

Merton Council Council

7 July 2021

Supplementary Agenda 5

28 BPAC Recommendations on Items 15 & 16

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Committee: Council

Date: 7th July 2021

Wards: all

Subject: Borough Plan Advisory Committee recommendations to full council on agenda items 15 (Local Plan) and 16 (PlanWimbledon)

Lead officer: Director of Environment and Regeneration, Chris Lee

Lead member: Cabinet Member for Housing, Regeneration and the Climate Emergency, Councillor Martin Whelton.

Contact officer: Deputy FutureMerton manager, Tara Butler

Recommendations:

That council consider the recommendations of Merton's Borough Plan Advisory Committee (BPAC) in relation to council's agenda items arising from BPAC's meeting of 1st July 2021

- A. 15 (Local Plan- submission to the secretary of state) as set out in paragraphs 2.3 and 2.5 of this report and
- B. 16 (PlanWimbledon's application to be a neighbourhood forum for their proposed neighbourhood area of Wimbledon) as set out in paragraph 2.6 of this report.

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

1.1. On 1st July 2021, the Borough Plan Advisory Committee considered two reports and made recommendations to full council. These two topics are on the full council agenda as

- Agenda Item 15 – Merton's Local Plan – submission to the Secretary of State
- Agenda item 16 – PlanWimbledon's application to be a neighbourhood forum for their proposed neighbourhood area of Wimbledon

1.2. BPAC's recommendations are outlined in the body of the report and the notes of BPAC's 1st July 2021 meeting are included as appendix A to this report.

1.3. On agenda item 15 (local plan), should council resolve to incorporate the Borough Plan Advisory Committee's recommendations in paragraph 2.5 of this report, then the exact wording of those amendments within the Local Plan would be delegated to the Director of Environment and Regeneration in consultation with the Cabinet Member, in line with Recommendation C in the council report on agenda item 15.

2 DETAILS

2.1. The 1st July meeting of the Borough Plan Advisory Committee are set out below.

- 2.2. Please be aware that all page numbering and other references have been amended to refer to Agenda item 15 Local Plan appendix A for clarity.

2.3. **BPAC recommendations relating to council agenda item 15 – Local Plan – submission to the Secretary of State**

Location reference to Agenda item 15 council report on Local Plan – appendix A	BPAC recommendation
Page 25 (page 287 on BPAC papers) Objective on “supporting resilience”:	reword to place greater emphasis on supporting building more homes, including affordable homes, to help address the housing crisis
pages 19 (Morden) and 20 (Mitcham) in the “neighbourhoods” section:)	incorporate addressing the social and health inequalities, “bridging the gap” in Mitcham and Morden neighbourhoods (as already in Colliers Wood
page 15 [good growth section on diverse communities) page 19 [good growth section on Morden] and page 176-187 [Morden policy justification]	refer to the veteran community at Haig Homes in the context of Morden and Merton’s diverse communities Morden Park in the context of Morden’s green spaces.
Page 485 policy IN14.2 [this was previously numbered as policy 6.2 in the BPAC report] development management policy on social infrastructure	the first paragraph of the justification listing social and community infrastructure, which includes early years and childcare, should be elevated to policy.
Correct spelling and other formatting errors	Wherever found.

- 2.4. BPAC also resolved the recommendations in the report, which were

2.5. *“That the Borough Plan Advisory Committee consider the report and Cabinet recommend that council resolve to:*

A. submit Merton’s Local Plan and Policies Map to the Secretary of State for independent examination. This would be preceded by a statutory six-week consultation period between July and September 2021.

B. Agree the timetable for production set out in section 5 of this report, which will amend Merton’s Local Development Scheme.

C. delegate authority to the Director of Environment and Regeneration, Chris Lee, in consultation with the Cabinet Member for Housing, Regeneration and the Climate Emergency Councillor Martin Whelton for changes to the documents between 23rd June 2021 and the receipt of the Planning Inspector’s final report:

(i) to approve alterations to the plans for submission to the Secretary of State for independent examination and as necessary throughout the examination process arising from matters including responses to pre-submission public consultation, national or regional policy changes,

additional relevant evidence and matters arising from the independent examination.

(ii) to consider and approve officers' response to comments received at the pre-submission public consultation, and associated alterations to the plans for their submission to the Planning Inspector via the Secretary of State."

