

From: Waring. N

	6. Design	NSW COMMENTS	
	DM D1 Design considerations in all developments		
	<i>(Amendments following consultation feedback, research and national policy changes)</i>		
	Policy aim		
	To achieve high quality design and protection of amenities within the borough.	Change “amenities” to “amenity”. Amenity = privacy, daylight. Amenities = facilities like toilets.	
	Policy		
	a) Proposals for all development will be expected to meet all the following criteria:		
	i. Relate positively and appropriately to the siting, rhythm, scale, density, proportions, height, materials and massing of surrounding buildings and existing street patterns, urban	NPPF = “local character; history; reflect identity of local surroundings and materials”; “scale, density, massing, height, landscape, layout, materials, access” - siting, rhythm, proportions not in referred to in NPPF. - What is the measure of “surrounding”? 2 metres or 2km? try to give some measure of this; don’t	

	layout and landscape features of the surrounding area;	<p>leave it to Appeal.</p> <p>New Govt guidance on information requirements and validation of Design and Access Statements say the following should be considered – Layout, Scale, Landscaping, Appearance - visual impression including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture, Context, Use, Access - “access to the development”.</p>	
	ii. Use appropriate architectural forms, language, detailing and materials which complement and enhance the character of the wider setting;	<ul style="list-style-type: none"> - What is the measure of “wider”? more than “surrounding”? 2 metres or 2km? - try to give some measure of this; don’t leave it to Appeal. 	
	iii. Provide layouts that are safe, secure and take account of crime prevention and are developed in accordance with Secured by Design principles;	<ul style="list-style-type: none"> - What is a “safe” layout? Surely down to risk assessment not a planning decision? How can planning prove it is safe? 	
	iv. Ensure appropriate provision of outdoor amenity space, whether public, private or communal which accords with appropriate minimum standards and is compatible with the character of surrounding areas;	<p>Try to define “appropriate minimum standards”.</p>	
	v. Ensure provision of appropriate levels of sunlight and daylight, quality of living conditions, amenity space and	<p>residential amenity currently covered by udp policy be.15: new buildings and extensions; daylight, sunlight, privacy, visual intrusion and noise.</p> <ul style="list-style-type: none"> - needs to distinguish between “privacy” and “visual intrusion”. What is the difference? 	

	privacy, to both proposed and adjoining buildings;		
	vi. Protect new and existing development from visual intrusion, noise, vibrations or pollution so		
	that the living conditions of existing and future occupiers are not unduly diminished;		
	vii. Ensure appropriate external lighting that provides safe and secure environments while not causing light pollution that adversely affects neighbouring occupiers or biodiversity;	light pollution is an environmental health matter, not development therefore beyond development control?	
	viii. Conserve and enhance the natural environment, particularly in relation to biodiversity and		
	wildlife habitats and gardens;		
	ix. Ensure that landscaping forms an integral part of any new development;	"..any new development..."? ;Will you really ensure that landscaping forms an integral part of eg a roof extension proposal?	
	x. Ensure the highest practical standards of access and inclusion and be accessible to people		
	with disabilities;		
	xi. Ensure that construction waste is minimised and promote sustainable		

	management of		
	construction waste on-site by managing each type of waste as high up the waste hierarchy as practically possible.		
	SA/ SEA implications		
	6.1. The policy meets the majority of the sustainability objectives as it covers a variety of design		
	considerations that would need to be accounted for in development proposal. The policy ensures		
	that any appropriate development proposals meeting this design criterion will promote high		
	quality design that respect the local character of areas within the borough and ensure sustainable		
	environments for people who live, work and visit the borough.		
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	Sites and Policies Design		
	Justification		
	6.2. Merton’s Core Planning Strategy promotes a high quality and sustainable environment in Merton,		

	<p>where development is well designed and contributes positively to Merton’s character. Core Planning Strategy policy CS14 (Design) sets out how development needs to be designed to respect, reinforce and enhance the local character to contribute to Merton’s sense of place and identity. Merton’s Design SPD will contain more detail on how this is to be achieved.</p>		
	<p>6.3. The council will encourage high quality innovative,</p>		
	<p>contemporary and sustainable design. New</p>		
	<p>development proposals will be welcomed that respect the character of the wider area and reinforce a “sense of place” by recognising the local distinctiveness of areas as identified in the Borough Character Study or Conservation Area Character Appraisals.</p>	<p>Use of the word “New” here is unnecessary. All development proposals by their nature are “new”.</p>	
	<p>6.4. The council will seek a</p>		

	minimum garden area of 50 square metres as a single usable regular		
	shaped amenity space for all new houses and a usable 10 square metres amenity space in the case		
	of flats per habitable room. Further guidance will be contained in Merton's Design SPD.		
	6.5. Personal safety and security are important concerns for people in the borough. It is therefore important that the design of any development must take account of these requirements, by providing well designed public areas and routes and facilitating the natural surveillance of the public realm from adjacent buildings. Detailed guidance will be contained in Merton's Design SPD.		
		Will you really require a roof extension proposal to take account of these requirements, by providing well designed public areas and routes and facilitating the natural surveillance of the public realm from adjacent buildings?	
	6.6. Lighting can contribute towards improving the safety and security of areas. Careful consideration is needed to ensure that places and spaces are		

	appropriately lit and there is		
	an appropriate balance		
	between issues of safety and		
	<p>security and reducing light pollution. Lighting can extend the hours of use of outdoor sporting facilities, especially in the winter months, and can be used to advertise or exhibit particular buildings, landscapes or features. However, inappropriate and unnecessary lighting or lighting which is insensitively used can adversely affect amenity in terms of light pollution to neighbouring occupiers and to the night sky. When considering light proposals the council will seek to ensure that unacceptable levels of illumination are controlled by conditions or, where this is not possible, that unacceptable proposals are refused planning permission.</p>	<p>light pollution is not a planning issue?</p> <p>When it is not possible to control by conditions unacceptable levels of illumination, on what grounds Will LB Merton refuse planning permission?</p>	
	6.7. New developments should	Omit "new"; insert "all".	
	not cause significant adverse	What do you mean by "new"? All development is new ie proposed.	
	impacts on species, habitats		
	and		
	<p>landscape. Back gardens are an important element in the borough's wildlife habitat</p>	Do you really expect roof extensions to provide for sufficient space for new planting or existing planting to grow.?	

