

Merton Council

Borough Plan Advisory Committee Agenda

Membership

Councillors:

Aidan Mundy (Chair)
Najeeb Latif
Linda Kirby
Dennis Pearce
Carl Quilliam
Geraldine Stanford

Substitute Members:

Stephen Crowe
Anthony Fairclough
Nick Draper

Date: Thursday 6 June 2019

Time: 7.15 pm

Venue: Committee rooms B & C - Merton Civic Centre, London Road,
Morden SM4 5DX

This is a public meeting and attendance by the public is encouraged and welcomed.
For more information about the agenda please contact
future.merton@merton.gov.uk or telephone [020 8545 3837](tel:02085453837).

All Press contacts: communications@merton.gov.uk, 020 8545 3181

Borough Plan Advisory Committee Agenda

6 June 2019

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Note on declarations of interest

Members are advised to declare any Disclosable Pecuniary Interest in any matter to be considered at the meeting. If a pecuniary interest is declared they should withdraw from the meeting room during the whole of the consideration of that matter and must not participate in any vote on that matter. If members consider they should not participate because of a non-pecuniary interest which may give rise to a perception of bias, they should declare this, withdraw and not participate in consideration of the item. For further advice please speak with the Assistant Director of Corporate Governance.

BOROUGH PLAN ADVISORY COMMITTEE

NOTES OF MEETING – 07 March 2019

Attendees:

Cllrs: Aidan Mundy (chair) Carl Quillam; Linda Kirby; Geraldine Stanford; Dennis Pearce; Dave Ward; Najeeb Latif

Also attending: Tara Butler; Katharine Thomas (Merton Council officers), representatives from Wimbledon including Eve Cohen (Merton TV)

Meeting notes and action points

Agenda item 1 - There were no apologies for absence

Agenda item 2 – Cllr Carl Quillam declared a pecuniary interest as an employee of Metropolitan Thames Valley (a registered housing provider)

Agenda item 3 – notes of the previous meeting: no additional comments.

Agenda item 4: Draft Local Plan and draft FutureWimbledon masterplan update.

Councillors considered the report and asked questions.

At the end of the consultation, the chair invited audience members to speak. Leigh Terrafranca (Wimbledon East Hillside Residents Association); Sara Sharpe (Save Wimbledon town), Gay Bennett-Powell (Friends of Wimbledon town) and Eve Cohen (Merton TV) raised matters about the FutureWimbledon masterplan and discussed matters with councillors.

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FUTURE WIMBLEDON MASTERPLAN CONSULTATION REPORT

MAY 2019

merton.gov.uk/futurewimbledon



FOREWORD

We'd like to thank everyone who has taken the time to be a part of this consultation. In early 2017 we launched consultation on the future of Wimbledon town centre with workshops in Wimbledon Library. Over three events we gathered feedback from 222 participants, which we used to develop the draft Future Wimbledon Masterplan that was consulted on from October 2018 to January 2019.

This report explains the consultation process and shares the findings from the October 2018 to January 2019 round of consultation on the first draft of the plan.

Future Merton are using the feedback received to help inform and guide the next stage of the masterplan. We look forward to continuing conversations during the next stage of the Future Wimbledon Masterplan development.

“We congratulate you on the initiative of creating a town plan, and the strategic approach you are taking. Wimbledon has huge potential and we would be very grateful if you would take care of our precious town as you develop plans for the future.” (Wimbledon resident)

“While Wimbledon is not a beautiful town, it does have many great features and facilities. It would be wonderful to build out from these, with the opportunity of Crossrail 2, to enhance the quality of the structures and quality of life for both workers and Wimbledon residents - while establishing a town fit for the 21st century.” (Wimbledon resident)

“I applaud the work that has gone into the Masterplan; Wimbledon is an international brand with so much potential and has suffered from uncoordinated, piecemeal development in the past. A coherent and well-thought out vision for the town such as this, is much needed, maintaining the historical character, complemented by modern architecture, bringing economic benefits and ensuring that the town has a vibrant commercial and cultural character.” (Wimbledon resident)

“I have read the Masterplan from cover to cover and, if I may, I should like to congratulate the authors on an excellent piece of work, producing a coherent and very largely acceptable - even desirable - series of guidelines for the future of what presently has to be regarded as a somewhat incoherent town.” (Wimbledon resident)

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1 INTRODUCTION

1.1. This Consultation Report presents the responses received in the Draft Future Wimbledon Masterplan Consultation which ran from 1st October 2018 to 6th January 2019.

1.2. The Future Wimbledon Masterplan was drafted to address the challenges and opportunities for future development in Wimbledon town centre. Once approved, it will be a Supplementary Planning Document (SPD) that sits alongside Merton's other planning policy documents - Core Strategy (2011) and Sites and Policies Plan (2014).

1.3. Merton's Local Plan is currently under review. The Stage 2 draft was consulted on between October 2018 and January 2019. For more information visit merton.gov.uk/newlocalplan.

1.4. During this period Transport for London also ran a consultation, supported by Merton and Sutton Councils, on proposals for a new rapid transit system for Sutton and Merton, the Sutton Link. The consultation results can be found at consultations.tfl.gov.uk/trams/sutton-link.

1.5. All of the responses to the consultation are available to view online at merton.gov.uk/futurewimbledon. This document provides a summary of the responses received by themes. The response format was in the form of free text either via SurveyMonkey, email or letter. The length of responses received

varied from one line on a particular theme, to a 40 page document closely analysing the masterplan.

1.6. All of this information was collated in Excel format and each response analysed individually. The comments relating to each of the identified themes were summarised and catalogued. There is no specific quantitative analysis of each theme other than the number of respondents who raised the issue. The main points highlighted for each theme are then listed and discussed.

1.7. For most of the themes raw response data was input into software that analysed the number of times a word was used, creating a visual depiction based on frequency. Words that were used more often are larger in the image than words used less. The word clouds take the top 150-200 most used words in the responses by theme.

1.8. This is a useful way of identifying what the general feeling of respondents was towards each issue and any specific matters that they raised.



Wimbledon town centre
extent of the masterplan area

2 CONSULTATION

HOW WE CONSULTED

2.1. The council is required in accordance with planning legislation to hold a public 6 week consultation. However, due to the nature of the subject matter and the significance and importance of the document to our residents and businesses the council extended the consultation to 14 weeks; above the required consultation period.

2.2. Engagement on the draft Future Wimbledon Masterplan started on 27th September 2018, where the plan was launched at the Wimbledon Community Forum. Paper copies were made available in Wimbledon Library for the public to view.

2.3. Formal written consultation letters and emails were sent to local residents, businesses, residential groups and organisations, environmental stakeholders (e.g. Environment Agency) and other interested parties on Merton's Local Plan consultation database.

2.4. Every household in Merton was notified via an article in MyMerton, a magazine distributed to all 80,000+ residential properties in Merton. There were also articles in Wimbledon Time and Leisure Magazine and the Wimbledon Times (formerly Wimbledon Guardian) newspaper in online and hard copy formats.

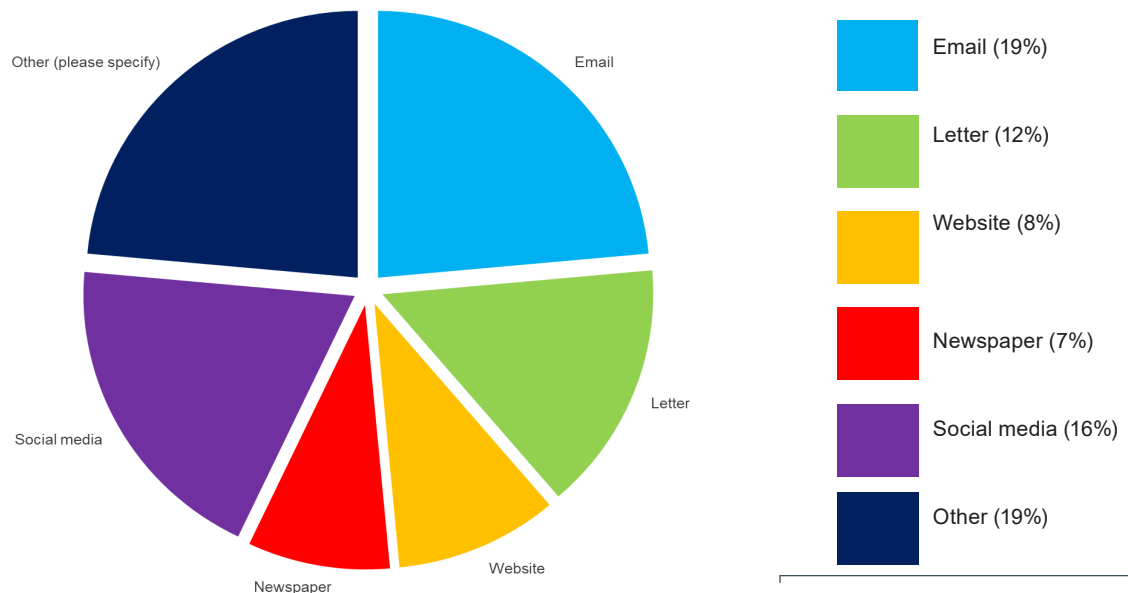
2.5. The consultation was also publicised via social media on the council's Facebook and Twitter accounts. The council's tweets

about the consultation were viewed by over 82,000 people on twitter, not including embedded tweets on third party sites. Of the 82,101 reach 2,625 people also engaged with the tweet (clicked on the link, shared, liked or re-tweeted).

2.6. Peer to peer awareness was strongly encouraged as people are much more likely to engage with a message sent from their peers or a group they are part of, as opposed to official council engagement. Residents associations and community groups

encouraged their members to respond to the consultation via their websites, emails and social media.

2.7. Those respondents who responded to the consultation via Survey Monkey told us that they heard about the draft masterplan by email, post, website, social media and "other", which included correspondence from local residents' groups, Wimbledon Choral Society, Time and Leisure Magazine, meetings where the council was presenting and Nextdoor. This is summarised in the pie chart below.



How Survey Monkey respondents heard about the consultation where information was given

HOW WE CONSULTED

2.8. An extensive engagement programme was carried out from September 2018 until January 2019. The activities are set out below, and were a blend of well attended community forums and public meetings organised by either residents / community groups or the council, sometimes with 50-100 people in attendance. There were also focused discussions with business groups, civil societies, landowners and others.