BPAC recommendations relating to council agenda item 16 - PlanWimbledon's application to be a neighbourhood forum for their proposed neighbourhood area of Wimbledon

- 2.6. BPAC resolved the report's recommendations which were to advise council to
- A. Note the consultation responses to the publication of the PlanWimbledon neighbourhood area and forum applications.*
 - B. To refuse PlanWimbledon's application as a neighbourhood forum.*
 - C. To decline to determine PlanWimbledon's Neighbourhood Area application because, following the refusal of the neighbourhood forum application, there would be no organisation that is capable of being designated as a neighbourhood forum in relation to it.*
 - D. To encourage and support further dialogue between PlanWimbledon and the business community towards resolving the issues identified in this report.*

3 ALTERNATIVE OPTIONS

- 3.1. None for the purposes of this report.

4 CONSULTATION UNDERTAKEN OR PROPOSED

- 4.1. Merton Council's constitution part 3-B, section 1.7 states the functions of Merton's Borough Plan Advisory Committee, which include "to discharge the Council's responsibilities contained in the Local Government Act 2000 and Planning and Compulsory Purchase Act 2004 (as amended) with respect to the Merton Local Plan specifically to make recommendations as appropriate to the Cabinet and Council on matters including... Development Plan Documents [such as Merton's Local Plan] and neighbourhood plans" [such as PlanWimbledon].

5 TIMETABLE

- 5.1. None for the purposes of this report.

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 6.1. None for the purposes of the report.

7 LEGAL AND STATUTORY IMPLICATIONS

- 7.1. None for the purposes of the report.

8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 8.1. None for the purposes of the report.

9 CRIME AND DISORDER IMPLICATIONS

9.1. None for the purposes of the report.

10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

10.1. None for the purposes of the report.

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

- Appendix A – notes from the Borough Plan Advisory Committee meeting of 1st July 2021

12 BACKGROUND PAPERS

12.1. Merton Council's constitution
<https://democracy.merton.gov.uk/documents/s37202/ConstitutionCompleteFeb2021.pdf>

Notes of the Borough Plan Advisory Committee - 1st July 2021

Attendees:

Cllr Carl Quilliam; Cllr Daniel Holden; Cllr Ben Butler; Cllr Helena Dollimore (in Council Chamber); Cllr Dennis Pierce; Cllr Simon McGrath (remotely); Officers: Tara Butler

Apologies for absence:

- Cllr Anthony Fairclough (substituted by Cllr Simon McGrath on Zoom)
- Cllr Najeeb Latif (substituted by Cllr Daniel Holden)
- Cllr Stanford (substituted by Cllr Dollimore)

Declarations of interest Cllr Holden and Cllr McGrath are members of PlanWimbledon

2. Notes of the previous meeting

Cllr Butler – raised Britannia Point at the last meeting but this is not noted. It would be good to note main points of support for areas of discussion.

Cllr Dollimore – we need minutes and notes of the meeting that are more substantial and record, what were points raised, what points were discussed and actions decided.

3. PlanWimbledon

Introduction by officer

Cllr Pierce – para 2.39 of the report; there is only one business member of PlanWimbledon and could be outvoted by others. Officers clarified that PlanWimbledon has more business members but that para 2.39 of the report refers to PlanWimbledon's constitution, which only requires one business member

Cllr McGrath – queried the purpose of the Borough Plan Advisory Committee relating to these items and would it be possible to extend the time to allow PlanWimbledon to resolve issues. Officers clarified that BPAC's resolutions tonight would advise full council on these agenda items for their meeting on 7th July. Officers advised that legally it isn't possible to extend the time under Neighbourhood Planning regulations but that keeping .

Cllr Butler – raised that engagement with younger people is lower. Noted the support for the huge response and efforts made.

Cllr Holden – asked what advice had been given to to PlanWimbledon and the business community. Officers advised that had been working with PlanWimbledon and previous group since c2018 and particularly since late 2020; had advised on draft applications, helped draft map, had continued to meet including this week to support; that PlanWimbledon had met many organisations prior to submitting to the council including the business community which had helped shape PlanWimbledon's area boundary.

Cllr Dollimore - there is a typo on the report's front sheet relating to the Cabinet Member, councillor Martin Whelton

Cllr Holden – what advice would you give PlanWimbledon if they were to do the same again and get the same result re businesses, also what timescales would you work to. Officers advised that would work to PlanWimbledon’s pace, that PlanWimbledon encouraged to resolve matters prior to council consultation

Cllr Quilliam – government guidance is so strict on neighbourhood planning as only the approved Forum is able to make a neighbourhood plan in that area for five years.

RESOLVED that BPAC advise council to

A. Note the consultation responses to the publication of the PlanWimbledon neighbourhood area and forum applications.

B. To refuse PlanWimbledon’s application as a neighbourhood forum.

C. To decline to determine PlanWimbledon’s Neighbourhood Area application because, following the refusal of the neighbourhood forum application, there would be no organisation that is capable of being designated as a neighbourhood forum in relation to it.

