

Merton Council

Borough Plan Advisory Committee

Membership:

Councillors:

John Bowcott
Richard Chellew (Chairman)
Philip Jones
Ian Munn (Vice-Chair)
Geraldine Stanford
Jonathan Warne

Substitute members

David Dean
Russell Makin

Date: Thursday, 23 OCTOBER 2008
Time: 7.15pm
Venue: Committee Rooms B & C
Merton Civic Centre, London Road, Morden SM4 5DX

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Borough Plan Advisory Committee

23 October 2008

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Dates of future meetings:

Thursdays, 8 January, 26 February & 11 June 2009.

Note 1: Declarations of Interest:

Members are advised to make declarations of personal or prejudicial interests they may have in relation to any item on this agenda. Members may make their declaration either under this item or at any time it becomes apparent that they have an interest in any particular item. If a Member believes that their interest is prejudicial they should leave the meeting while the item is discussed. If in doubt, Members are advised to seek advice from the Head of Civic and Legal Services prior to the meeting. Declaration forms will be available on request from the attending Democratic Services officer and to whom completed forms should be returned.

Note 2: New Name "Borough Plan Advisory Committee"

The Council, at its meeting on 9 July 2008 agreed that the Borough Plan Scrutiny Panel be renamed the "Borough Plan Advisory Committee" (and also agreed its terms of reference).



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BOROUGH PLAN OVERVIEW AND SCRUTINY PANEL
12 JUNE 2008

(7.15pm – 9.15pm)

PRESENT: Councillor Richard Chellew (in the Chair);
Councillors John Bowcott, Philip Jones, Ian Munn and
Geraldine Stanford.

ALSO PRESENT: Council Officers
Environment & Regeneration
Gary Cox (Interim Spatial Policy Manager); and
Michael Owens (Head of Regeneration & Leisure).
Corporate Services:
M.J.Udall (Democratic Services)
Outside Consultant
Patrick McVeigh – “Shared Intelligence”

1 DECLARATIONS OF INTEREST (Agenda Item 1)

No declarations were made.

2 APPOINTMENT OF VICE-CHAIR FOR 2008/09 (Agenda Item 2(a))

RESOLVED: That Councillor Ian Munn be appointed as Vice-Chair.

3 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3(a))

RESOLVED: That the Minutes of the meeting held on 29 February 2008 be signed as a correct record.

4 MATTERS ARISING FROM THE MINUTES (Agenda Item 3(b))

(a) Report on Employment in the Borough (Minute 5, page 5, penultimate para.)

A Member noted that this Minute indicated that a report on employment in the Borough would be submitted to this June meeting, but no such report had been included on the agenda.

Gary Cox (Interim Spatial Policy Manager) advised that “Shared Intelligence” had been commissioned to do a sustainable economic development study to assist progress the Core Strategy; and that later, under agenda item 4 (Merton LDF Update), Patrick McVeigh from “Shared Intelligence” would be giving a presentation on the preliminary findings of their study.

(b) Merton Abbey Mills – “small regeneration project” (Minute 5, page 5, last para.)

A Member noted that this Minute indicated that officers would provide Members with more information on the “small regeneration project” at Merton Abbey, but that, as far as they were aware, the information hadn’t yet been circulated.

(c) Background reports

Councillor Ian Munn expressed concern that all three reports on the agenda were very thin, and that the Panel had not seen the background reports on which they

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were each based.

(d) Lack of submission of presentations/reports to the Panel
(Minute 5, page 4, 3rd para.)

The Chair noted that in this Minute, officers “acknowledged the Panel’s wish to be involved in drafting and finalising the Core Strategy and confirmed that the Panel will be fully involved in this process”. The Chair expressed concern that various presentations had taken place but Panel Members hadn’t been involved, only Ward Councillors.