- Battles Area Residents Association meeting - 14/11/18
- Landowners Forum - 15/11/18 and engagement with individual landowners
- Wimbledon community meeting with Stephen Hammond MP



4

Public space workshop outside Wimbledon Theatre, November 2018



5

Future Wimbledon Workshop in 2017



6

Draft Future Wimbledon Masterplan launch at the Wimbledon Community Forum, 27th September 2018

- Cabinet - 17/09/18
- Wimbledon Community Forum - 27/09/18
- Design Review Panel - 27/09/18
- Wimbledon Society meeting - 01/10/18
- Wimbledon Union of residents Associations meeting- 04/10/18
- Residents Association of West Wimbledon meeting - 16/10/18
- Future Wimbledon public space pop up workshop - 10/11/18, 17/11/18 and follow up focus group.
- Meeting with AECOM (local employer) 29/11/18
- Love Wimbledon Board
- Friends of Wimbledon Town Centre public meeting - 12/11/2018 and follow up meeting with representatives of FOWTC

3 KEY STATISTICS

WHO RESPONDED

3.1. 760 responses were received to the draft Future Wimbledon Masterplan consultation, from 702 respondents. The length of responses received ranged from one line to 40 pages of detailed analysis of the masterplan.

3.2. More responses were received via the SurveyMonkey form (493) as opposed to letter or email (267). The questionnaire on SurveyMonkey asked for the participant's views on the draft Future Wimbledon Masterplan as well as some demographic characteristics. Responses that were received by email and post did not contain demographic data, however if it was stated that the respondent lived, worked or visited the borough then this was picked up in the analysis. A summary of the demography of respondents to the masterplan is provided in the next few pages.

3.3. With regards to the first question on the relationship of the respondent to Wimbledon town centre, the results were as follows:

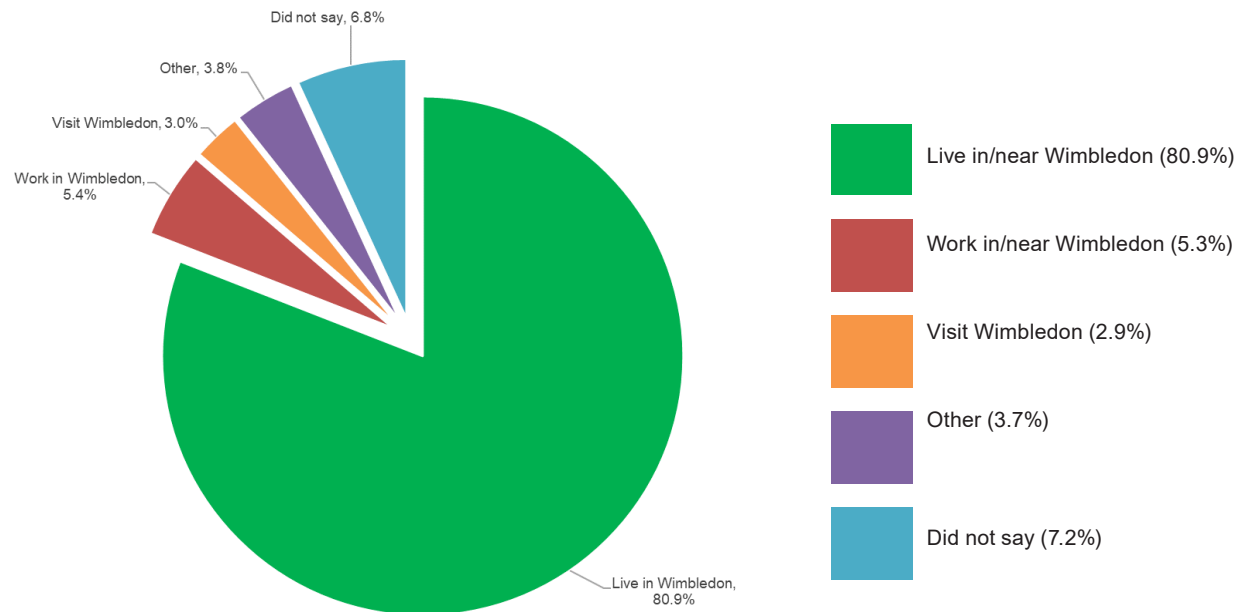
- 617 described themselves as living in/near Wimbledon
- 41 described themselves as working in/near Wimbledon
- 23 said they visit Wimbledon
- 29 said "other", which included landowners,

businesses, residential/ community groups and statutory consultees (for example Historic England, Greater London Authority and Metropolitan Police)

- 50 did not answer this question

3.4. This shows that the vast majority of respondents lived in or near Wimbledon. The postcode analysis shows that responses were

received from households in Abbey, Trinity, Dundonald, Hillside, Wimbledon Park and Village wards, which are all closely connected to Wimbledon town centre. Responses were received from across the London Borough of Merton, which shows the level of interest that the Future Wimbledon Masterplan generated. For many Merton residents Wimbledon is their nearest Major Town centre.

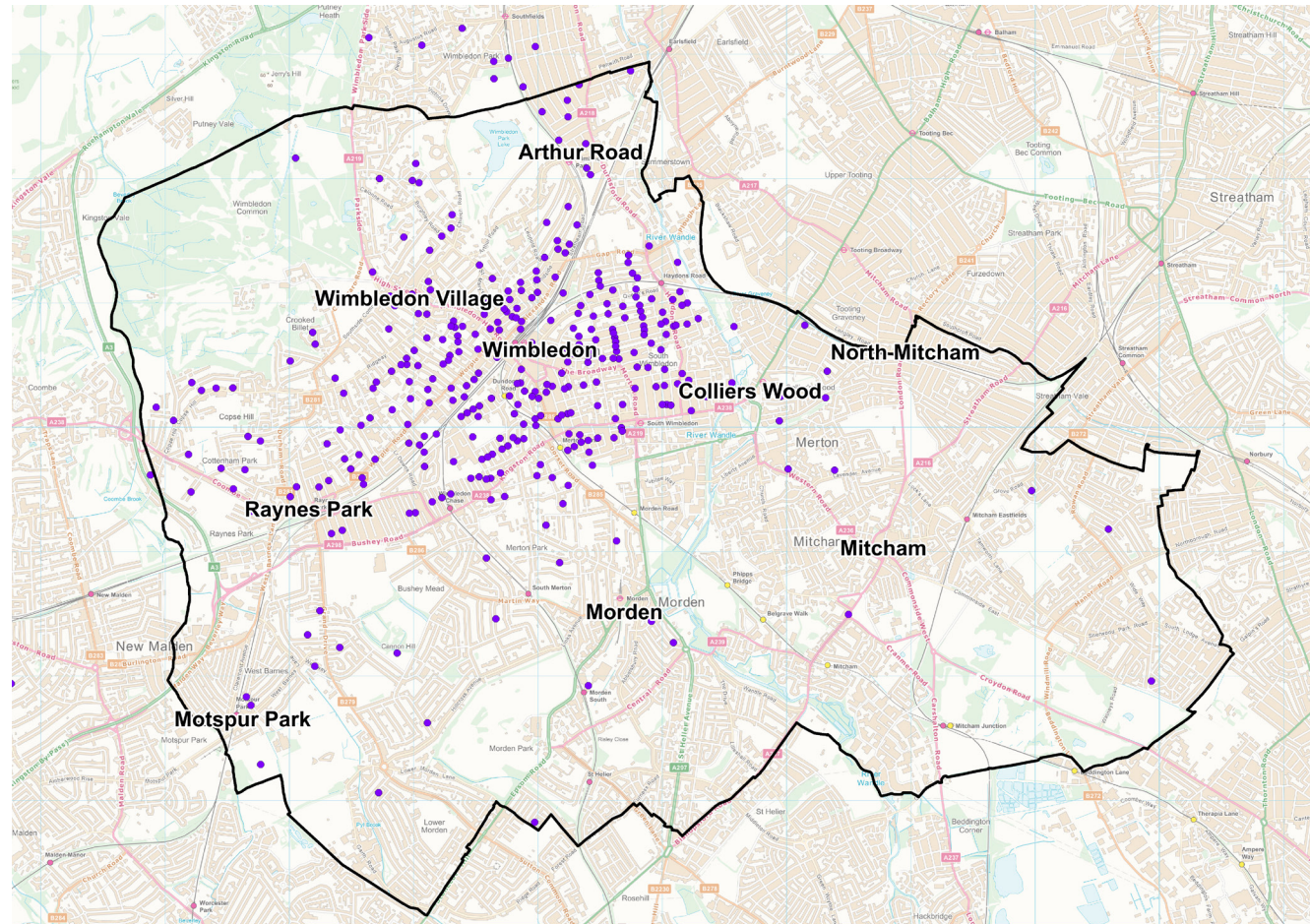


How Survey Monkey respondents described themselves where information was given

WHO RESPONDED

3.5. The map opposite shows the location of respondents to the draft Future Wimbledon Masterplan consultation. It shows all individual postcodes provided by respondents, where the full postcode was given. There were responses from 355 unique postcodes, including 16 from outside the borough (not all shown on the map).

3.6. Responses were received from 9 residents' groups/associations, which represent a large population in and around Wimbledon town centre. The residents groups/associations were excellent at publicising the consultation, with many respondents either quoting or referencing their local residents' association's response in their own response. In particular, Friends of Wimbledon Town Centre widely publicised their response to the masterplan consultation, which was very effective at raising awareness amongst residents who may not have otherwise responded.



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OS MasterMap Imagery Layer has been created using OS's own imagery and imagery from other suppliers.

WHO RESPONDED

3.7. The residents' groups that provided a response to the consultation included:

- Battles Area Residents' Association
- Edge Hill Area Residents' Association
- Friends of Wimbledon Town Centre
- North West Wimbledon Residents' Association
- Queen's Road Residents' Group
- Residents' Association of West Wimbledon
- Wimbledon East Hillside Residents' Association
- Wimbledon Society
- Wimbledon Town Centre Neighbourhood Forum