D. To encourage and support further dialogue between PlanWimbledon and the business community towards resolving the issues identified in this report.

4. Local Plan

[link to the committee report:

Link to the BPAC Local Plan to which page and paragraph numbers refer below
<https://democracy.merton.gov.uk/documents/s39678/Local%20Plan.pdf>]

Cllr Dollimore

page 287. Could do a better job of packaging the objective on supporting resilience; there is a housing crisis, we want to build more homes including affordable homes.

On the sections with more detail on neighbourhoods, there are some discrepancies between neighbourhoods; e.g Colliers Wood refers to social and health inequalities, “bridging the gap” but don’t call out this for Mitcham and Morden in summaries for those neighbourhoods.

Page 182 [good growth strategy section] and 309 [Morden policy justification] – brilliant that Wimbledon calls out the tennis in the Wimbledon neighbourhood section; in the Morden neighbourhood section it would be great to refer to the veteran community at Haig Homes (also cross refer in the section on serving diverse groups in our community) and Morden Park as part of Morden’s green spaces. Morden Hall Park is already referred to.

Page 589 – social infrastructure, policy IN6.2 – call out early years and childcare and provision for young people and youth services; the first paragraph of the justification listing social and community infrastructure should be elevated to policy.

Typos and formatting; needs a fresh pair of eyes for formatting

Cllr Butler – supports Cllr Dollimore’s views. Asked about process for within the meeting.

RESOLVED – BPAC members unanimously resolved to recommend Cllr Dollimore’s amendments to full council:

- **Page 287 Objective on “supporting resilience”:** reword to place greater emphasis on supporting building more homes, including affordable homes, to help address the housing crisis
- **“neighbourhoods” section:** incorporate addressing the social and health inequalities, “bridging the gap” in Mitcham and Morden Neighbourhoods (as already in Colliers Wood)
- **Page 182 [good growth section on Morden] and 309[Morden policy justification]** – refer to the veteran community at Haig Homes in the context of Morden and Merton’s diverse communities and Morden Park in the context of Morden’s green spaces.
- **Page 589 – development management policy on social infrastructure, policy IN6.2 –the first paragraph of the justification listing social and community infrastructure, which includes early years and childcare, should be elevated to policy**
- **Correct spelling and other formatting errors**

Cllr Holden: what happened to Site Wi14 and why is Wimbledon Stadium (Site Wi12) still in there if no more development. Officers clarified that Site Wi14 was on Hartfield Road but has been developed since so out of Plan; the Stadium site started in the Plan to retain planning policy on this important site but the site has since been largely developed

Cllr Holden asked which has weight, the adopted development plan or this new one. Officers clarified that the new plan gathers weight as goes through the process, particularly after the full council vote but the adopted one remains in place as the main plan until the new one is adopted to replace it.

Cllr McGrath

Page 341 – policy on dwelling conversions, does this apply to 2-bed properties as found in his ward. Officers clarified that the policy applies to three bed homes; that the Apostles Residents Association did some good research for which we thank them; this showed that the conversion of two bed homes was less than c10 years ago

Matters such as Brexit and Covid19 may have changed London’s population growth, and therefore housing needs, asked are we using the latest information. Officers clarified that we are using up to date information, that the Mayor of London looked at population trends, had to revise the London Plan on housing matters early on and the 2021 census would feed into this, all London councils would then take on any changes should the population have changed

Page 530-532, asked if this policy was to seek affordable homes on sites of less than 10 homes. Officers clarified yes, that cash in lieu contribution proposed from small sites towards additional affordable housing.

Cllr Pierce

Attended the School standards and children and young people panel, reported that there are gaps in nursery and young people, due to the birth rate dropping and young families moving out of London. Officers stated that the Local Plan is accompanied by a comprehensive Infrastructure Needs Assessment that covers early years and education, that colleagues in the Childrens Schools and Families Dept kept up to date on this information to inform the Local Plan

Asked if Place plans and the 20-minute neighbourhood is based on walking or cycling. Officers clarified that 20 minute neighbourhood / 15 minute city based on travel, 20 mins walking / cycling for regular services (e.g. daily food) and longer travel (e.g. train) for less regularly used services such as hospital

Raised a query as to whether the costs of low carbon energy adaptations are affordable.

Cllr Butler – raised that in Abbey Ward residents have many requests for electric vehicle charging points; could Section 106 be used to require developments to provide these where 2 new storeys were being built on a building. Officers clarified that the new permitted development rights to add 2 storeys took place outside the planning system so Section 106 could not legally be applied. Cllr Butler and Quilliam recorded their frustration with this process

Cllrs thanked officers, residents and Merton's communities for their work on the Local Plan.