Councillor Ian Munn also expressed concern that -

(i) Panel Members hadn’t been involved in the Heart of Merton Study, and that, on contacting officers, he had been asked to give his comments within a very tight deadline; and

(ii) Panel Members hadn’t seen the report submitted to the Sustainable Communities Overview & Scrutiny Panel (on 4/6/08) regarding the Morden Town Centre Regeneration Strategy. *(See also last Minute below.)*

5 STRATEGIC FLOOD RISK ASSESSMENT (Agenda Item 5)

1. Following consultation with other Members, the Chair agreed to bring this item forward, so that Michael Owens (Head of Regeneration & Leisure), who was compiling hard copies of papers for Members for Item 4, could be present for the consideration of later items.

2. A3 size, colour copies of the maps, shown as Appendices 1 & 2 on agenda pages 15/16, were made available at the meeting.

3. Gary Cox (Interim Spatial Policy Manager) introduced this agenda item, including the different categories of flood zones; and advised that the Strategic Flood Risk Assessment report, which contained a lot more background details, had been completed and a number of copies were available at the meeting for Members to take away.

4. Members noted that a large area of the Borough was categorised as being in Flood Zone 3b (The functional flood plain: 1 in 20 or greater risk of flooding in any year); that this included considerable parts of Colliers Wood; and that the Colliers Wood area was identified as an “Area of Intensification” in the Mayor’s London Plan.

5. Members noted that development could still be permitted in Flood Zone 3b if it fulfilled the criteria set out in the Exceptions Test (detailed in para 2.7, agenda page 12). Gary Cox confirmed that all three criteria detailed in sub-paragraphs 2.7 (a), (b) & (c) had to be fulfilled, and that it was insufficient for proposed development in Flood Zone 3b to meet only one or two of the criteria.

6. Councillor Ian Munn raised concerns about the effect of development already permitted in Flood Zone 3b, and the need to take account of such development in future plans.

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7. Members also referred to previous decisions by planning appeal Inspectors and the difficulty that the Environment Agency had experienced in the past in trying to prevent certain developments in flood zones.
8. The Chair highlighted the lack of any mention in the submitted report to the possible effect on Merton of a tidal surge up the Thames; and referred to the possibility of the Thames Barrier failing and being insufficient to stop such a tidal surge within 10 years.
9. Gary Cox advised that the detailed report did take account of a number of different types of flooding, but this didn't include the possible effect on Merton of a tidal surge up the Thames, although breaches in river defences had been looked at in relation to LB Wandsworth as part of the joint study.
10. Gary Cox confirmed that the detailed report did address the effect of sea level rise, but could not advise regarding whether the effect of sea level rise would expand the flood area in Merton.
11. Members referred to the flooding caused by catastrophic amounts of rainfall within a short time in certain areas of the UK in the last 12 months; and the difficulty of dealing with such rainfall, especially in light of the current inadequate drainage infrastructure.
12. Michael Owens (Head of Regeneration & Leisure) referred to the different types of flooding including surface water flooding (or flash floods caused by heavy downpours); fluvial flooding (caused by water flow down the tributaries to the Thames); and possible tidal surge flooding. Michael Owens suggested the possibility of the Thames Barrier failing and a tidal surge up the Thames, were strategic matters, on which Merton's ability to assist was limited; and also referred to various ways in which new development might respond and assist with the threat of all types of flooding, including possibly better drainage systems, green roofs, not concreting over gardens etc.
13. Reference was made to inadequate infrastructure (drainage etc) not usually being a ground on which it was possible to refuse town planning permission at present; and recent changes in Planning Guidance and the London Plan, which might possibly allow inadequate infrastructure to be considered in some cases in due course.
14. Members referred to the Government target for Merton to construct 370 new homes per year; noted that this target was currently being exceeded; and suggested that possibly there should be some inhibition on the amount of such development.
15. Gary Cox confirmed that the Heart of Merton Study (not yet finalised) would look at all infrastructure issues in Colliers Wood, including water and sewerage.
16. Members referred to the need to have time to consider the detailed report before coming to any conclusions and for the flooding issue to come back to a future Panel meeting. Michael Owens advised that deferring consideration should not affect the timetable for the Core Strategy; and further background information could be

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produced if required.