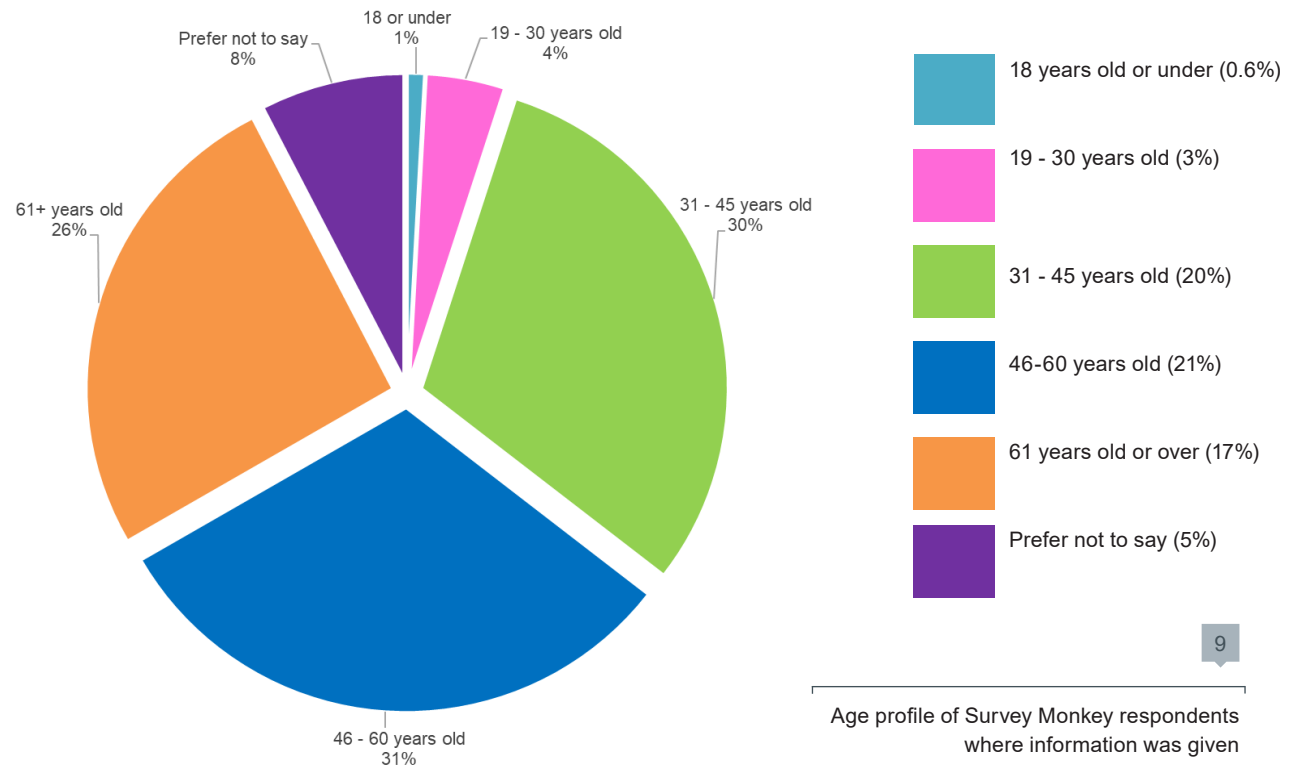
3.8. The Future Wimbledon Masterplan consultation was publicised purposefully in a range of formats to target all age groups. We were keen to broaden the age spectrum of respondents in this round of consultation compared to the attendance of the Future Wimbledon workshops in 2017. It was identified through previous consultations that younger people do not respond to planning issues as often as other age groups. In this consultation we wanted to reach younger people in particular this time around (defined as those aged 45 years old or younger).

3.9. In the Survey Monkey questionnaire 462 respondents answered the question on age profile, of these:

- 4 were aged 18 years old or under
- 19 were aged 19-30 years old
- 141 were aged 31-45 years old

- 144 were aged 46-60 years old
- 119 were aged 61 years old or over
- 35 said they preferred not to say

3.10. We know from reading the responses that there were more from younger people than shown in this graph.



WHO RESPONDED

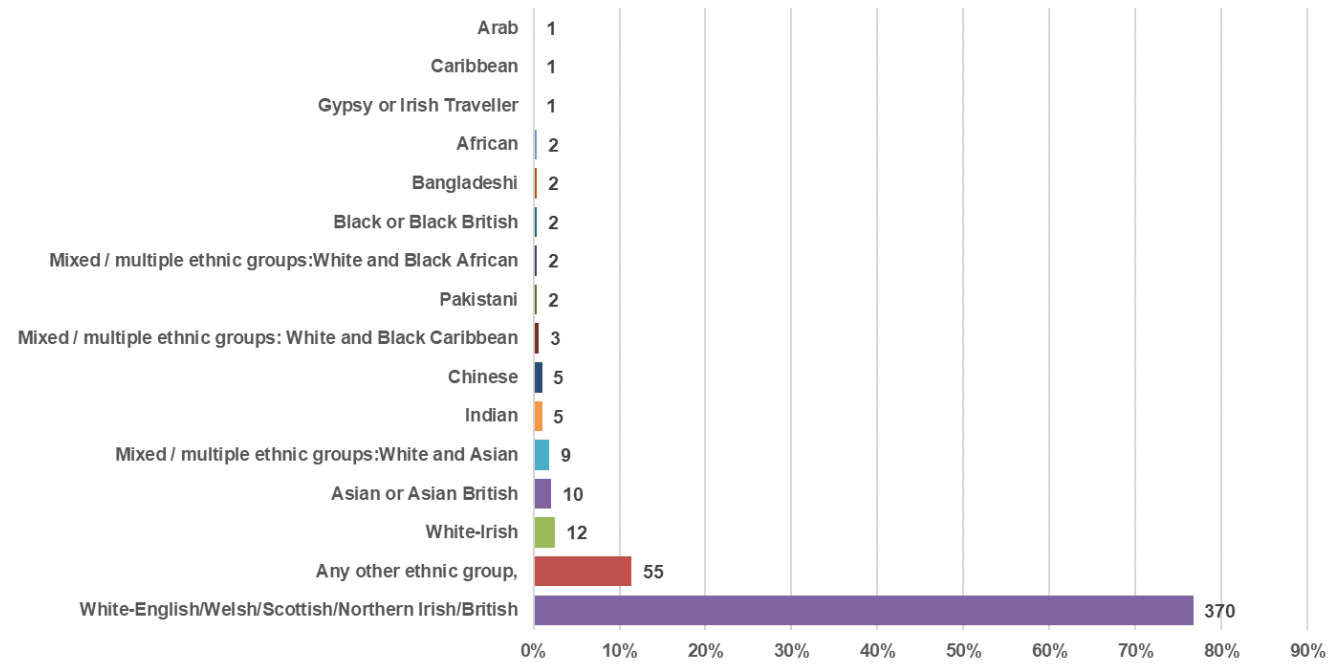
3.11. This data does not include participants in the Future Wimbledon public space workshops in St Mark’s Place and Wimbledon Theatre held in November 2018.

3.12. 453 respondents answered the question on gender identity, of these:

- 189 were male
- 232 were female
- 2 were “other”
- 30 said they preferred not to say

3.13. We also asked respondents to the SurveyMonkey questionnaire to provide details of their ethnicity. 482 respondents provided an answer to this question, which is shown in the graph opposite.

3.14. The majority, almost 80% of respondents identified themselves as White-English/Welsh/Scottish/Northern Irish/British. The next highest proportion was for Any other ethnic group, followed by White-Irish. Less than 10 responses were received by respondents from all other ethnic groups.



4 PURPOSE AND STATUS OF THE PLAN

3.15. It was apparent from the consultation responses that some respondents were unaware of the exact purpose and status of the plan. For clarification, the draft masterplan is based on the existing adopted planning policies in Merton's Local Plan. The masterplan does not establish any new planning policies or allocate sites; it should be considered as additional guidance on how existing policies will be interpreted and applied to development proposals.

3.16. The purpose of the masterplan is to be clear on the nature of the town centre; the uses that contribute towards a vibrant and successful commercial offer; how this integrates with the existing residential communities and crucially, how the quality of design – public realm and architectural design lie at the heart of successful places and underpin good growth.

3.17. The document is how the planning policies that already exist, will assist in the delivery of good growth; how they are exemplified and how we will hold developers and investors to account in making Wimbledon town centre an even more successful and attractive place.

3.18. The purpose of the Future Wimbledon Masterplan is to establish a common vision for the long-term development of Wimbledon town centre; well into the 2030s.

3.19. The content of the plan builds upon the range of suggestions gathered from the Future Wimbledon Ideas Competition, engagement with key land-owners and the priorities established through community masterplanning workshops held in 2017.

3.20. Where sites are identified in the plan as having development potential; this does not necessarily mean that every site will come forward for development. This will be dependent on the will of land owners, and with commercial interests be dependent upon the expiry time-scale of leases and investor confidence in the market.

3.21. The masterplan helps to guide investment decisions and promote economic growth for the town centre; offering greater clarity to land owners and investors as well as the local community over the type, form and quality of development and public spaces the council would support for the town centre.

3.22. The key planning policies which form the statutory planning basis for the draft masterplan are;

- **Merton's Core Planning Strategy (2011)** (including policy CS.6 Wimbledon Town Centre and CS.7 Town Centres),
- **Merton's Sites and Policies Plan (2014)**

3.23. The masterplan has been prepared as a Supplementary Planning Document (SPD) to Merton's Core Planning Strategy policies CS6 (Wimbledon) CS.7 (Centres) and CS.14 (design).

3.24. As such, the plan is a material consideration in assessing planning applications and, once adopted, should be used to shape proposals at the pre-application stage and to support the determination of planning applications in Wimbledon town centre.

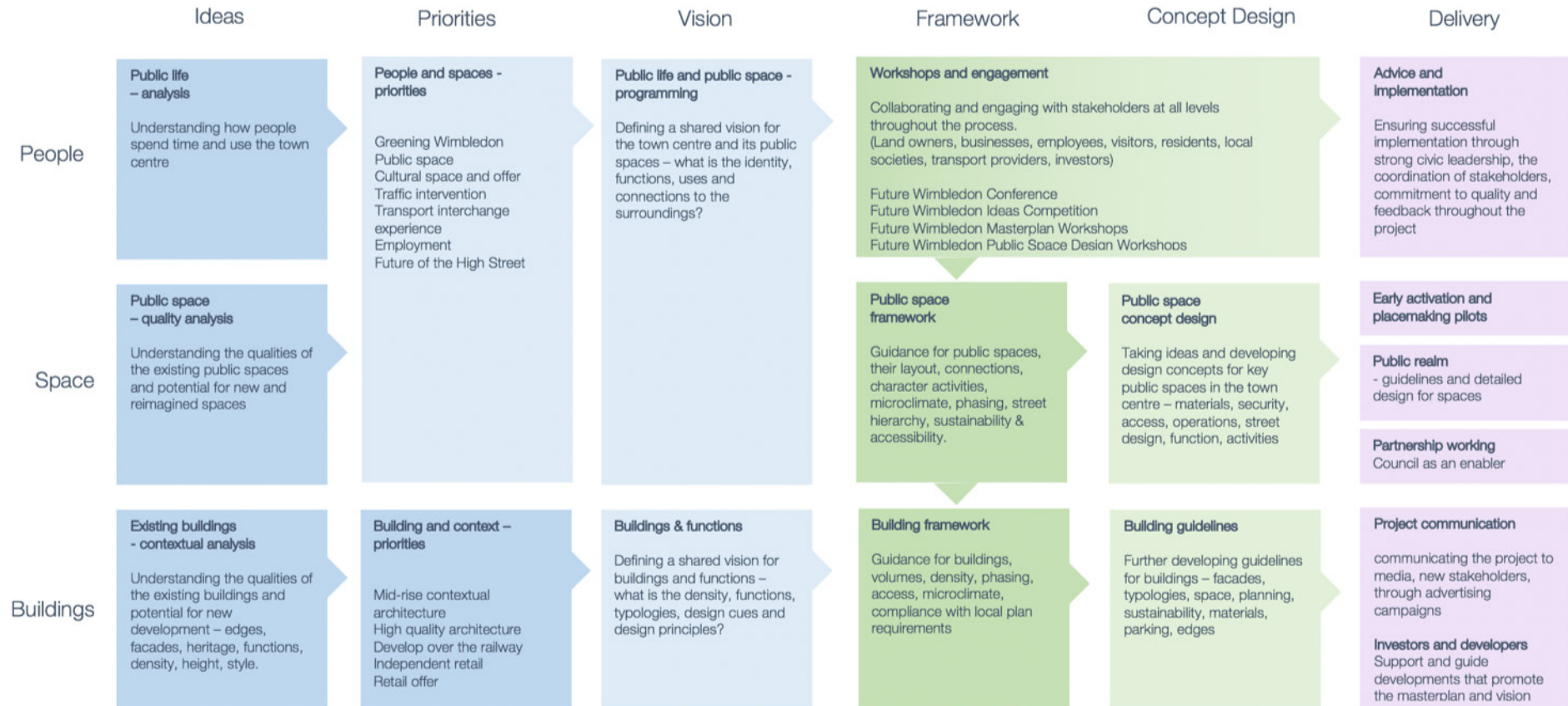
3.25. The final Wimbledon Masterplan (and the consultation that has fed into it) will be used in conjunction with other studies to support the preparation of new planning policies for Wimbledon town centre in Merton's emerging new Local Plan 2020.