RESOLVED

That the Borough Plan Advisory Committee consider the report and Cabinet recommend that council resolve to:

A. submit Merton's Local Plan and Policies Map to the Secretary of State for independent examination. This would be preceded by a statutory six-week consultation period between July and September 2021.

B. Agree the timetable for production set out in section 5 of this report, which will amend Merton's Local Development Scheme.

C. delegate authority to the Director of Environment and Regeneration, Chris Lee, in consultation with the Cabinet Member for Housing, Regeneration and the Climate Emergency Councillor Martin Whelton for changes to the documents between 23rd June 2021 and the receipt of the Planning Inspector's final report:

(i) to approve alterations to the plans for submission to the Secretary of State for independent examination and as necessary throughout the examination process arising from matters including responses to pre-submission public consultation, national or regional policy changes, additional relevant evidence and matters arising from the independent examination.

(ii) to consider and approve officers' response to comments received at the pre-submission public consultation, and associated alterations to the plans for their submission to the Planning Inspector via the Secretary of State

Addendum to BPAC notes of 1st July 2021

Email sent to councillors correcting Local Plan 2021 after councillors flagged mistaken wording to officers.

From: Tara Butler

Sent: 01 July 2021 14:37

To: Councillor Carl Quilliam; Councillor Najeeb Latif; Councillor Ben Butler; Councillor Dennis Pearce; Councillor Geraldine Stanford; Councillor Anthony Fairclough; Councillor Simon McGrath; Councillor Stephen Crowe; Councillor Aidan Mundy; Councillor Daniel Holden; Councillor Helena Dollimore

Cc: Councillor Martin Whelton

Subject: Borough Plan Advisory Committee - fixing officer error in Colliers Wood policy drafting re Britannia Point

Dear Councillors,

There is a mistake in the draft of the Local Plan that you have received for BPAC relating to the policy on Colliers Wood town centre and Site allocation CW2 "*land south of Britannia Point*".

This mistake has been corrected in the Local Plan published for full council decision on 7th July and I wanted to draw your attention to this in advance of tonight's meeting and to apologise for the error.

At the last BPAC on 4th March, it was agreed that the wording be changed within the Stage2a draft of Merton's Local Plan to make it clear that the existing Britannia Point in Colliers Wood should remain the pinnacle in terms of building heights, based on the public consultation feedback.

Unfortunately, in compiling the draft Local Plan for Cabinet (22nd June) and BPAC (tonight, 1st July) officers carried forward the old wording and did not incorporate this change.

However this mistake has been fixed for full council and is included within the full council report and Local Plan published for decision on 7th July 2021.

Therefore, for the purposes of tonight's meeting, paragraph 3.1.18 (Colliers Wood policy in Merton's Local Plan) should contain the corrected version extracted below and available on the full council agenda via this link

<https://democracy.merton.gov.uk/documents/s39863/Appendix%201%20Local%20Plan.pdf>

- 3.1.18. Colliers Wood town centre may be an appropriate location to accommodate higher density development including tall buildings. Britannia Point should remain the pinnacle building in the town centre in terms of height. This can then form the basis for a coherent group of buildings that relate well to each other in terms of scale, massing, form and architecture. New buildings must be designed, orientated and laid out within the site and within the context of nearby buildings and structures to mitigate the potential for uncomfortable wind conditions at ground level, which would particularly affect pedestrians and cyclists.

This correction has also been carried forward into Site Allocation CW2, “*car park south of Britannia Point*” - please see the extract of the corrected version below (third paragraph down) as submitted to full council (available on page 88 via this link to the full council reports

<https://democracy.merton.gov.uk/documents/s39863/Appendix%201%20Local%20Plan.pdf>

Design and accessibility guidance:

The site is within an Opportunity Area (designated in the London Plan). Opportunity Area Indicative capacity for new homes and jobs is 5000 new homes and 6000 new jobs. This site is expected to contribute to the OA (Opportunity Area) and future growth in Merton that is socially and economically inclusive and environmentally green and sustainable.

Delivery of new homes within the Wimbledon/Colliers Wood Opportunity Area in a universally accessible sustainable location on an unused brownfield site.

Development will need to be of a scale, layout and design to minimise harm to the residential amenity of the existing residents in Britannia Point and on Christchurch Road. Development must be based the principle of the existing Britannia Point building remaining the pinnacle in terms of height, with other buildings forming a coherent cluster that enhances the wider Colliers Wood area.

I am also attaching a link to the full council report, paragraph 1.7 draws attention to this error and its correction.

<https://democracy.merton.gov.uk/documents/s39832/Council%20report%20Local%20Plan%20sub%20mission%20July%202021.pdf>

Please accept my apologies for this error in the drafts received for BPAC.

Regards,

Tara