	<p>provision and biodiversity. New developments should provide for sufficient space for new planting or existing planting to grow. They should incorporate opportunities including green roofs, roof gardens, terraces, permeable surfaces, window boxes and climbing plants.</p>	<p>Similarly, do you really expect roof extensions to incorporate opportunities including green roofs, roof gardens, terraces, permeable surfaces, window boxes and climbing plants? How does this “respect” the “original” building?</p>	
	<p>6.8. In considering applications for development, good use of all intrinsic site features will be sought.</p>		
	<p>Existing site characteristics prior to the commencement of development will be evaluated. The</p>		
	<p>council will normally impose planning conditions requiring any landscape scheme to be</p>		
	<p>implemented within a specified period following completion of the main building works.</p>		
	<p>6.9. In accordance with Core Planning Strategy policy CS15, applicants will need to demonstrate how</p>		
	<p>new developments make effective use of resources and</p>	<p>Omit “new”</p>	

	materials, minimises water use and CO2 emissions is required.		
	6.10. Core Planning Strategy Policy CS15 (Climate Change) requires all development to meet certain		
	national sustainable design and construction standards (eg. Code for Sustainable Homes or		
	BREEAM). The management of waste on construction sites can save costs and result in waste		
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	Sites and Policies Design		
	being treated in the most sustainable manner, thereby contributing to the development's		
	attainment of the applicable sustainable design and construction standard.		
	6.11. All applications shall be accompanied by a design and access statement (DAS) to demonstrate how the design has been arrived at. The format and content of DAS should follow the guidance set out in the CABI publication		
		All applications? Will you really require a roof extension proposal to include a DAS to demonstrate how the design has been arrived at. The format and content of DAS should follow the guidance set out in the CABI publication 'Design and Access Statements (2006).	
	in the CABI publication		

	<p>'Design and Access Statements (2006).</p>	<p>New Guidance on information requirements and validation re DAS =</p> <p>Layout Scale Landscaping Appearance - visual impression including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture. Appraising the context Use access - "access to the development"</p>	
	<p>6.12. In accordance with policy CS14, All new build accommodation must ensure that it complies with the most appropriate</p>		
	<p>minimum space standards, the London Plan and its supporting guidance.</p>		
	<p>These include the London Plan housing space standards set out under policy 3.5 (table 3.3); policy 4.5 hotel development requirement of 10% wheelchair accessible bedrooms and policy 7.7 student accommodation requirement of 10% wheelchair accessible units or easily adaptable for wheelchair users. Further detailed guidance will also be contained in Merton's design SPD with</p>		

	<p>area specific guidance set out in the accompanying borough character study.</p>		
	<p>6.13. A number of key documents have been published that provide guidance on design considerations in all developments. These go into more detail than the council's policies can and should therefore be referred to aid the design of proposed new development. The council will have regard to such</p>		
	<p>documents when considering planning applications. These documents include The GLA London Housing Design Guide August 2010; The Mayor's Housing Supplementary Planning Guidance November 2012; By Design: Urban Design in the Planning System – Towards Better Practice; DETR & CABE; May 2000; Urban Design Compendium I; English Partnerships, The Housing Corporation (HCA) & Llewellyn</p>		

	<p>Davies; August 2000; Urban Design Compendium II – Delivering Quality Places; English Partnerships, The Housing Corporation (HCA) & Roger Evans & Associates; September 2007; Car Parking:WhatWorks Where; English Partnerships; March 2006; Manual for Streets; DCLG & DfT; March 2007; Manual for Streets 2, Wider Application of the Principles, CIHT, September 2010, Safer Places – The Planning System and Crime Prevention and OPDM (DCLG) & Home Office; February 2004; Secured by Design Guidance.</p>		
	<p>Delivery and monitoring</p>		
	<p>6.14. The council will produce supporting documents to assist with the implementation of policy DM</p>		
	<p>D1 including a design SPD which will provide additional guidance on design matters and</p>		
	<p>considerations and the</p>		

	borough character study which will include more locally specific guidance.		
	The council will also have regard to best practice on urban design as detailed in paragraph 6.13		
	above, including Secured by Design Guidance, “By Design – Urban Design in the Planning System:		
	towards best practice (DETR, 2000), By Design, Manual for Streets, Urban Design Compendium		
	and English Heritage and CABE guidance. Policy DM1 will be monitored via the Annual Monitoring		
	Report.		
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	Sites and Policies Design		
	DM D2 Alterations and extensions to existing buildings		
	<i>(Amendments following consultation feedback, research and national policy changes)</i>		
	Policy aim		
	To achieve high quality design	For “amenities”, do you mean “amenity”?	

	and protection of amenities within the borough.	Amenities = eg public toilets;	
	Policy		
	a) Alterations or extensions to buildings will be expected to meet the following criteria:	What is the purpose of this policy? To achieve high quality design and protection of amenities within the borough? How will respecting and complementing the design and detailing of the original building contribute to this? It will simply produce something which arguably respects and complements the design and detailing of the original building? preserves the status quo. Should you not start by assessing the merits of the design and detailing of the original building? What has it got to offer? Please define "original" building eg when originally built eg 1890 or TCP Act 1947? Or "as existing immediately before development"?	
	i. Respect and complement the design and detailing of the original building;		
	ii. Respect the form, scale, bulk, proportions and materials of the original building;	Original = when originally built? = eg 1500	
	iii. Use external materials that will be appropriate to the original building and to its surroundings;	Define surroundings eg 2 metres away or 2 km away?	
	iv. Respect space between buildings where it contributes to the character of the area;		
	v. Complement the character and appearance of the wider setting;	Define wider setting.	

