policy EP E6 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?</li> <li>6. Is Policy EP E7 Landscape overly detailed and prescriptive?</li> </ol>
<p>Participants</p>	<p>The Council, Clarion, GLA/TfL, Sport England, Met Police, Environment Agency.</p>



MATTER 3	High Path Estate (Policies EP H1 – EP H8 inclusive)
Issue	Are the plan's policies for the High Path Estate positively prepared, justified, effective and consistent with national and local policy and guidance?
Questions	<ol style="list-style-type: none"> <li>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?</li> <li>2. Taken together, are Policies EP H2 Street Network and EP H3 Movement and Access justified and effective, particularly in the light of: <ul style="list-style-type: none"> <li>• traffic movement and highway safety implications;</li> <li>• crime and community safety implications;</li> <li>• whether some aspects of Further guidance and Justification (e.g. para 3.154 re parking strategy) should be included within the policy;</li> <li>• whether appropriate flexibility is provided; and</li> <li>• 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)?</li> </ul> </li> <li>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?</li> <li>4. Taking Policies EP H5 Open space, EP H6 Environmental Protection (in part) and EP H7 Landscape together, do they: <ul style="list-style-type: none"> <li>• 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?</li> <li>• 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?</li> <li>• Deal appropriately with "green chains", particularly where they extend beyond the plan boundary?</li> </ul> </li> </ol>

	<p>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?</p> <p>6. Is Policy EP H8 Building Heights justified and effective regarding:</p> <ul style="list-style-type: none"> <li>• the clarity of its proposals and constraints, including whether para 3.205 Further guidance should be part of the policy?</li> <li>• internal consistency, particularly with respect to Morden Road and Rodney Place?</li> <li>• the inclusion of significant locations outside the plan area in parts (f) and (g)?</li> </ul>
Participants	The Council, High Path Community Association, Clarion, GLA/TfL, B Thomas, Sport England, Met Police, Environment Agency.

<p>MATTER 4</p> <p>Issue</p>	<p>Ravensbury Estate (Policies EP R1 – EP R8 inclusive)</p> <p>Are the plan’s policies for the Ravensbury Estate positively prepared, justified, effective and consistent with national and local policy and guidance?</p>
<p>Questions</p>	<ol style="list-style-type: none"> <li>1. Does Policy EP R1 Townscape provide a sound, effective expression of the plan’s overall vision (interpreting “Suburban Parkland Setting”) for the estate, including the fact that some of the existing housing is proposed to be retained? Should some of the Further guidance be included within the policy, albeit that much of it refers to locations outside the plan boundary?</li> <li>2. Taken together, are Policies EP R2 Street Network and EP R3 Movement and Access justified and effective, particularly in the light of: <ul style="list-style-type: none"> <li>• Clarity and consistency of traffic movement and highway safety implications?</li> <li>• crime and community safety implications?</li> <li>• whether some aspects of Further guidance should be included within the policy?</li> <li>• whether appropriate flexibility is provided?</li> <li>• implications for places and projects partly or even wholly outside the plan area (e.g. links to Morden Hall Park, to tram stops and via a new bridge to Wandle Road)?</li> </ul> </li> <li>3. Does Policy EP R4 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, robust and appropriate parameters for density, consistent with the vision for the estate?</li> <li>4. Does policy EP R5 Open Space (read alongside Policy EP R7 Landscape) provide sufficiently clear and appropriate indication of the quantum and distribution of amenity, play and recreational open space, having regard to but not prescribing standards set out in other documents?</li> <li>5. Is Policy EP R6 Environmental Protection sound, having regard to the following: <ul style="list-style-type: none"> <li>• whether its approach to flood risk is consistent with updated climate change guidance and development plan and local and national policies and guidance, without undue repetition? Does it fully reflect the specific risks and opportunities of the location? Should elements of Further</li> </ul> </li> </ol>

	<p>guidance be included within the policy, albeit some refer to locations outside the plan boundary?</p> <ul style="list-style-type: none"> <li>• whether its approach to energy, construction impact and waste is 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?</li> <li>• whether it provides effective policy to enhance biodiversity?</li> </ul> <p>6. Is Policy EP R8 Building Heights, particularly its limit of four storeys (the height of Ravensbury Court flats), consistent with the vision for the estate, including the aim of retaining views of the surrounding tree canopy?</p>
Participants	The Council, Ravensbury Residents Association, Clarion, Environment Agency, Sport England, Met Police, GLA/TfL.