

Committee: Cabinet

Date: 15 October 2018

Wards: all

Subject: Stage 2 consultation on draft Local Plan

Lead officer: Director for Environment and Regeneration Chris Lee

Lead member: Cabinet Member for Regeneration, Environment and Housing, Councillor Martin Whelton.

Contact officer: Deputy Future Merton manager, Tara Butler

Recommendations:

That, following recommendation from the Borough Plan Advisory Panel (BPAC) on 26th September 2018,

- A. Cabinet approve the second six week consultation on the new borough-wide Local Plan, to run for six weeks between October and December 2018.
 - B. That approval for the final consultation documents be delegated to the Director of Environment and Regeneration in consultation with the Cabinet Member for Regeneration, Environment and Housing.
 - C. That Cabinet resolve to agree BPAC's recommendation to revise Merton's Statement of Community Involvement 2006.
-

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. On 14 September 2016, council resolved to start a new borough-wide Local Plan, a single document to replace both Merton's Core Planning Strategy 2011 and Sites and Policies Plan 2014.
- 1.2. The first Stage 1 public consultation took place between October 2017 and January 2018. Consultation responses are available online and have been used to inform this Stage 2 draft.
- 1.3. The purpose of this report is to recommend that Cabinet resolve to approve the second borough-wide consultation of at least six weeks to start in October 2018.
- 1.4. The Borough Plan Advisory Committee (BPAC) met on Wednesday 26th September 2018 with a main agenda item being Merton's Local Plan.
- 1.5. BPAC supported Recommendation A and B to this report and made other recommendations, including Recommendation C above: that Cabinet resolves to revise Merton's Statement of Community Involvement 2006.
- 1.6. The Borough Plan Advisory Committee meeting notes are attached as appendix C to this report.

2 DETAILS

2.1. The draft Local Plan has been informed by:

- The new National Planning Policy Framework (July 2018) and updates to National Planning Practice Guidance
- The new London Plan (draft 2017, now at examination stage)
- Feedback from the Stage 1 public consultation
- Local research

2.2. **What's new?**

2.3. When the Local Plan is finished, it can cover:

- *Borough-wide strategic policies and detailed policies* on housing, design, flood risk, open space, etc (a similar approach to that are found in the Core Planning Strategy and Sites and Policies Plan 2014).
- *Area specific strategic policies covering the town centres and wider neighbourhoods* of Colliers Wood, Mitcham, Morden, Raynes Park and Wimbledon (a similar approach to those found in the Core Planning Strategy) These area-based policies can set the direction and allocate the sites for any detailed masterplans that may follow, such as for Morden Housing Zone.
- *Setting land designations:* e.g. town centre boundaries, designated open space boundaries, areas for nature conservation, cycle routes etc. (similar to the maps in the Sites and Policies Plan)
- *Allocations of specific sites for development* and any statutory site allocations or specific planning policies required for Morden, Wimbledon, or any other part of the borough (similar to the Sites and Policies Plan)

2.4. Appendix A to this Cabinet report summarises potential sites for allocation.

2.5. Appendix B to this report summarises the site proposals received at the Stage 1 consultation that are not recommended for allocation

3 ALTERNATIVE OPTIONS

3.1. There are a variety of alternative options that could be considered at this stage, mainly around taking an alternative recommendation for potential development sites.

3.2. Officers have carefully considered each proposed site and believe that the recommendations to consult are sound. Feedback from this consultation will inform the final Local Plan, so there is still opportunity for alternatives to be considered and taken forward where these are justified.

3.3. Policy alternatives could also be taken forward if they are justified by local evidence or triggered by the ongoing examination of the Mayor's London Plan which is due to finish in late 2019. One of the biggest challenges to

Merton's Local Plan is demonstrating that Merton can deliver the 228% increase in new homes (from 411 homes per year to 1,348 new homes per year) proposed in the new London Plan while protecting strategic open space, industrial land and achieving high quality design. At present we do not consider that there are reasonable policy alternatives to those proposed here but we will reconsider this with consultation feedback.

4 CONSULTATION UNDERTAKEN OR PROPOSED

Consultation undertaken

- 4.1. Stage 1 public consultation took place between October 2017 and January 2018. This was the first stage, asking general questions about what sites or what policies the Local Plan might contain.
- 4.2. We published the consultation mainly online for the first time, using short SurveyMonkey questionnaires (e.g. (e.g. which sites they would like to see developed? What is important to you when considering new development?) affordable housing, travel and transport etc.) and a short video to trigger responses. Over 1,000 responses were received; far more than previous Local Plan consultations.
- 4.3. All responses received are available online (with personal details removed) and there is also a summary of these responses available.
- 4.4. More than 80 sites were proposed for allocation by and those that are being taken forward are set out in Appendix 1 to this report.

Consultation proposed

- 4.5. Subject to Cabinet's approval, it is proposed that the Stage 2 public consultation will take place from late October 2018 for at least six weeks.
- 4.6. At their meeting on Wednesday 26th September 2018, the Borough Plan Advisory Committee (BPAC) resolved to request that Cabinet support an update to Merton's Statement of Community Involvement 2006 as part of the Local Plan (Recommendation C to this report)
- 4.7. BPAC also recommended that particular attention should be given during the consultation to reach out to those areas of the borough/residents who have yet to engage with the Local Plan. BPAC's recommendations from their meeting on 26 September 2018 are set out in full in Appendix C to this report.
- 4.8. We will co-ordinated our engagement with other activities that are going on at the same time, including:
 - 4.8.1 *Wimbledon masterplan* (run by Merton Council, focussed on Wimbledon town centre), which will be out to consultation over the same period
 - 4.8.2 *Morden regeneration* (run by the landowners Merton Council and Transport for London) which is part of the Local Plan and has a dedicated engagement strategy given the extent of the proposals.
 - 4.8.3 *Sutton Link* (run by Transport for London between the end of October and early December), focussed along the three potential new public transport routes between Sutton and Merton

4.8.4 *The Children and Young People's plan*; we welcome working with other council services and departments on engaging children and young people in the planning process.