	vi. Ensure that noise, vibrations or visual disturbance resulting from the development do not diminish the living conditions of existing and future residents;	Not a planning issue = environmental health.	
	vii. Where the proposal incorporates a new or altered roof profile, ensure that materials are sympathetic to the existing building and the surrounding area;	Do you mean existing building or original building?	
	viii. Ensure proposals for dormer windows are of a size and design that respect the character and proportions of the original building and surrounding context, do not dominate the existing roof profile and are sited away from prominent roof pitches, unless they are a specific feature of the area;	Define "original" eg 1890? This may be rather different from its current surrounding context.	
	ix. Ensure that roof forms and materials are of an appropriate size, type, form and materials for the existing building, such that they are not unduly dominant, and respect the prevailing positive characteristics of the	Why not just say dormer windows are not usually permitted unless they have become a specific feature of the area eg se LB Merton justification for permitting at 19 Cromwell Road and 33 Cromwell Road.	

	area.		
	SA/ SEA implications		
	6.15. The policy meets a number of sustainably objectives including those promoting good design and historic environments. The policy ensures that any appropriate development proposals achieve high quality design. The policy also ensures that any alteration and extension to existing buildings contribute positively to the character and quality of an area within the borough.		
		The policy will not ensure that any appropriate development proposals achieve high quality design. It merely seeks to ensure that any alteration and extension to existing buildings contribute positively to the character and quality of an area within the borough. The policy will not ensure that any alteration and extension to existing buildings contribute positively to the character and quality of an area within the borough, because LB Merton has not taken sufficient Article 4 action to ensure permitted developments are subject to design control.	
	Justification		
	6.16. Merton’s Core Planning Strategy policy CS 14 (Design) sets out how development needs to be designed to respect, reinforce and enhance the local character to contribute to Merton’s sense of place and identity and policy DM D2 provides further detailed direction regarding this.		
		Is this the NPPF wording – “respect, reinforce and enhance” the local character.....” Why not stick with conservation mantra“preserve” or “enhance”?	
	6.17. Well designed buildings make an important contribution to the character		

	and quality of an area.		
	Whilst the council would not wish to remove or reduce the freedom of architectural expression,		
	some basic guidelines are considered necessary for the public and developer alike in order to protect the established character and distinctiveness of the Borough or enhance this wherever possible. The council's proposed Design SPD and accompanying Borough Character Study will provide further detailed guidance on this subject.		
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	Sites and Policies Design		
	6.18. New development proposals should be based on an assessment of character and recognise the local distinctiveness of areas and emphasise a positive local sense of place. All applications shall be accompanied by a Design and Access Statement (DAS) to demonstrate how the design has been arrived at. The format and content of DAS		
		As above omit "new" from "new development".	
		There is nothing lost by simply saying "Development should be based on an assessment of character...."	
		If you wish to deviate from this, and address a particular kind of development, you should clearly state what it is.	

	should follow the guidance set out in the CABE publication 'Design and Access Statements (2006).		
	Delivery and monitoring		
	6.19. The council will produce supporting documents to assist with the implementation of Policy DM D2 including a Design SPD and Borough Character Study which will provide additional guidance on design matters and considerations.		
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	Sites and Policies Design		
	DM D3 Managing heritage assets		
	<i>(Amendments following consultation feedback, research and national policy changes)</i>		
	Policy aim		
	To protect and where appropriate enhance Merton's heritage assets and distinctive character.	Is "protect" new Govt wording? Why not stick with "preserve"?	
	Policy		
	a) Development proposals affecting a heritage asset or its setting will be required to be		

	in accordance with the following criteria:		
	i. Principles set out in PPS5 (or the National Planning Framework) and the detailed guidance set out in the accompanying Historic Environment Planning Practice Guide, the London Plan, and further English Heritage Guidance;	PPS 5 not legally binding and replaced by NPPF?	
	ii. Merton’s published conservation area character appraisals and management plans and the guidance statements set out in the Borough Character Study.		
	b) All development proposals associated with the borough’s heritage assets or their setting will be expected to demonstrate, within a Heritage Statement, how the proposal conserves and where appropriate enhances the significance of the asset in terms of its individual architectural or historic interest and it’s setting.	“conserves”? do you mean “preserves”?	
	c) Proposals that will lead to substantial harm to the significance of or the total loss of heritage assets, will only bewill only be granted in exceptional circumstances.....	

	<p>granted in exceptional circumstances where substantial public benefits outweigh the harm or loss in accordance with the National Planning Policy Framework or that all of the following apply:</p>	<p>Why not saywill normally be refused. Leave the justification to the applicant eg NPPF or the following.....</p>	
	<p>i. the nature of the heritage asset prevents all reasonable uses of the site; and,</p>		
	<p>ii. no viable use of the heritage asset itself can be found that will enable it's conservation; and,</p>	<p>".....it's conservation....." ? Change to ".....its preservation....."</p>	
	<p>iii. conservation by grant funding or some form of charitable or public ownership is not possible; and,</p>		
	<p>iv. the harm or loss is substantially outweighed by the benefit of bringing the site back into use.</p>		
	<p>d) The loss of a building that makes a positive contribution to a conservation area or heritage site, should also be treated as substantial harm to a heritage asset.</p>		
	<p>e) Outline applications will not be acceptable for developments that include heritage assets.</p>		
	<p>f) Proposals affecting a</p>		