RESOLVED: That, prior to the Panel making any comments, a further report be submitted to a future meeting with further information, including the just finalised detailed “Strategic Flood Risk Assessment” report.

6 MERTON’S LOCAL DEVELOPMENT FRAMEWORK (LDF) – UPDATE
(Agenda Item 4)

(a) Gary Cox (Interim Spatial Policy Manager) introduced this report, including the use of a “critical friend” to scrutinise the LDF process and proposed documentation for soundness; the proposed changes to the Core Strategy to be more area based, rather than thematic based; and the need for possibly further consultation on the LDF in Autumn 2008.

(b) In response to Members’ queries, Gary Cox confirmed that it was likely there would be a need for further consultation, particularly regarding the shift of the Strategy from generic themes like housing, to being more place orientated, including identifying what could be done to improve particular areas.

(c) Michael Owens (Head of Regeneration & Leisure) highlighted the advice the Council had received from Government Office for London requiring the LDF to be more spatially specific, including the need to differentiate the different character of the various parts of the Borough; and the need to possibly identify strategic sites for key developments.

(d) The Chair requested that when a consultation document for a particular area was being produced, all the Councillors for the relevant area should to be involved.

(e) Members noted the number of extensive tasks that needed to be completed in relation to the LDF, including 5 major studies, prior to any further consultation in Autumn 2008, but that the Panel wasn’t currently scheduled to meet again until 23 October 2008. The Panel noted that there might a need for extra meetings prior and after the scheduled October date.

(f) Michael Owens proposed the possible use of informal meetings of the Panel. Councillor Ian Munn supported the use of formal meetings so as to ensure that any external auditor could be satisfied that the process used was fit for purpose. The Chair suggested that this issue could be further discussed with officers after the meeting.

(g) Councillor Ian Munn requested that officers circulate the completed studies to Panel Members, before officers wrote their reports.

(h) Gary Cox confirmed that it was likely that the Proposals Map would be consulted upon at the same time as the proposed further LDF consultation. Members noted that in the past there had been problems when the Map hadn’t been consulted upon at the same time as the rest of the document.

(i) Members noted that the Chair and Vice Chair (Councillor Ian Munn) were both members of the South West London Joint Waste Management Committee, and the

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Joint Waste Strategy was due to be consulted upon in Autumn 2008 about the same time as further proposed LDF consultation.

(j) The Chair suggested that there be a forum/seminar where the revised LDF strategy could be explained to all Councillors, particularly having regard to the need for further public consultation. The Panel supported the suggestion. Michael Owens advised that once a draft of the Core Strategy was available, then it would be possible to look at convening such a seminar.

(k) Gary Cox outlined the current LDF timetable including further consultation in October/November 2008; and putting the plan on exhibition in mid-2009. Members noted that this was a very tight timetable and Chair requested officers to alert the Panel in the event that it became apparent that this timetable was not achievable.

RESOLVED: That (1) the Panel endorses the proposal for a second Preferred Options public consultation; and

(2) a forum/seminar be held where the revised LDF strategy could be explained to all Councillors, particularly having regard to the need for further public consultation.

7 MERTON'S LOCAL DEVELOPMENT FRAMEWORK – Presentation on “Planning for Sustainable Economic Development” (Agenda Item 4)

Gary Cox (Interim Spatial Policy Manager) referred to the various studies being undertaken as listed in paragraph 2.8 (on agenda page 8) and advised that the sustainable economic development study was being undertaken by outside consultants “Shared Intelligence”.

Patrick McVeigh from “Shared Intelligence” then gave a presentation entitled “Planning for Sustainable Economic Development” on the preliminary findings of their study. *(NB. A copy of the relevant power-point slides, circulated in hard copy at the meeting, have since been put on the web-site.)*

The presentation looked at Merton’s (economic) relationship with London; Merton’s economic assets; Merton’s underperforming economy; the issue and implications of the study for Merton; and examples of economic policy elsewhere in London.

