

From: Helen Grant [REDACTED]
Sent: 19 October 2025 16:51
To: Consultations
Subject: Formal Objection to Draft Local Plan: Policy N1 (Merton Park) - Unsound and Inconsistent with National Biodiversity Policy

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Dear Planning Policy Team,

Please accept this as a formal objection to the proposed allocation of Policy N1 (Land at Merton Park / SLAA151) in the Draft Local Plan. I contend that this allocation is unsound because it is demonstrably not **consistent with national policy**, specifically the legal and policy duties to protect and enhance biodiversity as enshrined in the National Planning Policy Framework (NPPF) and the Natural Environment and Rural Communities (NERC) Act 2006.

The site at Merton Park is not the low-grade, ecologically sterile land that might be suitable for such intensive development. On the contrary, it contains a traditional orchard, a habitat explicitly recognised as a **Priority Habitat** under Section 41 of the NERC Act 2006. This designation is reserved for habitats of the highest significance for conservation. As local residents and amateur naturalists have extensively documented, this orchard and the associated mosaic of hedgerows and grassland support a rich diversity of fauna, most notably several species of birds that are on the Red List of Birds of Conservation Concern. These species are of the highest conservation priority, and their presence is an unambiguous indicator of the site's high ecological value.

The NPPF is unequivocal in its direction on this matter. Paragraph 186 states that planning policies should "identify and pursue opportunities for securing measurable net gains for biodiversity". The very first step in the established mitigation hierarchy—a cornerstone of environmental planning—is **avoidance** of harm. The allocation of this site represents a complete failure to adhere to this principle. Instead of avoiding harm to a known Priority Habitat, the plan proposes its wholesale destruction. This runs directly counter to the national objective of reversing biodiversity decline.

The council's evidence base appears to be critically flawed. The Strategic Land Availability Assessment (SLAA) and the Habitats Regulations Assessment (HRA) seem to have underestimated, or entirely overlooked, the intrinsic value of the site itself. The HRA's focus is on impacts to designated European sites, but this does not absolve the council of its duty to protect biodiversity within its own district boundaries, as required by the NPPF. The policy's weak requirement for a future assessment of "functionally linked land" is procedurally improper. A full, independent Ecological Impact Assessment, including detailed species surveys conducted at the appropriate time of year, must inform the plan-making process itself, not be deferred as a condition of a future planning application. To allocate the site first is to accept the principle of its loss before the true ecological cost is understood.

The concept of biodiversity net gain cannot be used to justify the destruction of irreplaceable habitats like a traditional orchard. The complex, long-established ecosystem of a mature orchard cannot be meaningfully replicated elsewhere. Any "offsetting" proposal would be a poor substitute for the existing, high-value habitat.

Therefore, the allocation of Policy N1 is unsound. It is in direct conflict with national policy, it is based on an inadequate evidence base, and it proposes an act of profound and irreversible environmental harm. I urge you to uphold your statutory duties, find the policy unsound, and delete this allocation to protect our natural heritage.

Yours faithfully,
Dr Helen Grant