	heritage asset or its setting should conserve and enhance the significance of the asset as well as its surroundings and have regard to the following;	“conserves”? do you mean “preserves”?	
	i. The conservation, or reinstatement if lost, of features that contribute to the asset or its setting. This may include original chimneys, windows and doors, boundary treatments and garden layouts, roof coverings or shop fronts. In listed buildings, internal features such as fireplaces, panelling, ceilings, doors and architraves as well as the proportion of individual rooms may also be of significance.		
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	Sites and Policies Design		
	ii. The removal of harmful alterations such as inappropriate additions, non original style windows and doors and the removal of paint or pebbledash from brickwork.	Omit “style”	
	iii. Where there is evidence of deliberate neglect or damage to a heritage asset, the current		

	condition of the heritage asset will not be taken into account in any decision.		
	SA/ SEA implications		
	6.20. The policy meets a number of sustainability objectives including objectives concerned with biodiversity and open space. The policy encourages the preservation and enhancement of Merton's heritage assets. This policy approach will create a sense of place, encourage belonging and pride in the borough for the wider community.		
	Justification		
	6.21. Merton's Core Planning Strategy policy CS14 (Design) aims to conserve and enhance Merton's heritage assets and wider historic environment. Policy DM D3 contributes towards the delivery of policy CS14 by setting out detailed requirements that development proposals affecting a heritage asset will need to accord with.		
	6.22. Merton has a rich and		

	<p>varied heritage ranging from designated heritage assets of national importance such as the remains of Merton Priory founded in 1117 (a scheduled ancient monument) to the suburban heritage of the 1930's. The council has a duty to consider the significance of all these areas that are positively identified as having heritage significance when carrying out its statutory functions and through the planning system. Conservation and enhancement of heritage assets, and where appropriate, associated new development, can contribute towards reinforcing local distinctiveness and character in the borough.</p>		
	<p>6.23. Heritage assets are the valued components of the historic environment. They are defined as any building, site, place, area or landscape, positively identified as having a degree of significance meriting consideration in planning decisions. The term embraces all manner of features, whether standing,</p>	<p>Omit "new" from "new development". All development is new.</p>	

	buried or submerged, whether designated or not and whether or not capable of designation.		
	6.24. The identification of a heritage asset could be through a range of means including; formal designation such as conservation area or listed building status and undesignated heritage assets identified within the borough character study or during the development control process itself.		
	6.25. Heritage assets covered by this policy include:		
	<input type="checkbox"/> Listed buildings (designated HA)		
	<input type="checkbox"/> Locally listed buildings (undesignated HA)		
	<input type="checkbox"/> Buildings in conservation areas (designated HA)		
	<input type="checkbox"/> Historic parks and gardens (designated HA)		
	<input type="checkbox"/> Local Historic Parks and Gardens (undesignated HA)		
	<input type="checkbox"/> Scheduled ancient monuments (designated HA)		
	<input type="checkbox"/> Archaeological Priority		

	Zones (designated HA)		
	<input type="checkbox"/> Any other building, monument, site, area, streetscape or landscape		
	<input type="checkbox"/> that is positively identified as having a degree of significance		
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	Sites and Policies Design		
	6.26. Heritage statements will be required to set out how proposals conserve, enhance or restore heritage assets and where appropriate, conservation management plans should be prepared for the future maintenance and management of the asset. Special attention should be paid to the conservation or reinstatement of individual details of the asset that contribute towards it's particular character, for example; chimneys, windows, doors, roof covering, boundary treatments and the individual elements of shop fronts. The loss or alteration of individual features can cause substantial harm to the		
		Replace ".....proposals conserve, enhance or restore heritage assets....."	
		With ".....proposals preserve, enhance or restore heritage assets....."	

	significance of heritage assets.		
	6.27. The level of detail provided in the heritage statement should be proportionate to the asset's importance in terms of the significance of the asset affected and the impact of the proposal. Where the proposal has a substantial impact on the significance of a heritage asset, It should be carried out by a specialist historic environment consultant.		
	6.28. Where the Heritage Statement identifies the potential of archaeological remains within an Archaeological Priority Zone, an Archaeological Evaluation Report (and where necessary a field evaluation) will also be required in accordance with the requirements set out in the Archaeology SPG.		
	6.29. All development proposals affecting heritage assets or their setting will need to be in accordance with the detailed guidance set	Replace "All development proposals....."	

	<p>out in the Historic Environment Planning Practice Guide that accompanies PPS:5 Planning for the Historic Environment. The guidance covers issues such as recording of information relating to heritage assets, guidance on repairs and restoration, change of use and improving energy performance etc.</p>	<p>With “All development.....” PPS5 replaced by NPPF.</p>	
	<p>6.30. Once harmed or lost, heritage assets cannot be replaced. The council maintains, with English Heritage, a list of Heritage at Risk and will work with owners and organisations able to offer grant funding, to ensure the sustainable conservation of these important heritage assets.</p>		
	<p>6.31. The council makes available on its website details of the borough’s heritage assets including conservation areas (design guidance, appraisals and management plans) as well as details of listed and locally</p>		

	<p>listed buildings, Registered Parks and Gardens and Scheduled Ancient Monuments.</p>		
	<p>Delivery and monitoring</p>		
	<p>6.32. The council will work</p>		
	<p>with strategic partners such as</p>		
	<p>English Heritage, The National</p>		
	<p>Trust, The Heritage and Design</p>		
	<p>Working Group and local</p>		
	<p>amenity societies and</p>		
	<p>organisations to conserve and</p>	<p>Can you elaborate on the process whereby the council’s Design Review Panel and the Design</p>	
	<p>enhance Merton’s historic</p>	<p>Champion will advise on development proposals.</p>	
	<p>environment. This may include</p>		
	<p>identifying additional areas or</p>		
	<p>buildings of heritage</p>		
	<p>significance within the</p>		
	<p>borough. The council’s Design</p>		
	<p>Review Panel and the Design</p>		
	<p>Champion will advise on</p>		
	<p>development proposals. The</p>		
	<p>council will also undertake</p>		
	<p>further Conservation Area</p>		
	<p>Appraisal and Management</p>		
	<p>Plans, and identify additional</p>		
	<p>buildings for local and</p>		
	<p>statutory listing as</p>		
	<p>appropriate.</p>		
	<p>6.33. The Borough Character</p>		