3.26. The new Local Plan 2020 will replace Merton's Core Strategy (2011) and Sites and Policies Plan (2014) to create a single set of planning policies for the borough for use in decision making by Development Control and Planning Applications Committee.

3.27. On the next page is a reminder of the masterplan process.

MASTERPLAN PROCESS

Page 15



5 VISION AND THEMES

5.1. The vision of Merton Council for Wimbledon is to maintain and build on its current vitality and viability as one of London's major town centres, improving the transport interchange, with more business and professional services and quality shops balanced with community, leisure, arts, culture and associated facilities including tourism, achieving a noticeable uplift in the quality of the centre. The vision statement in the masterplan reads:

“Wimbledon has the potential to be south west London’s premier location for business, leisure, living and culture. An exemplar for good quality placemaking.”

5.2. This vision was met with some concern by residents in/near Wimbledon town centre, who worried that it was too commercially focused. We recognise that Wimbledon is a place with a strong residential community, as well as having a commercial presence in the town centre itself. The masterplan area relates to the Major town centre designation in Merton’s Core Strategy (2011), and is therefore more centred on commercial activity than residential.

5.3. Merton Council recognises that the relationship between residents and businesses in the town centre is symbiotic. Both local employees and residents frequent the town centre, supporting the shops, cafés, leisure and cultural activities.

5.4. The vision is to maintain and grow the level of commercial activity (shopping, eating and drinking) and cultural offer (theatre, cinema and music) within the town centre for the benefit of Wimbledon’s working and residential communities.

5.5. The long-term spatial strategy of the masterplan is to transform Wimbledon town centre from single road, linear form by adding a north-south axis. This would be achieved through intensifying existing commercial blocks and planning for long-term growth above the railway. It would also ensure that the quality and character of neighbouring residential areas is protected.

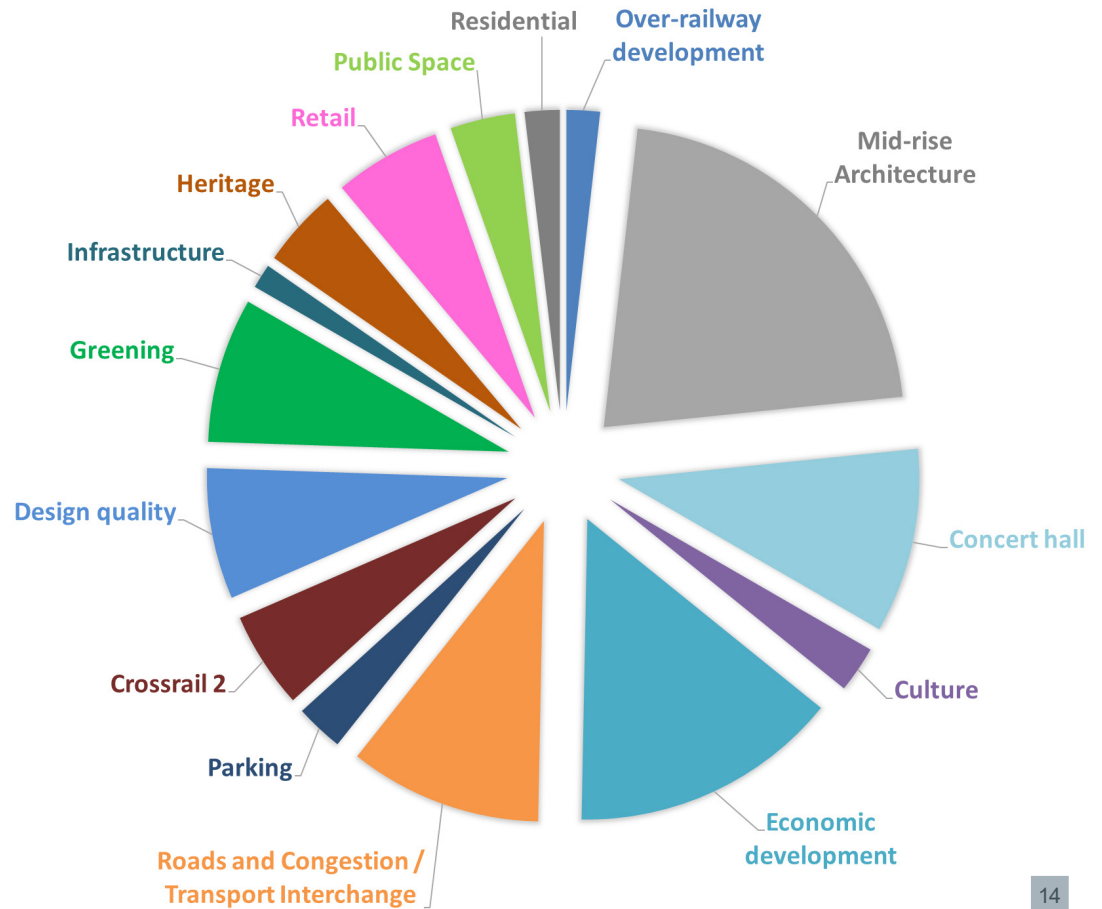
5.6. The ambition to extend beyond the linear form of the town centre was generally well received. Developing above the railway line provides the opportunity for the town centre to grow whilst also protecting the quality and character of neighbouring residential areas. Specific comments about over-track development relating also to the spatial vision are detailed in a later section.

“The perpendicular design is a blinding glimpse of obvious and a delightful way to open up the station radials. Overall the strategic approach is positively bright.”
(Wimbledon Residents’ Association)



THEMES

THEME	MENTIONS	% TOTAL RESPONSES	% RESPONDENTS MENTIONED THIS THEME
Greening	178	8%	23%
Public Space	80	4%	11%
Concert hall	227	10%	30%
Culture	57	2%	8%
Mid-rise architecture	493	22%	65%
Infrastructure	30	1%	4%
Design quality	161	7%	21%
Heritage	97	4%	13%
Roads and congestion / Transport interchange / Crossrail 2	237	10%	31%
Parking	59	3%	8%
Over-railway development	41	2%	5%
Retail	131	6%	17%
Economic development	331	14%	44%
Residential development	43	2%	6%



Percentage of total responses received for each theme

6 GREENING

6.1. 178 responses (23.3% of the total received) specifically mentioned the aspiration for greater greening of Wimbledon town centre. The majority of respondents strongly supported increasing the number of open and green spaces in the town centre for people to dwell, as well as greening up blank façades of buildings and bringing underused spaces back into use.

6.2. The council recognises the value of urban greening and is committed to the aspiration to provide more street trees and planting in Wimbledon town centre. Underground utilities are a significant barrier in some areas of the town centre, but we will work with landowners, for example, to provide new tree pits as part of new developments. We will also encourage existing landowners and businesses to provide more greenery and planting in the public realm.

6.3. Merton Council is also supportive of green walls as a way of softening harsh urban environments and improving air quality. We know, however, that they can be expensive and require irrigation and ongoing maintenance. We will encourage applicants to provide green walls on blank elevations.

6.4. Greening initiatives can also be delivered and funded through planning obligations (S106 and Community Infrastructure Levy). Merton Council will also work with landowners and the Business Improvement District (BID) to secure other funding opportunities.

6.5. Below is a snapshot of what respondents said about greening Wimbledon town centre and sustainability.

*“I love the greening part of the plan”
(Wimbledon resident)*

*“I’m very happy that the Local Plan includes more trees, planting, green walls, new green spaces and sustainable design. I’m also glad that planning is taking place regarding the potential for flooding and how to mitigate this.”
(Wimbledon resident)*

*“Be more ambitious on sustainability. Rather than just complying with regulations, new buildings and retrofits should achieve the highest standards of sustainability.”
(Wimbledon resident)*



15 Rathbone Square, London



Depiction of the most frequent words used in response to greening and sustainability in the masterplan

8 CULTURE

8.1. 56 respondents (7.4% of the total) mentioned culture in their response. In general they supported the recognition of potential for Wimbledon to enhance the cultural offer. Below is a snapshot of what was said:

“My vision for Wimbledon is a cultural destination”. (Wimbledon resident)

“I would welcome more public spaces that support the arts, options for more street music would be good” (Wimbledon resident)

8.2. There was reference to community in connection with culture, as illustrated in the word image opposite. It was said that “cultural” is an important aspect of the Wimbledon community, alongside education, which can be complemented by enhancing the cultural offer of the town centre.

8.3. Merton Arts Space, Bookfest, Wimbledon International Music Festival are all actively supported by Merton Council. The Council is also contributing to the redevelopment of The Polka Theatre and investing in the public realm outside the Theatre and in St Mark’s Place, outside Merton Arts Space.

8.4. Some of the responses that mentioned culture also referred to the aspiration for a new concert/performance venue in Wimbledon town centre. References to such a “concert hall” were monitored separately, and there were 227 in total. This represents 29.9% of responses received on the masterplan.

8.5. We received emails and responses on SurveyMonkey from local choirs and music groups, all expressing their support for a new concert hall in Wimbledon town centre. 25%, or 57 of the responses mentioning support for a concert hall did not refer to any other aspects of the masterplan.

8.6. There was some debate amongst responses as to whether Hartfield Road car park (sometimes referred to as P3), was a suitable location for a concert hall. 23.4% of those who mentioned the concert hall in their response said it should be located on Hartfield Road Car Park. This is shown in the graph on the following page which summarises the responses received on a concert hall.

