



protecting our amenities ... enhancing our quality of life

The Programme Officer
c/o Civic Centre: LB Merton
London Road
MORDEN Surrey SM4 5DX

Dear Madam

13 December 2013

EXAMINATION: DRAFT SITES AND POLICIES PLAN: STATEMENTS ON SOUNDNESS

.....

Enclosed are four copies of the five Statements concerning Soundness for consideration at the forthcoming Examination.

An electronic copy has been sent to you also, as requested.

Yours Faithfully

John Mays: Chairman, Planning Committee

encl

.....
SCALE OF DEVELOPMENT IN WIMBLEDON VILLAGE
.....

DMR1a(ii) and c TOWN CENTRE USES page 14 R081/C328

Currently the draft Plan allows for developments of up to 1000sqm (10,760 sq ft) in certain designated local centres, including Wimbledon Village.

The Village is in a conservation area, and has a number of Statutorily Listed as well as Locally Listed properties, with a locally unique distinctiveness.

The character of the Village is in part determined by the narrowness of the shop frontages, ensuring variety and individuality.
Also the smaller size of the units allows for a wider range of small firms to have a presence.

If the 1000sqm were to be accepted, the small scale nature and character of the Village would be changed.

Larger units, with bland frontages would result, and smaller firms would be unable to compete or afford the increased rental levels.

The policy is also written subject to the caveat that larger units would be accepted "if they were to contribute to the Council's regeneration objectives".
In practice this would be interpreted by applicants as a reason for ignoring the policy.

This approach is considered to be contrary to the Core Strategy Objective 8 (page 37) relating to "promotingdevelopment ...(where it) ... contributes to **the function and character** of the Borough".

And to Core Strategy Policy CS14a (page 145) which aims to "conserve and enhance Merton's heritage assets..... particularly **the valued centres**".

And also to the NPPF (58/4) guidance which says that policies should "**respond to local character** and history, and **reflect the identity** of local surroundings...".

Also to the NPPF (126) which says that the Councils should take into account "the desirability of sustaining and enhancing the **significance of heritage assets** and putting them to viable uses."

Accordingly, the present Plan fails to reflect the nature of the Village, and is therefore considered to be unsound in that respect.

In order to be sound therefore:

(a) the reference to Wimbledon Village in DMR1a(ii) **should be removed:** and

(b) the phrase "unless....objectives" **should be removed** from DMR1c:
or if this is not agreed, the reference to Wimbledon Village **should be removed.**
.....

INNOVATIVE DESIGN RATHER THAN PASTICHE

DMD2a DESIGN page 94 R081/C305a

Currently the draft Plan requires “appropriate architectural forms, language, detailing and materials, which complement and enhance the character of the wider setting”.

In practice, this approach is interpreted by applicants when briefed by planning officers to mean that new developments have to conform to the stylistic idioms nearby, or what has gone before.

The result is, perhaps unwittingly, a promotion of tame pastiche, lacking the conviction and quality of the originals.

This approach has resulted in some new building of very poor architectural and cultural quality.

This is considered to be contrary to the NPPF (57) which says that Councils should “**plan positively** for high quality design”.

And should “**not attempt to impose architectural styles** or particular tastes, and **not stifle innovation** (nor have) ... requirements to conform to certain development forms or styles”. (60)

The present Plan fails to support or encourage innovative design, and stifles originality, and therefore is considered to be unsound in this respect.

In order to be sound, and comply with the policy guidance in the NPPF, the Plan should be **more positive**, and make clear that the Council wishes to encourage **innovative modern design**, that also meets the criteria set out in (a) – (xiii).

The following paragraph should be inserted into the text at the start of (a), as follows:

DMD2a (i) “The Council wishes to support and encourage innovative modern design that understands local distinctiveness, rather than a pastiche approach”.

Followed by (ii) Relate positively and appropriately etc...

TREE REPLACEMENT

DM02 NATURE CONSERVATION page 87 R081/C325b

Policy DM02e says that “replacement planting ... of a similar of greater value to that which has been lost will be secured through the use of conditions.”

Paragraph 5.29 indicates that the Council may require semi-mature replacement trees, in certain circumstances.

The Plan does not indicate how the “value” of a lost tree is to be defined.

Whilst the sentiments in the Plan are understood, in practice, the replacement of trees lost to development (some of which may be of substantial size) is normally by an equivalent or lesser number of quite small trees.

The result is that the local tree stock is much reduced, and takes some years to reach its former state, and local biodiversity is similarly reduced.

This is not in conformity with the basic Policy Aim of “**securing suitable replacements**”.

Nor is it in conformity with the Core Strategy Policy CS13g(8) (page 132) which says that “developers must propose full **mitigation and compensation** measures for any ecological damage caused”.

CS Strategic Objective 6 says that the Council aims to be “an exemplary borough in adapting to climate change, and make it more attractive”.

The NPPF says that (109/3) plans should “...provide **net gains in biodiversity** where possible...”.

As the proposed policy approach in the draft Plan tacitly accepts that replacements will be of less substance than the lost trees, it does not sufficiently address the issue of full replacement or enhancement or net gains.

It is therefore considered to be unsound in this respect.

Although the Council’s positive approach to replacement in the draft Plan Policies is welcomed, it needs to be enhanced to make it sound.

Accordingly, para 5.29 should be amended to read:

“The Council will require replacement trees that match the combined ages of those trees that have been lost”.

REAR GARDEN SPACE

DMO2 NATURE CONSERVATION page 87 R081/C325a

The Plan's (revised and additional) Policy on protecting the integrity of Green Corridors at DMO2a is welcomed.

Its accompanying paragraph 5.25 (page 88) which explains the importance of Green Corridors is also helpful.

However, there is no explicit reference to the existence of one of the very largest green corridor networks, covering almost the whole of the Borough, and being the rear gardens of residential property. The map (page 369) does not refer to these.

The Core Strategy says (CS13 page 132) that **development in back gardens** will need to be assessed against the value of (inter alia) green corridors.

The NPPF says (para 114) that Councils should "plan positively for the ... protection ... of **networks of biodiversity and green infrastructure.**"

Also that Councils' planning policies should (para 117/3) "... promote the preservation of..... ecological networks...." and ".... **identify and map components of the local ecological networks** including wildlife corridors." (para 117/2)

The current Plan as amended goes some way towards meeting this guidance from the NPPF and Core Strategy, but it:

- (a) fails to mention the specific importance of back gardens as ecological corridors, and also
- (b) does not provide a map showing these.

This therefore suggests that the current approach in the Plan is close to being unsound in this respect.

In order to make the Plan sound therefore, and comply with both the NPPF and the Core Strategy, is suggested that :

(a) paragraph 5.25 (page 88) be amended to read: " and the survival of important species. **The role of back gardens is of major significance in the network of green corridors throughout the Borough.**"

(b) Additionally, the Plan's current map on page 369 should be enhanced so as to illustrate the role of the many more green corridors formed by back gardens, and that contribute so essentially to the overall network.