	Study identifies areas where the conservation and enhancement of		
	heritage assets can contribute towards enhancing local distinctiveness and character.		
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	Sites and Policies Design		
	DM D4 Urban design and the public realm		
	<i>(Amendments following consultation feedback, research and national policy changes)</i>		
	Policy aim		
	To ensure high quality design of buildings and places in the borough.		
	Policy		
	Proposals for all development and works to the public realm must be of the highest standard and adhere to the most appropriate policy guidance and best practice. In order to ensure this, all proposals must accord, where relevant, with the following principles of good urban design:		

	<p>a) The creation of urban layouts based on a permeable and easily navigable network of recognisable streets and spaces that link in seamlessly with surrounding development and facilitate walking, cycling and use of public transport. (Permeability)</p>	<p>Suggest you re-word this:</p> <p>a) Permeability - The creation of urban layouts based on an easily navigable network of recognisable streets and spaces that link in seamlessly with surrounding development and facilitate walking, cycling and use of public transport.</p>	
	<p>b) The creation of urban environments which are easy to understand and navigate through, by provision of legible routes, spaces and landmarks and clearly defined buildings and spaces. (Legibility)</p>	<p>Suggest you re-word this:</p> <p>b) Legibility - The creation of urban environments which are easy to understand and navigate through, by provision of routes, spaces and landmarks and clearly defined buildings and spaces.</p>	
	<p>c) The creation of buildings and spaces which are economically and socially sustainable, by offering variety and choice, and by being able to adapt to changing social, technological and economic conditions without the need for future remedial intervention. (Robustness)</p>	<p>Suggest you re-word this:</p> <p>c) Sustainability - The creation of buildings and spaces which are economically and socially robust, by offering variety and choice, and by being able to adapt to changing social, technological and economic conditions without the need for future remedial intervention.</p>	
	<p>d) The maintenance and enhancement of identified</p>	<p>Continuing your approach Suggest you re-word this:</p>	

	important local views, panoramas and prospects and their settings and where appropriate, create new views.	d) Visibility? - The maintenance and enhancement of identified important local views, panoramas and prospects and their settings and where appropriate, create new views.	
	e) New development should provide and reinforce a clearly identifiable network of public streets and spaces that constitute the public realm, based on the creation of 'defensible space', and a clear distinction and appropriate gradation between public and private space.	<p>In keeping with your approach, suggest you re-word this:</p> <p>e) Defensible Space - All development should provide and reinforce a clearly identifiable network of public streets and spaces that constitute the public realm, and a clear distinction and appropriate gradation between public and private space.</p>	
		<p>But the Planning Inspectorate considers "new development" includes alterations and extensions.</p> <p>Therefore it follows that your policy aim here is that:</p> <p>".....development (eg roof extensions) should provide and reinforce a clearly identifiable network of public streets and spaces that constitute the public realm, based on the creation of 'defensible space', and a clear distinction and appropriate gradation between public and private space."</p> <p>This does not appear to me to be justifiable.</p>	
		You should also state here your prejudice against gated developments for the reasons stated below.	
	f) Proposals for changes to and enhancement of the highway shall be designed according to best practice and, depending on their scale and impact, may be subject to a design review process. Proposals should		
		<p>Suggest you re-word this</p> <p>f) Highways - Proposals for changes to and enhancement of the highway shall be designed according to best practice and, depending on their scale and impact, may be subject to a design review process. Proposals should include tree planting where possible and appropriate.</p>	

	include tree planting where possible and appropriate.		
	g) Development in town centres and other retail and mixed use areas must provide a mix of compatible uses appropriate to their location that together create high quality neighbourhoods, respect local character (see Borough Character Study) and promote vitality and vibrancy across the borough whilst supporting regeneration initiatives. Proposals must also interact positively with the public realm by the creation of active and attractive frontages that promote natural surveillance and not create dead frontage through lack of windows or provision of advertising.	What exactly are you trying to achieve here? Can it be given a name?	
			Suggest you re-word this: g) Retail and mixed use areas - Development in town centres and other retail and mixed use areas must provide a mix of compatible uses appropriate to their location that together create high quality neighbourhoods, respect local character (see Borough Character Study) and promote vitality and vibrancy across the borough whilst supporting regeneration initiatives. Proposals must also interact positively with the public realm by the creation of active and attractive frontages that promote natural surveillance and not create dead frontage through lack of windows or provision of advertising. Suggest you review "From urban design policy to design quality" RTP1 2002.
	h) Proposals for the conversion of front gardens for vehicle parking should not be detrimental to the character of the street or highway safety or undermine biodiversity, prevent		
		Suggest you re-word this	

	<p>sustainable drainage or reduce highway safety. Opportunities for enhancing biodiversity in all amenity space should be taken where appropriate, to strengthen the green infrastructure of the borough (further guidelines on this are included in Merton’s Design SPD. Also Policy DMT3 refers to parking bay dimensions).</p>	<p>h) Amenity space - Proposals for the conversion of front gardens for vehicle parking should not be detrimental to the character of the street or highway safety or undermine biodiversity, prevent sustainable drainage or reduce highway safety. Opportunities for enhancing biodiversity in all amenity space should be taken where appropriate, to strengthen the green infrastructure of the borough (further guidelines on this are included in Merton’s Design SPD. Also Policy DMT3 refers to parking bay dimensions).</p>	
	<p>i) As part of larger developments and enhancements, the council will seek to achieve innovative and interesting provision of public art in the public realm.</p>	<p>Suggest you re-word this: i) Innovation - As part of larger developments and enhancements, the council will seek to achieve innovative and interesting provision of public art in the public realm.</p>	
	<p>SA/ SEA implications</p>		
	<p>6.34. The policy meets the majority of the sustainability objectives as it covers a variety of design considerations for development proposals. The policy encourages that any appropriate</p>		
<p>90</p>			