8.7. 2 responses suggested that an alternative site be considered for the concert hall. One suggested that it be located near/ within the All England Lawn Tennis Club (AELTC) site. The other suggested that opportunities would arise through Crossrail 2 development for a concert hall to be built.



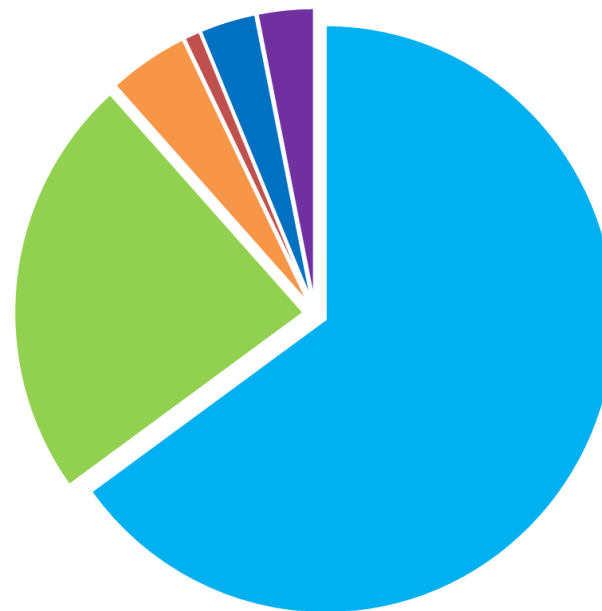
Depiction of the most frequent words used in response to culture in the masterplan



Depiction of the most frequent words used in response to a concert hall in Wimbledon

8.8. Another issue of contention was parking (which is outlined in detail in a later section of this document) for the concert hall. If built on the Hartfield Road car park site, some residents were concerned there would be insufficient car parking in the town centre. 4.5% of respondents who mentioned the concert hall said it should provide adequate parking.

8.9. 7 respondents specified wanting a cultural building of some kind, but not necessarily a concert hall. Whether this was a multi-purpose performing arts venue, for example, including art gallery, conference facilities and performance space.



Opinions of the people who mentioned the concert hall in their response

8.10. 7 respondents were against having a concert hall in Wimbledon town centre, either based on its viability, there already being adequate cultural provision with existing theatres in the town centre, or the impact on transport infrastructure and parking.

8.11. The Council recognises the desire for a new performance venue in the town centre and continues to work collaboratively with the Wimbledon Concert Hall trust.

9 MID-RISE ARCHITECTURE

9.1. Building heights was one of the most mentioned topics in the consultation with 493 specific mentions (of the 760 responses, or 64.9%). The main concerns of respondents included:

- The effect of taller buildings on the amenity of nearby residential neighbourhoods
- Incongruity of taller buildings with existing historic buildings
- A fundamental change in the character of the area with the development of taller buildings
- The increase in traffic and congestion resulting from more intense development
- The increase in pollution resulting from development of taller buildings
- Added pressure on social infrastructure resulting from the proposed level of development

9.2. These concerns fit broadly into five categories: Design and heritage, Amenity of existing residents, Congestion and pollution, Infrastructure pressure and Justification for growth.

Design and heritage

9.3. The London Plan recognises that tall buildings have a role to play in helping London accommodate expected growth. To ensure

that tall buildings are sustainably developed in appropriate locations, and are of the required design quality it recommends a plan-led approach is taken. The Future Wimbledon Masterplan provides guidance on building heights and emphasises the importance of high quality design, which can minimise the impact of taller buildings on their surrounding context.

9.4. Increasing density in Wimbledon town centre will involve taller buildings than currently exist. We recognise that storeys is not the best measure of height and will be reviewing how we give building height guidance for the next iteration of the plan.

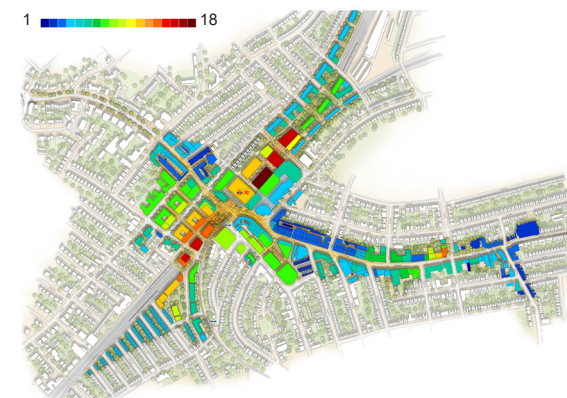
9.5. As a Supplementary Planning Document (SPD) the masterplan cannot specifically limit building heights, only provide guidance of what, from an urban design point of view, is most suitable for the area. Each application will be judged on its individual merits in accordance with adopted planning policy, but applicants that propose tall buildings in the town centre will need to demonstrate excellent quality design.

9.6. The masterplan recognises the Victorian and Edwardian buildings in Wimbledon town centre as intrinsic part of its character and heritage. Wimbledon’s heritage is protected under existing planning policy CS 6 Wimbledon Sub-Area (Core Strategy 2011), which says that “Regard will need to be given to the Conservation Areas and the setting of Listed Buildings within and adjoining the

centre where an individual design approach will be required to ensure that large scale development conserves and enhances the historic character of these areas.”



22 Vision for the future of Wimbledon in the masterplan



23 Building height guidance in the masterplan

MID-RISE ARCHITECTURE

opportunity to attract investment to improve townscape and public spaces, delivering new homes and realising untapped commercial benefits. This is well summarised in one response: *“As the population of London rises those areas that were previously low-density suburbs and have the best transport links should be urbanised with taller buildings”* (Wimbledon resident)

YMCA

9.13. There were specific concerns about the height of the YMCA on The Broadway. It is already a prominent building amongst the existing townscape. The council will work with the developer to ensure that any redevelopment meets the needs of the YMCA and improves the townscape. The exact building height will be determined at the planning application stage by design and viability requirements. As with all planning applications we advise the applicant to engage with the local community at the earliest possible stage.

Building Height Guidance

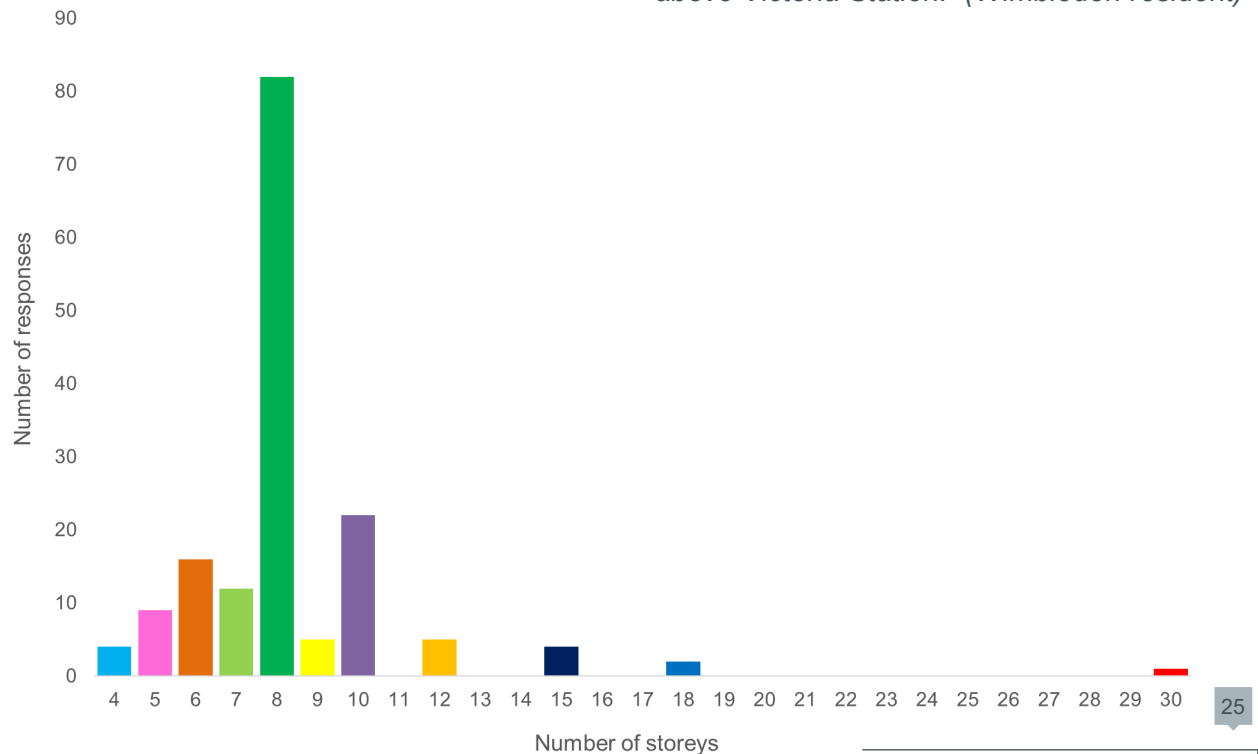
9.14. 162 respondents (of the 760 in total, or 21.3%) provided what they thought should be the maximum number of storeys in Wimbledon town centre. 141 of that 162 described themselves as living in/near Wimbledon and the other 19 did not say whether they lived, worked or visited Wimbledon. None of these

respondents identified themselves as a landowner or business. This data is shown in the graph below.

9.15. Here are a couple of quotes from the responses that summarise their position on building heights:

“I think the precedent of around 8 storeys is the maximum that should be allowed in any neighbourhood area” (Wimbledon resident)

“I feel it’s better to have high-rise, e.g. 30 storey, high-specification offices located just above the tracks on either side of the Wimbledon station, similar to the buildings above Victoria Station.” (Wimbledon resident)



Maximum number of storeys suggested by residents in the consultation

12 HERITAGE

12.1. 96 of the responses received, accounting for 12.6% of the total referred to heritage - namely historic buildings in Wimbledon town centre. We agree with the respondent who said: *“The workshops which fed into the Masterplan showed that Wimbledon’s heritage and sense of community are highly prized by residents. The preservation of Wimbledon’s remaining historic buildings should be a high priority for the Council.”* (Wimbledon resident)

12.2. There were concerns raised about the level of protection awarded historic buildings in the town centre in the masterplan. Merton Council agrees that the heritage assets in Wimbledon town centre are an intrinsic part of its character that should be preserved and protected. The council is already investing in heritage assets in the town centre, with the recent refurbishment of the facade of Queen’s Road curve in the town centre where Queen’s Road meets The Broadway.

12.3. There is already a strong policy framework in place to preserve and protect heritage assets in Wimbledon town centre, at both local and national policy levels. To make this more clear in the next draft of the masterplan there will be a map of all of the heritage assets in the town centre and surrounding area with their protection status in planning policy terms.