4.9. **Peer to peer promotion** of the consultation is usually a more successful approach, as is focussing on the interests of particular neighbourhoods and groups. The consultation will be promoted by:

- Sending it to all +2,000 community groups, residents associations, nature conservation bodies, individuals, landowners, developers and others on Merton's Local Plan consultation database. We will be asking community groups and residents associations to help spread the word in their own newsletters, blogs and websites.
- Having an online form and promoting it on the council's website, Twitter and Facebook
- Attending events hosted by community groups and encouraging people to respond.

5 TIMETABLE

5.1. It is proposed that the consultation takes place for at least six weeks starting from 31st October 2018

5.2. This timetable for considering the council's consultation results is co-ordinated with the publications / projects below:

- The examination of the Mayor's London Plan: due to be finalised by November 2019
- Progress on the Morden regeneration, de-risking the planning process for Merton Council and Transport for London to appoint a development partner in 2019
- The new draft of the National Planning Policy Framework, recently published in July 2018

5.3. The next steps in early 2019 are to use the consultation results, research and policy to finalise Merton's Local Plan by mid 2019. Should full council resolve to submit it to the Secretary of State for independent examination, the examinations usually take 6 months.

5.4. This would allow the Local Plan to be adopted in 2020, if it passed the examination.

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

6.1. Funding to support the Local Plan, including the consultations, will come from existing budgets.

7 LEGAL AND STATUTORY IMPLICATIONS

Local Plan

- 7.1. The Planning and Compulsory Purchase Act 2004 (as amended) requires at least two stages of engagement on local plan making. This would be the second of the two formal stages, however ongoing engagement with community groups, statutory bodies such as the Mayor of London and the Environment Agency, housebuilders and Registered Providers and other councils has been ongoing throughout 2018 and would continue throughout the Local Plan process.
- 7.2. With the aim of encouraging more local authorities to have a local plan in place, the Housing and Planning Act 2016, the Act gives the Secretary of State greater powers to intervene in the local plan making process. Specifically it would allow the Secretary of State to intervene if a local authority was failing or omitting to do anything it is necessary for them to do in connection with the preparation, revision or adoption of a local plan.
- 7.3. The Government's Implementation of planning changes: technical consultation proposes to prioritise government intervention where:
- there is under delivery of housing in areas of high housing pressure;
 - the least progress in plan-making has been made;
 - plans have not been kept up-to-date.
- 7.4. Merton's Core Planning Strategy was adopted in July 2011, just over six months prior to the first National Planning Policy Framework publication in March 2012. Although the draft NPPF was considered as part of Merton's Core Planning Strategy and despite the London Plan providing a strategic framework and Merton producing three Local Plans between 2012 and 2017, technically Merton's strategic policies are not up to date. The preparation of the new Local Plan will enable Merton's strategic policies to be revised.
- 7.5. On 14 September 2016, council resolved to start a new borough-wide Local Plan. In line with government's guidance, this will be a single document replacing both
- Merton's Core Planning Strategy 2011 and
 - Sites and Policies Plan 2014.
- 7.6. The new Local Plan won't replace the South London Waste Plan 2012 (as this is a joint document with three other boroughs, dealing with waste management only) or the Estates Local Plan (as this is a site-specific rather than borough-wide Local Plan).
- 7.7. **Statements of Community Involvement**
- 7.8. Statements of Community Involvement (SCIs) are governed by section 18(2) of the Planning and Compulsory Purchase Act 2004 which sets out the obligation to prepare SCIs.
- 7.9. The updates found in the Town and Country Planning(Local Planning)(England) Regulations 2017 amended the process of creating or reviewing SCIs by, amongst other matters, doing away with the obligation to undertake formal consultation and the need to submit SCIs for examination.

- 7.10. However, given the nature of the SCIs and the need for general transparency with the public, developers and statutory bodies, most Local Planning Authorities continue to consult on revisions to SCIs. The South London Legal Partnership advise that consultation is recommended on a revised SCI for at least six weeks.

8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 8.1. Local Plans contain planning policies to help improve community cohesion and are subject to Sustainability Appraisal / Strategic Environmental Assessments and Equalities Impact Assessments. These appraisals will be published alongside the draft Plan for consultation.

9 CRIME AND DISORDER IMPLICATIONS

- 9.1. Local Plans contain planning policies to improve community cohesion and are subject to Sustainability Appraisal / Strategic Environmental Assessments which also consider matters of crime and disorder. These appraisals will be published alongside the draft Plan for consultation.

10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

- 10.1. As set out in the body of this report.

11 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT

- Appendix A – summary of potential sites for allocation.
- Appendix B – sites not proposed for allocation
- Appendix C – notes from the Borough Plan Advisory Committee 26 September 2018

12 BACKGROUND PAPERS

- 12.1. Planning and Compulsory Purchase Act 2004 and associated Regulations as amended.
- 12.2. National Planning Policy Framework and National Planning Practice Guidance
- 12.3. Mayor's London Plan (published 2016, draft 2017) and associated guidance.