	Sites and Policies Design		
	development proposals		
	meeting Merton’s design		
	criterion. This policy approach		
	will promote high		
	quality design that respects		
	the borough character and		
	ensures sustainable		
	environments for		
	people who live, work and visit		
	the borough.		
	Justification		
	6.35. Merton’s Core Planning		
	Strategy policy CS 14 (Design)		
	sets out how development		
	needs to be designed to		
	respect, reinforce and enhance		
	the local character to		
	contribute to Merton’s sense		
	of place and identity and		
	policy DM D4 sets out further		
	detailed direction regarding		
	the achievement of good		
	urban design and the public		
	realm.		
	6.36. Building places based on		
	sound and established		
	principles of good urban		
	design is a fundamental		

	<p>element of successful place-making. It is a holistic approach to the physical arrangement of our environment. It encompasses issues of layout, land use, security, economic development, regeneration, community and social life and the general appearance and attractiveness of places.</p>		
	<p>It is also key to achieving the sustainability of our environments by building places that have inherent longevity and an ability to adapt to changing circumstances inexpensively.</p>		
	<p>6.37. The council will be seeking high quality public realm irrespective of the existing state. The existence of poor public realm should be no justification for average or mediocre proposals for yjr public realm. The National Planning Policy Framework states that it is important to plan positively</p>		

	<p>for the achievement of high quality and inclusive design for all development including individual buildings, public and private spaces and wider area development schemes. Developments are expected to ensure the establishment of a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit.</p>		
	<p>6.38. All developments</p>		
	<p>irrespective of size should be</p>		
	<p>able to deliver public realm</p>		
	<p>improvements. Public</p>		
	<p>realm improvements cannot be used to justify inappropriately large or dense proposals that do not accord with other development plan policies. Successful public realm is not solely dependent on having a mix of uses. Rather, having appropriate uses in appropriate locations will be the basis of a successful public realm. This may not</p>		

	necessarily require mixed use.		
	6.39. Well designed places feel safe because they have built-in natural surveillance through the design of buildings and spaces, as well as having complementary mixes of uses and activities. Places that work well and look good also help engender a sense of belonging and local pride, which in itself encourages community participation and helps keep a place safe. Excessive and overt manifestations of security features often have the opposite effect.		
	6.40. An example of this is gated development which may address security concerns, however they restrict public access and therefore choice. This is considered divisive as it reduces social, visual and physical permeability and actively works against engendering community and social cohesion. It is therefore likely that most types of gated developments will be contrary to this policy,		
		Proposals for all development and works to the public realm must be of the highest standard and adhere to the most appropriate policy guidance and best practice. In order to ensure this, all proposals must accord, where relevant, with the following principles of good urban design:	
		Gated development is an applicant/client choice which represents response to customer security concerns. They restrict public access precisely for this reason. This is considered divisive as it reduces social, visual and physical permeability and actively works against engendering community and social cohesion. It is therefore likely that most types of gated developments will be contrary to this policy,	

	<p>particularly parts (a) (b) and (e) and are therefore discouraged by the council. The Council’s proposed Design SPD will contain further guidance on this matter.</p>	<p>particularly parts (a) (b) and (e) and are therefore discouraged by the council. The Council’s proposed Design SPD will contain further guidance on this matter.</p>	
	<p>6.41. A vital part of how we perceive our environment comes from the design, layout and appearance of our streets and spaces – the public realm. New, larger developments create new streets and spaces. Smaller, individual developments affect the appearance and perception of the existing public realm. Careful urban design consideration needs to be given to the impacts on the public realm by all development, from small scale safety and parking schemes to major town centre enhancement projects.</p>		
	91		
	Sites and Policies Design		
	<p>6.42. The council will seek to improve the quality of street</p>		

	<p>furniture, lighting, landscape treatments, surfacing materials and signage in the borough either as part of the development of sites or through environmental improvement schemes.</p>		
	<p>6.43. A number of key documents have been published that provide guidance on good urban design, for buildings, places and the public realm. These go into more detail than the council’s policies can and should therefore be referred to aid the design of proposed new development. The council will have regard to such</p>		
	<p>documents when considering planning applications. These documents include The GLA London Housing Design Guide August 2010; The Mayor’s Housing Supplementary Planning Guidance November 2012; By Design: Urban Design in the Planning System – Towards Better Practice; DETR & CABE; May 2000; Urban Design Compendium I; English Partnerships, The Housing</p>		

	<p>Corporation (HCA) & Llewellyn Davies; August 2000; Urban Design Compendium II – Delivering Quality Places; English Partnerships, The Housing Corporation (HCA) & Roger Evans & Associates; September 2007; Car Parking:WhatWorks Where; English Partnerships; March 2006; Manual for Streets; DCLG & DfT; March 2007; Manual for Streets 2, Wider Application of the Principles and CIHT, September 2010, Safer Places – The Planning System and Crime Prevention.</p>		
	<p>6.44. All applications shall be accompanied by a design and</p>		
	<p>access statement (DAS) to</p>		
	<p>demonstrate how the design has been arrived at. The format and content of DAS should follow the guidance set out in the CABE publication ‘Design and Access Statements (2006)’.</p>		
	<p>Delivery and monitoring</p>		