12.4. Another concern of respondents was the affect of new developments on existing historic buildings, in terms of design. Historic England commented that *“it would be helpful if the plan stated that development will be pursued in a way which will conserve and ideally enhance Wimbledon’s valued historic environment.”*

12.5. It was acknowledged in the section on design that heritage assets in Wimbledon town centre should inform new developments in the vicinity. One example is the recently completed refurbishment and extension of Wellington House on Wimbledon Hill Road, which complements the red brick architectural style of the Bank Buildings opposite.



28 Bank Buildings, Wimbledon Hill Road



13 ROADS AND CONGESTION

13.1. The section of the masterplan on traffic and transport was commented on by 237 of respondents (31.2% of responses received). Part of these comments related to public transport, but the majority were in relation to roads and congestion in Wimbledon town centre. Here is a flavour of the comments received on roads and congestion:

“We would welcome further thought on ways of integrating transport smartly (e.g. a hub for train/bus/taxi and cycles) and reducing traffic through the town centre” (Wimbledon resident)

“Merton Council needs to provide usable, safe and connected transport space for cycling - if this was encouraged and seen as a viable alternative the town would be a much more welcoming space” (Wimbledon resident)

“I was disappointed that traffic was not considered within the Master Planning of Wimbledon. This is an opportunity for Merton to provide an inspiring vision for Wimbledon that brings residents along and clarity to developers; yet without solving the central problem of increased traffic, all we have to look forward to is increased congestion.” (Wimbledon resident)

13.2. We recognise that congestion is an issue in Wimbledon town centre. The long term vision would be to secure additional road crossings over the railway, which would enable pedestrianisation or part-pedestrianisation of

Wimbledon Bridge and The Broadway. This is only achievable through significant investment in the station by Network Rail or Crossrail 2. There were also suggestions of how the road layout of the town centre could be changed to prioritise pedestrians, for example by re-routing two-way traffic along Hartfield Road from Wimbledon Bridge so that The Broadway could be traffic-calmed.

13.3. In the shorter to medium term there are several initiatives from the council and the Mayor of London which aim to reduce road traffic by encouraging users to use more sustainable modes of transport (walking, cycling and public transport) and making our town centres more accessible for active travel (walking and cycling).

13.4. In conjunction with the Mayors Transport Strategy, which is produced by Transport for London, a key theme is the ‘The Healthy Streets Approach’. This includes the targets of ensuring that all Londoners get the 20 minutes of exercise needed each day to be considered ‘healthy’ from their transport choice alone and; that 80% of trips are undertaken by walking, cycling or public transport, both by 2041. Achieving these goals will require fundamental changes to the mobility fabric of London.

13.5. The Council plans to invest in better quality public spaces, which will improve the experience for walking and cycling around



Depiction of the most frequent words used in response to roads and congestion in the masterplan

Wimbledon. There is a vision for cycle improvements in Wimbledon town centre by re-purposing existing road space to priorities pedestrians and cyclists over motorists. Merton Council is also working towards Vision Zero for road safety in Merton and by 2020, Merton will also be a 20mph borough.

13.6. In their response Transport for London said that *“In accordance with the draft London Plan, all development in the Masterplan area should be car-free, excluding disabled persons parking and operational parking. All development will be expected to meet or exceed draft London Plan long-stay and short-stay cycle parking standards.”*

13.7. Merton has a Local Implementation Plan, which sets out the borough’s transport priorities and Transport for London investment. The Local Implementation Plan is a statutory requirement under the Greater London Authority Act 1999 and all London boroughs are required to develop a document setting out how they will deliver the Mayor’s Transport Strategy, its priorities and objectives at a local level. This is how future transport changes will be monitored and planned for alongside the latest guidance available.

13.8. Merton’s Third Local Implementation Plan (LIP3) is the Council’s main transport strategy and sits alongside the Council’s Local Plan and other future strategies. The LIP3 contains an overview of the challenges and opportunities in delivering the Mayors’

Transport Strategy within Merton; a set of borough transport objectives; a short and longer term delivery plan and a series of targets set by Transport for London that we are working towards achieving. For more information visit: <https://www.merton.gov.uk/streets-parking-transport/transport-strategy/lip3>.

13.9. There will be changes to transport in the future, as picked up by one respondent: *“Autonomous vehicles and car sharing schemes have the potential to drastically reduce private car ownership, with consequential benefits for air quality and road safety. Much greater priority should be given to pedestrians, and providing safe cycle routes that include safe routes through junctions. We are likely to see new forms of personal transport, ranging from e-bikes to lightweight portable e-scooters, Segways and similar, reducing dependence on cars, and designed for use in combination with trains, trams, and other forms of public transport. The way these different modes of transport share roads, cycle lanes and pedestrianised areas needs careful thought.”* (Wimbledon resident).

13.10. In the responses concerns around congestion in Wimbledon town centre were associated with Air Quality. This issue was not specifically covered in the masterplan as it is an SPD about how the Council will process planning applications, it is not a plan for dealing with traffic and air quality issues in

Wimbledon town centre. These are dealt with in the Local Plan and Air Quality Action Plan.

13.11. Merton consulted on, and has adopted a new Air Quality Action Plan, this covers a number of important measures to tackle toxic air in the borough. We know that road traffic and private car use is a major contributor to poor air quality. As a borough we need to use all the policy levers available to us to tackle this public health problem.



16 OVER-RAILWAY DEVELOPMENT

16.1. Over-railway development was mentioned by 40 respondents, or 5.3% of the total responses. The concept of broadening the town centre’s linear character was popular for accommodating future growth. It also provides an opportunity to stitch the town together by providing additional pedestrian and/or vehicular crossings over the railway. One respondent said: *“over-rail development is highly desirable as they would deliver significant growth in capacity (retail, commercial and residential) without major recharacterisation of the Wimbledon centre areas.” Wimbledon resident*

16.2. There were some concerns about the viability of over-railway development that may result in tall buildings, which may affect neighbouring residential areas. We are working with Network Rail and Crossrail 2 to secure improvements to Wimbledon Station and scope out viable opportunities for over-railway development. This is a long-term project in which the masterplan provides guiding principles.

16.3. It was commented that the over-railway development is reliant on Crossrail 2 being confirmed and built. This introduces a level of uncertainty of delivery of what is illustrated in the masterplan. One local resident said: *“Without the potential to build over the railway, the scale of development which could be accommodated in the town centre would be significantly reduced. However, consideration does not appear to have been given to different growth scenarios if building over*

the railway proves unviable.” (Wimbledon residents’ association)

16.4. The next iteration of the Future Wimbledon Masterplan will include scenarios before and after Crossrail to show how the town centre can grow before Crossrail 2.

16.5. Merton Council recognises the opportunity that Crossrail 2 could bring to Wimbledon town centre. If Crossrail 2 is delayed or does not happen then the council will explore over-railway development opportunities with Network Rail, including upgrading the existing station facilities.



33

Air-rights proposal for Victoria Station



34

Depiction of the most frequent words used in response to over-railway development in the masterplan

18 ECONOMIC DEVELOPMENT

18.1. Economic development and the growth in office space in Wimbledon town centre was one of the most mentioned topics with 330, or 43.4% of respondents mentioning it. Connected with this 99 respondents explicitly said that they did not agree with the aspiration for Wimbledon to become a Metropolitan Centre.

18.2. Whilst there were some positive comments, for example: *“There are such incredible opportunities to attract significant corporations and employers to Wimbledon as a result of its location close to London and the highly educated workforce that currently commutes into London”* (Wimbledon resident). Most respondents were concerned about the level of growth required for Wimbledon to become a Metropolitan Centre.

18.3. Some respondents felt that the masterplan was too focused on commercial growth at the expense of existing residential neighbourhoods. The commercial element was stronger in the plan than mention of existing residential neighbourhoods, because it is guidance on an existing town centre policy. That is not to say that the commercial element of the town centre is more important than residential, the two complement one another.

18.4. The masterplan reiterated the current policy position from the Core Strategy and Economic Development Strategy which refer to promoting job growth in Wimbledon. Both of these documents required evidence

to be prepared, which the masterplan, as supplementary planning guidance, is not required. The proposals in the masterplan relate to design-led massing. In the new Local Plan there will be up to date evidence provided to support economic planning policies.

18.5. There was concern amongst respondents that there will be speculative office development that may result in vacant offices in future due to changing technology and flexible ways of working. Merton Council recognises that working patterns will change in the future, but Wimbledon remains a sustainable place for employment growth.

18.6. Wimbledon is part of the Crossrail 2 growth corridor and an Opportunity Area that includes Wimbledon/Colliers Wood and South Wimbledon in the new London Plan, which has been identified to support 5,000 new homes and 6,000 new jobs over the next 10 years. The masterplan demonstrates how we will plan to accommodate this level of growth.

“The masterplan needs to do all it can to improve the look and feel of the town centre whilst enabling growth for current and future businesses in Wimbledon. Several businesses have moved away from Wimbledon as the office portfolio needs more flexibility, be of higher quality whilst also catering for small start-ups.” (Love Wimbledon)



Depiction of the most frequent words used in response to economic development in the masterplan

19 RESIDENTIAL DEVELOPMENT

19.1. 43 responses, or 5.7% of respondents specifically talked about residential development in their consultation response. Most respondents commented on the housing crisis in London and lack of affordable housing for local people and for their children. Others said they would like future residential development in the town centre to include accommodation for older people and key workers.

19.2. The masterplan recognises the value of a mixed use town centre and that Wimbledon town centre has potential to accommodate residential growth. There is an existing Article 4 direction in the core of the town centre which seeks to protect office developments from conversion to residential via prior approval (without full planning permission required).

19.3. New residential development in Wimbledon town centre will be plan-led as part of the new Local Plan. This masterplan does not stop residential development, but it is a plan for the town centre, which is predominantly commercial. We recognise that Wimbledon is also a residential area with a strong community.

19.4. The plan identified opportunities for new residential areas to the north of the station, over the railway, and to the south of the station at Dundonald Yards.

19.5. Any new housing development will be required to meet the Local Plan housing policies, which include the mix of unit sizes and affordable provision.

20 LANDOWNERS

20.1. Landowners engaged positively with the masterplan, which was intended to offer guidance and certainty to landowners and investors interested in developing in Wimbledon. Developers and landowners were generally supportive of the suggested scale of growth. However, the owners of Wimbledon Bridge House were concerned that the masterplan replaced their asset with a new town square. The council included this in the masterplan as it had already been in the public domain via Crossrail 2's consultations.

20.2. Whilst we understand the view of landowners differs from the views of most respondents, the council in its role as the planning authority must find an appropriate balance between the scale of development and the realities of development economics and viability.

20.3. Responses were received from the following landowners, all of which are available to read online at merton.gov.uk/futurewimbledon.