The presentation suggested that the main implications for Merton were -

(i) Merton has some clear economic assets but is underperforming economically;

(ii) Merton needs to find ways of capitalising on its assets and addressing underperformance;

(iii) Merton can’t be looked at in isolation of London economy as a whole;

(iv) population growth in Merton and commuting will continue to stimulate Merton’s economy; and

(v) there was a need to stimulate the local economy; to support the growth of

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small businesses; and to nurture entrepreneurship.

The presentation suggested that the main implications for the LDF were -

- (a) the role of non-land use policies in delivering Merton's economic vision;
- (b) the importance of the link to Community Strategy;
- (c) the balance between generic (urban design), thematic (e.g. employment) and area (e.g. town centre) policies;
- (d) the relationship between continued population growth and growth of public sector and personal services;
- (e) the need for positive policies to capitalise on entrepreneurship and strong small business growth; and
- (f) mixed use development around key transport nodes.

Patrick McVeigh emphasised that this was a work in progress; and that it was anticipated that a report would be compiled in the next couple of weeks, with a view to future submission to the Panel.

The Chair and Vice-Chair thanked Patrick McVeigh for his presentation.

8 UPDATE ON HEART OF MERTON STUDY (Agenda Item 6)

1. Gary Cox (Interim Spatial Policy Manager) introduced this agenda item, which was a summary of the Nathaniel Lichfield report "entitled Town Centre Study Update (May 2008)", which looked at retail demand across the Borough, especially in the light of the proposed new Marks & Spencer store at the Savacentre site, Colliers Wood. He advised that the retail study was a background report to inform the Heart of Merton Study, which was due to be published in about two weeks and circulated to Panel Members. *(NB. Copies of the above Town Centre Study Update were available at the meeting for Members to take away.)*

2. Gary Cox explained that the study looked at various possible scenarios in relation to future retailing in Merton; and considered the potential for Colliers Wood to be possibly designated as a District Centre.

3. Councillor Ian Munn suggested that there was a need to look at movement strategy as well as potential for retail growth. Gary Cox confirmed that the Heart of Merton Study would include considerable references to transport issues; and officers had also asked for a Borough-wide freight transport study. Councillor Ian Munn suggested that it would be also useful to have an outline of the effects of the commuting into the Borough.

4. Councillor Philip Jones challenged the statement in relation to Colliers Wood in paragraph 2.13 (on agenda page 19) that "It is located in a highly accessible location which makes it a suitable location for a town centre with potential to reduce car use."; and suggested that one of the main attractions of Colliers Wood was the availability of car parking.

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5. Both Councillors Philip Jones and Ian Munn expressed reservations about increasing retail growth in Colliers Wood

6. In relation to the proposal to possibly designate Colliers Wood as a District Centre, the Chair noted that one effect of such designation, if implemented, would be to permit a higher density (of housing).

RESOLVED: That (1) it would be premature at this time for the Panel to consider whether or not to support the proposal for a town centre designation for Colliers Wood (as set out in paragraph 2.15); and

(2) consideration of this matter be deferred until after Panel Members have received the Heart of Merton Study and had an opportunity to digest this and other relevant studies prior to the next Panel meeting.

9 PANEL'S TERMS OF REFERENCE (and Lack of submission of presentations/reports to the Panel)

Councillor Ian Munn advised that the Standards Committee (on 11/6/08) had considered possible changes to the Panel's Terms of Reference, and that the issue was also due to be considered by the General Purposes Committee (on 25/6/08).

Councillor Ian Munn also reiterated his concern that Panel Members hadn't seen the report submitted to the Sustainable Communities Overview & Scrutiny Panel (on 4/6/08) regarding the Morden Town Centre Regeneration Strategy; and that Panel Members hadn't been involved in the Heart of Merton Study. (*See also earlier Minute above.*)

It was noted that, at the meeting of the General Purposes Committee (on 25/6/08) the Chair and Vice Chair (Councillor Ian Munn) intended to raise various concerns about the Panel's role and the need for other Committees to direct their comments about the Local Development Framework (and other issues within the Panel's ambit) to the Panel.

RESOLVED: That the Panel supports the Chair and Vice Chair raising concerns about the Panel's role at the General Purposes Committee on 25 June 2008.

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