	6.45. The council will require design and access statements to support applications. The council will produce supporting documents to assist with the implementation of policy DM D4 including Merton’s design SPD which will provide additional detailed guidance concerning urban design and public realm.		
	92		
	Sites and Policies Design		
	DM D5 Advertisements		
	<i>(Amendments following consultation feedback, research and national policy changes)</i>		
	Policy aim		
	The aim of this policy is to ensure:		
	<input type="checkbox"/> High quality design and protection of amenities within the borough.		
	<input type="checkbox"/> That the quality, character and amenity of the borough is not diluted or undermined by		
	inappropriate or excessive advertising on buildings, in the		

	street or on shop-fronts.		
	<input type="checkbox"/> That expenditure of scarce public resources on public realm enhancement schemes and		
	regeneration initiatives achieves the desired results and is not diluted or undermined by		
	inappropriate proliferation of advertisements.		
	Policy		
	Express consent will only be granted for advertisements where they do not harm the character of an area,		
	amenity or public safety in accordance with government guidance and Merton's proposed Design SPD.		
	When assessing proposals for new advertisements, cumulative impacts will be taken into account		
	SA/ SEA implications		
	6.46. The policy meets the sustainability objectives concerned with social inclusion. The two policies		
	ensure that any appropriate development proposals would not result in a negative impact		

	to the		
	local environment or public safety.		
	Justification		
	6.47. Merton’s Core Planning Strategy policy CS 14 (Design) sets out how development needs to be		
	designed to respect, reinforce and enhance the local character to contribute to Merton’s sense of		
	place and identity.		
	6.48. Advertisements are a regular feature of our urban environment and, when well designed and		
	located sensitively, can play a positive role in creating a vibrant and interesting place. However it		
	is important that advertising material (including advertisements that may be considered		
	individually acceptable) does not proliferate to an extent to spoil the appearance of individual		
	buildings, the street or the wider public realm. The council will be vigilant in using its powers to		

	prevent such an excess. When assessing the impact of an advertisement proposal, the cumulative		
	impacts of advertisements on the streetscape and public realm will be taken into account.		
	6.49. Advertisements should not represent a safety or security hazard to pedestrians or motorists by		
	impeding views, unduly distracting attention, creating opportunities for concealment or otherwise		
	undermining perceptions of safety.		
	6.50. The erection of advertisements can block views and vistas along streets – important for		
	orientation and understanding the public realm - or deflect attention inappropriately from the		
	general townscape or important local landmarks, local established views and historic buildings		
	and areas. Potential losses of views will be taken into consideration when		

	determining		
	applications. Inappropriately designed, sized or sited, advertisements can detract from the visual		
	93		
	Sites and Policies Design		
	appearance of individual buildings and the wider townscape. This can be the case in any part of		
	the borough, but particularly sensitive are Conservation Areas, Metropolitan Open Land or the		
	vicinity of Listed Buildings. The council will use its Discontinuance Notice Powers to remove		
	advertisements that adversely affect the local amenity and environment.		
	Delivery and monitoring		
	6.51. The council will produce supporting design guidance on advertisements in Merton's proposed		
	Design SPD to assist in the implementation of Policy DM D5.		
	94		
	Sites and Policies Design		
	DM D6		

	Telecommunications		
	<i>(Amendments following consultation feedback, research and national policy changes)</i>		
	Policy aim		
	To encourage high quality design and protection of amenities within the borough.		
	Policy		
	Proposals for telecommunications apparatus will be considered in accordance with International		
	Commission guidelines, relevant Government guidance, Merton’s Design SPD and the Borough Character		
	Study.		
	SA/ SEA implications		
	6.52. The policy meets the sustainability objectives concerned with social inclusion. The two policies		
	ensure that any appropriate development proposals would not result in a negative impact to the		
	local environment or public safety.		
	Justification		

	6.53. Merton’s Core Planning Strategy policy CS 14 (Design) sets out how development needs to be		
	designed to respect, reinforce and enhance the local character to contribute to Merton’s sense of		
	place and identity and policy DM D6 seeks to contribute to achieving this aim by ensuring		
	proposals for telecommunications apparatus do not result in negative impacts.		
	6.54. The council recognises the benefits of an up-to-date telecommunications industry and the needs		
	of telecommunications companies in maintaining this. This needs to be balanced with minimising		
	the environmental impact and ensuring a high quality urban environment.		
	6.55. The council is therefore keen to minimise the adverse impacts on visual and environmental		
	amenity and public safety of proposals for telecommunications,		

	particularly in residential areas,		
	on sensitive skylines and in other sensitive locations. Telecommunications apparatus should be		
	sited unobtrusively and the council will have regard to policy DM D1 in assessment of		
	development proposals for this apparatus.		
	Delivery and monitoring		
	6.56. Policy DM D6 will be monitored via the Annual Monitor Report, including the number of appeal		
	decisions citing this policy.		
	95		
	Sites and Policies Design		
	DM D7 Shop front design, alterations and advertising		
	<i>(Amendments following consultation feedback, research and national policy changes)</i>		
	Policy aim		
	1.62 To achieve high quality design and protection of amenities within the borough.		
	Policy		

	a) Proposals for new shop fronts or alteration to existing shop fronts should relate to the scale and		
	character of the building and enhance the street scene. Proposals for alteration or removal of existing shop		
	fronts shall:		
	i. Secure the retention and restoration of quality shop fronts where this will contribute to the		
	established character of their shopping centre or parade;		
	ii. Require original features and details to be preserved where they are of historic value or		
	contribute to the character or appearance of the street scene;		
	iii. Resist the introduction of solid external security shutters;		
	iv. Resist the removal of existing separate access to accommodation above;		
	v. Where practical, secure the restoration of separate accesses to upper floors where these		
	have been removed;		

	vi. Provide for satisfactory access for people with disability, special sensory and mobility needs.		
	b) Proposals for shop fascias, will be expected to enhance the street scene. The design and means of		
	illumination of advertisements and signage on shop premises should:		
	i. Relate to the appearance, scale and character of the shop front and its associated features;		
	ii. Relate to the shopping parade within which it is located;		
	iii. not harm local amenity by means of light pollution or visual intrusion or place public safety		
	at risk		
	SA/ SEA implications		
	6.57. The policy meets the majority of the sustainability objectives and covers a variety of design		
	considerations concerning development proposals. The policy encourages high quality design that		
	protects local amenities.		