- Hermes Property Unit Trust - 12 Hartfield Road and 15-21 The Broadway
- Hermes - Wimbledon Bridge House
- Kingston Estates - 1-4 Francis Grove
- Lidl UK GmbH - 19 Worple Road
- Reef Estates - 27-39 Hartfield Road
- Thornsett Group - 196-200 The Broadway
- Wimbledon Offices Ltd - Tuition House, St George's Road, 7 Francis Grove, and Temple Place, 247 The Broadway
- Woodcock Holdings Ltd - 188-194 The Broadway
- YMCA - 200 The Broadway
- Zahawi & Zahawi Ltd - 6-10 St George's Road and 16-18 Wimbledon Hill Road
- Aberdeen Standard Investments - Centre Court Shopping Centre
- BMO Real Estate Partners - Victoria Crescent/Piazza
- Eskmuir Group - 8-20 Worple Road and 20-26 St George's Road

21 NEXT STEPS

21.1. The Wimbledon Masterplan consultation has created a dialogue locally about the future of our town centre. The plan is intended to offer further guidance beyond existing planning policies to help inform and shape new developments in Wimbledon.

21.2. The consultation has raised issues about the nature, function and scale of the town as well as highlighting concerns around development quality and the impact of Crossrail 2.

21.3. The council is grateful for all comments received and these will now guide the editing of the next draft of the plan. Changes that we are now working on include:

- Further clarification of the status of the plan, its purpose and its application
- Revising downward the suggested building heights and refining the suggested massing using 3D modelling. This will also include setting building height guidance in metres rather than storeys.
- Enhancing the design guidance chapter to focus more on the principles of good urban design and how applicants need to respond to this.
- Revising the public realm and open space sections to give more clarity around the public realm improvements we can expect and how they may be delivered.

- Framing the masterplan in a chronological order. Setting out the developments and improvements for the short term, medium term and long term (i.e. before and after Crossrail 2).

21.4. The council will encourage applicants to engage the local community at pre-application stage to ensure that development proposals can be influenced by the public at an early stage.



Contact

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HMO Briefing Paper – May 2019

Houses in Multiple Occupation (HMOs)

House / flat shares or “houses in multiple occupation” (HMOs) play an important role in helping to meet London’s housing needs. HMOs are regulated by the council’s housing and planning functions depending on their size and characteristics. Concerns have been raised about the number, concentration and quality of HMOs.

This briefing paper summarises the council’s role in regulating HMOs.

Planning legislation

As with any type of home, planning permission addresses whether the HMO meets the strategic need for housing in that area and consideration of the effects of the development on local neighbour amenity. Planning legislation does not cover issues such as fire safety or the ongoing maintenance or management of HMOs and how they are looked after.

The Town and Country Planning (Use Classes) Order 1987 (as amended) sets out two different types of HMOs which are:

Small shared houses (Use Class C4 = “small shared houses occupied by between three and six unrelated individuals, as their only or main residence, who share basic amenities such as a kitchen or bathroom.”). Planning permission is not required to change from a family home to a small shared house and back again.

Large HMOs (Use Class ‘Sui-Generis’ – these are large HMOs where seven or more occupants reside.) Planning permission is required for a property to be a large HMO.

Development Plan approach to HMOs

The Draft London Plan (December 2017) echoes the adopted London Plan (March 2016) in recognising the importance of HMOs and states:

Houses in multiple occupation (HMOs) are an important part of London’s housing offer, reducing pressure on other elements of the housing stock. Their quality can, however, give rise to concern. Where they are of a reasonable standard they should generally be protected and the net effects of any loss should be reflected in Annual Monitoring Reports. In considering proposals which might constrain this provision, including Article 4 Directions affecting changes between Use Classes C3 and C4, boroughs should take into account the strategic as well as local importance of HMOs.

Merton’s Sites and Policies Local Plan (2014) acknowledges that HMOs contribute towards addressing housing needs and as with all homes, HMOs will be expected to meet good standards both for the occupiers and neighbours and the council will have regard to relevant guidance in the assessment of HMOs.

Housing legislation

The Housing Act 2004, Section 254 defines Houses in Multiple Occupation and regulates them as part of this Act. The housing legislation controls how licences are granted and managed and is separate from planning controls.

Housing Act - Mandatory licensing

Under the Housing Act's mandatory licensing, HMO means a building, or part of a building, such as a flat, that:

- is occupied by more than one household and where more than one household shares – or lacks – an amenity, such as a bathroom, toilet or cooking facilities
- is occupied by more than one household and which is a converted building – but not entirely self-contained flats (whether or not some amenities are shared or lacking)
- is converted self-contained flats, but does not meet as a minimum standard the requirements of the 1991 Building Regulations, and at least one third of the flats are occupied under short tenancies.

The building is occupied by more than one household:

- as their only or main residence
- as a refuge for people escaping domestic violence
- by students during term time
- for other purposes prescribed by the government.

At present Merton Council operates the mandatory licence scheme. Therefore:

- If you have an HMO anywhere in the borough with five or more people (includes adults and all children) you need to apply for a mandatory licence.
- If you have an HMO with fewer than five people (includes adults and all children) you do not need a licence.

Please note that licensing only applies to HMOs where rents or other considerations are payable.

In October 2018, the MHCLG introduced new regulations associated with the Housing Act for HMOs¹ which set minimum sleeping room sizes. The regulations state that local housing authorities, through their statutory role through the Housing Act, must impose conditions as to the minimum room size which may be occupied as sleeping accommodation to reduce overcrowding in HMOs.

Details on Merton's mandatory HMO licence can be found on the council's website

www.merton.gov.uk/licensing-of-houses-in-multiple-occupation

The licence can cover issues such as:

- the maximum number of people and households who may live in the HMO;

¹ Houses in Multiple Occupation and residential property licensing reform: Guidance for Local Housing Authorities, Ministry of Housing, Communities and Local Government, December 2018

- provision of a valid current gas safety certificate;
- proof that all electrical appliances and furniture are kept in a safe condition;
- proof that all smoke alarms are correctly positioned and installed;
- that each occupier must have a written statement of the terms on which they occupy the property, for example, a tenancy agreement.
- evidence that arrangements have been made for the collection, storage and disposal of waste (commercial waste contract)
- restrictions or prohibitions on the use of parts of the HMO by occupants
- a requirement that the condition of the property, its contents, such as furniture and all facilities and amenities, bathroom and toilets for example, are in good working order
- a requirement for specified works or repairs to be carried out within a particular time frame
- a requirement that the Licencee attends an approved training course

The Housing Enforcement Team officers work with owners of housing to meet their legal obligations. Formal action is taken, including prosecution, against those who flout the law. In June 2019 Cabinet will consider a report to strengthen the role of housing enforcement in Merton, including a new Housing Enforcement Policy, Civil Payment and Rent Repayment Order policy and charges, building capacity in the Housing Enforcement Team and agreeing on further evidence towards Selective Licensing in Merton.

What is a HMO? Differences between planning and housing legislation

We can only know how many HMOs we have and the benefits and problems they bring to Merton when we know what a HMO is.

all sorts of house-sharing properties, such as purpose built student accommodation, domestic violence refuges, shared accommodation for adults with disabilities, small children's homes, accommodation for ex-prisoners, accommodation for homeless households etc are considered as HMOs in Housing Act terms but are not HMOs under the Town and Country Planning Act.

There is also a difference between the definitions of a large HMO

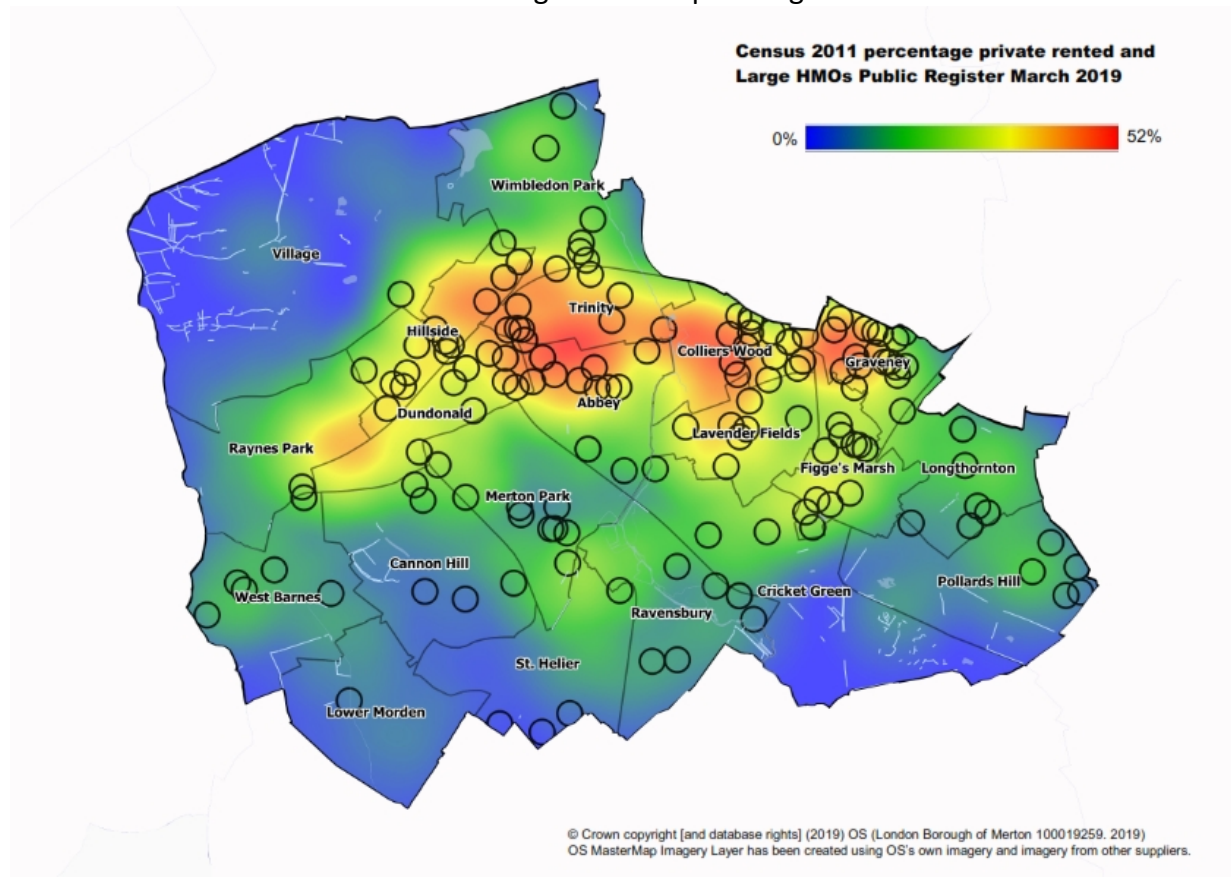
- the housing licence is mandatory if five or more people live in a HMO;
- planning permission is required for large HMOs where seven or more unrelated people live together.