	Justification		
	6.58. Shop front alterations have an impact on individual building or local character. The council wishes		
	to make particular effort to improve standards of shop fronts and the character of the street that		
	they form a part of. In order to assess the relationship of the shop front of the building the council		
	will require the submission of the elevation of the whole building frontage. Further detailed		
	guidance on shop fronts will be contained in Merton's Design SPD and where appropriate the		
	Borough Character Study will include more locally specific guidance. Please also refer to Policy DM		
	D5 (Advertisements).		
	6.59. A new shop front should complement the style existing on the street. It should reflect the		
	dimensions of the original unit.		
	96		
	Sites and Policies Design		

	6.60. Security is particularly important when shops are closed, either at weekends or in the evenings		
	after normal opening hours, particularly in the hours of darkness. The use of solid steel security		
	shutters to deter crimes is usually unsightly and detracts from the appearance of individual shops		
	and the surrounding area. They can also attract graffiti, look forbidding and discourage people		
	from walking through a shopping area after normal trading hours. Window-shopping, as a result,		
	is no longer possible and loss of light from illuminated shop window displays can reduce natural		
	surveillance. They can also prevent Police and passers-by from seeing thefts taking place within		
	shops and delay the detection of fires. The council will not grant planning permission to		
	applications proposing solid and opaque external shutters		

	unless their need can be demonstrated.		
	Delivery and monitoring		
	6.61. The council will produce supporting documents to assist in the implementation of Policy DM D7		
	including a Design SPD which will provide additional guidance on shop front design matters and		
	considerations and where appropriate the Borough Characterisation Study will include more		
	locally specific guidance.		
	97		
	Sites and		

From: Warring. N

	DM D2 Alterations and extensions to existing buildings	MY COMMENTS	
	<i>(Amendments following consultation feedback, research and national policy changes)</i>		
	Policy aim		
	To achieve high quality design and protection of amenities within the borough.	For “amenities”, do you mean “amenity” such as privacy, daylight? Amenities = eg public toilets?	
	Policy		
	a) Alterations or extensions to buildings will be expected to meet the following criteria: i. Respect and complement the design and detailing of the original building;	<p>What is the purpose of this policy? To achieve high quality design and protection of amenities within the borough? How will respecting and complementing the design and detailing of the original building contribute to this? It will simply produce something which arguably respects and complements the design and detailing of the original building? ie preserves the status quo.</p> <p>Should you not start by assessing the merits of the design and detailing of the original building?</p> <p>What has it got to offer?</p> <p>Please define “original” building eg when originally built eg 1890 or TCP Act 1947? Or “as existing”?</p>	

Dear Sir/Madam

Please strike out the word “new” in any reference to “development”.

Any proposed development is “new” by its nature, so its use is tautological and confusing.

Why not simply differentiate between “existing” and “proposed” buildings/uses?

Also can you define “respect”, “complement”, “sympathetic” as in CPSP CS14.

DM D2 Alterations and extensions to existing buildings

As propos of “respect”, “complement”, “sympathetic” as in CPSP CS14.

- By “respect” do you mean “copy”?
- Or perhaps “Agree”?
- Or “Learn from”?
- Or “discuss with”?
- Or “Take reference from”

Are all of these equally and separately valid?

To what extent are they so?

How is this measured?

I think ideally the local plan must be clearer on this.

Is it to rely on simply the opinion of a design officer or Inspector?

Please strike out the word “new” in any reference to “development”.

Any proposed development is “new” by its nature, so its use is tautological and confusing.

Why not simply differentiate between “existing” and “proposed” buildings/uses?

Also can you define “respect”, “complement”, “sympathetic” as in CPSP CS14.

Please strike out the word “new” in any reference to “development”.

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Why not simply differentiate between “existing” and “proposed” buildings/uses?

Also can you define “respect”, “complement”, “sympathetic” as in CPSP CS14.

Dear Future Merton

Thank you for acknowledging my comments to help improve Merton. I look forward to receiving a summary of all the matters received at consultation, and feedback on how these will be used to improve the documents.

I wish to make further comments as they occur to me.

Please be advised of following in relation to proposed CPS14.

CPS14 and Merton design policies/supplementary guidance must be governed by the NPPF. Section 215 states that pre-2004 policies must be replaced.

So I expect CPS14 to replace for instance SPG Residential Extensions, Alterations & Conversions, November 2001.

CPS14 should limit itself to NPPF matters

“ respond to **local character** and **history**, and **reflect the identity of local surroundings and materials**, while not preventing or discouraging appropriate innovation;

“

.....should consider using design codes where they could help deliver high quality outcomes.
However, design policies should avoid unnecessary prescription or detail and should concentrate on guiding the overall **scale, density, massing, height, landscape, layout, materials and access** of new development in relation to neighbouring buildings ...“

CPS14 should define exactly what each of these terms means.

Merton's Decision Notices should then state precisely which of these terms are considered relevant to the decision.

For instance, **bulk, siting** and **visual intrusion** are not referred to and so should not be used in Decision Notices.

I think visual intrusion is not defined in Merton's policies, other than in matters of amenity NOT design, and refers to “privacy”.

I have previously asked you to reconsider the use of the term **new development**.

Recent Inspectorate ruling confirms that development encompasses proposed operations, and so any development by its nature is “new”.

By contrast, if it is not new, then it is not development as so is not a material matter.

I note the NPPF also refers to new development. I suggest you take this up with the Government to define what it means, in order that your policies may be consistent.