Merton's HMO Licence register contains properties that would not be classed as HMOs under the planning act but require a HMO Licence under the Housing Act. These include:

- Merton's only purpose built block for student accommodation;
- Properties created under "prior approval" (i.e. no planning permission required) by the conversion of warehouses or other commercial buildings to homes;
- Hostels where people stay while they are undertaking training (over several years);
- Homes where people might need some level of support but not care provided under the Mental Health Act or other acts.

Number of HMOs in Merton

Currently there are 173 properties on the Merton's Mandatory Large HMO Public Register. However due to the Housing Acts covering a far broader range and type of property (e.g. including purpose built student accommodation, training colleges etc), it appears that less than 40 of these would be classed as Large HMOs in planning terms.



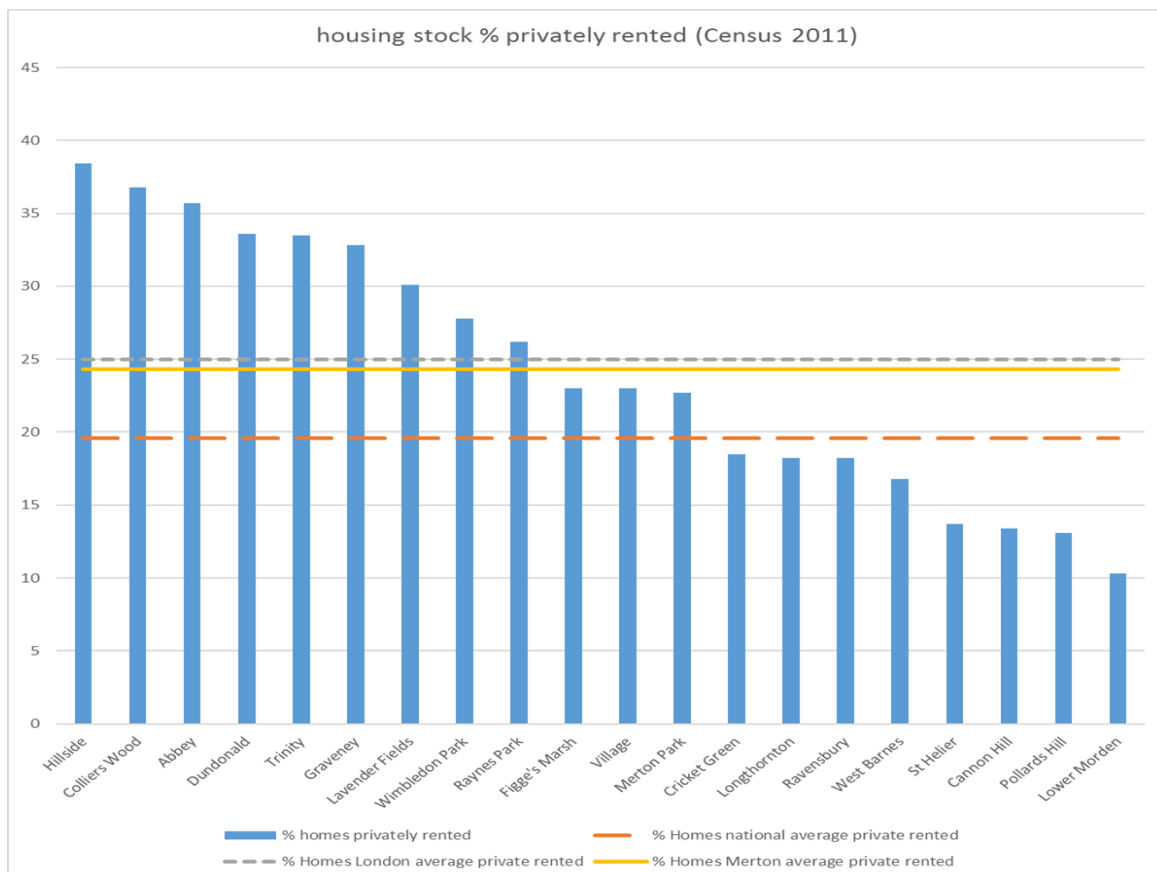
Issues associated with HMOs

It is recognised that house and flat shares provide lower cost and more flexible housing choices which are attractive to a wide range of people from young professionals, to people either visiting an area for work or on employment contracts shorter than a year (e.g. junior doctors and other staff working at St George's hospital) to people who cannot afford to or do not want to rent a one-bed property on their own.

About 9% of Merton's housing stock in the 2011 Census was defined as "Other Household Group: Other" which is effectively unrelated households living together. However this is not all HMOs and would include refuges, small care homes, supported living, bedsits and other conversions under "prior approval" where rooms are rented individually.

For an area to be considered for a Selective Licensing scheme it must have a high level of privately rented housing. A “high level” is defined as being above average and currently the national average is 19.6%.

The table below sets out the size of the housing stock by ward with details of the percentage of the private rented sector .



In addition to having a high level of private rented housing, there are a number of other criteria that must be met in order to introduce a selective licensing scheme. These criteria are set out in the Housing Act 2004 and the Ministry of Housing, Communities and Local Government Guide.

Local agents report that demand for all types of privately rented properties in Merton has surged in the last 12 months, with increasing demand for all types of rental properties placing pressure on availabilities in HMOs and their appeal in offering flexibility, particularly with changing household structures and the growth of smaller households.

The private sector is an important part of Merton’s housing market, making up 24.3% of the homes in Merton. The majority of privately rented homes are well-managed but some rented homes, including some HMOs, are not. Some ward councillors have reported a large number of potential HMOs and problems being associated with them. The most common problems associated with some HMOs include:

- Anti-social behaviour;
- Noise;
- Litter and management of refuse;
- Excessive parking;
- Fires;
- Cramped living conditions;
- Unkempt premises; and
- Overcrowding.

However, it should be noted that the above problems are not confined to HMOs and could relate to any dwelling irrespective of whether it is a HMO or not.

Managing problem HMOs

Housing Act - Selective and Additional Licensing

The Housing Act 2004 provides the ability to the Council to introduce Selective and Additional Licensing in its area in addition to the existing Mandatory Licensing.

Local authorities may have to get Secretary of State permission for some Selective Licensing Schemes.

Additional Licencing applies to certain HMOs that fall outside of the scope of Mandatory HMO Licencing and can only be used if the Council is satisfied that a significant proportion of the HMOs are being poorly managed and are likely to give rise to problems affecting the occupiers or members of the public. *To designate an area of selective licensing it has high private sector housing supply*

In June 2019 Cabinet will consider a report on strengthening Housing Enforcement including a recommendation to undertake detailed research into the private rented sector standards of accommodation to inform Selective Licensing. Cabinet will receive a report in autumn 2019 with the findings of this research and subsequent recommendations.

Article 4 Directions

As already stated, in planning terms between 3 and 6 people can share a dwelling house (Use Class C3) without having to seek planning permission for it to become a HMO (Use Class C4).

Planning permission will always be required when changing a single dwelling house to a larger HMO(containing seven or more people) as this falls into a separate 'sui-generis' use class.

However, if the local planning authority (LPA) believes that in their area, or part of it, there is robust evidence to justify the withdrawal of this permitted development right, the LPA can use an Article 4 direction under the Town and Country Planning (General Permitted Development) (England) Order 2015.

An Article 4 Direction does not mean that a particular type of development is prevented; it simply means that the landowner now has to seek planning permission to undertake the work whereas before the work was considered permitted development that didn't need planning permission.

The making of an Article 4 order has to be in accord with the National Planning Policy Framework (NPPF) and Departmental guidance. Paragraph 53 of the NPPF states that;

The use of Article 4 directions to remove national permitted development rights should be limited to situations where this is necessary to protect local amenity or the well-being of the area

Paragraph 38 of the National Planning Practice Guidance (Reference ID: 13-038-20140306) states that concerning the use article 4 directions:

The potential harm that the direction is intended to address should be clearly identified.

Other councils in England and Wales have introduced Article 4 Directions to restrict permitted development rights for HMOs, either at a borough-wide level or individual areas sometimes alongside additional or selective licensing under the Housing Acts.

Each Article 4 Direction must be carefully justified against the specific characteristics of that particular housing market, including how the council is meeting its housing needs. Article 4 Directions requiring houses to be converted to small HMOs to seek planning permission are particularly popular in towns or council areas with a high student population. However the Article 4 Direction will not deal with any ongoing management or maintenance issues within the HMO as these are dealt with by the Housing Act licensing regime; it will simply require one-off planning permission to be granted for that specific development.

Merton has three Article 4 Directions in place: one restricting the permitted development (or "prior approval") of offices to residential in the specific areas of Wimbledon town centre and the designated industrial estates. The two other Article 4 Directions relate to conserving the characteristics of John Innes conservation area.

Article 4 Directions must be clearly justified against what they are trying to achieve. In other words it must be demonstrated that restricting permitted development rights across properties in a wide area is the most appropriate solution and that the issues cannot be solved in other ways, for example by taking enforcement action on specific households. For Merton's "office to residential" Article 4 Direction, the council had to justify that it was meeting its share of London's housing needs each year and that restricting permitted development rights would not harm the council's ability to meet its housing needs.

Article 4 Directions take about two years / 2.5 years to complete from start to finish – one year for making the Article 4 including public consultation and then another year before it can be brought into effect. The Secretary of State has to receive an Article 4 and can make amendments to it before it is approved by the council. It is possible to start an Article 4

immediately without a year's advanced warning, however this means that the council could be liable for compensation from the difference in value from developments affected by the Article 4.

The direction does not apply retrospectively so any development undertaken before it came into force is not affected. Therefore, if an existing property is in use as a HMO before the Article 4 Direction takes effect, it may continue as a HMO without the need for planning permission.

Unlike normal planning applications the council cannot charge any fees or recover costs for planning applications submitted under Article 4 Directions.

Article 4 Directions restricting permitted development can be tailored to the needs of the borough – for example the Direction might only cover specific streets or by specific sizes or types of property rather than a blanket solution for the whole borough. Some councils in England and Wales have introduced Article 4 Directions for HMOs in conjunction with bespoke Housing Enforcement licensing regime within that area in order to target specific problem areas without inadvertently penalising well-performing parts of the private rented sector.

To improve standards in the private rented sector with landlords and occupants, particularly where residents and ward councillors have raised concerns, in June 2019 Cabinet will consider a report to strengthen the role of private sector housing enforcement in Merton, including new housing enforcement policies and penalties, building capacity in the Housing Enforcement Team and agreeing that detailed evidence is gathered to inform knowledge and direction on how we can further improve private sector rent standards in Merton. The research will undertake detailed of analyse of private sector accommodation (including HMOs), crime rates, anti-social behaviour records, private rented housing conditions, housing turnover and other matters within small groups of properties known as Lower Super Output Areas (as a guide, there are 5 Lower Super Output Areas in Graveney and 6 in Dundonald wards).

Once this research is complete in autumn 2019, Cabinet will receive a further report with the outcomes of the research and recommendations on deliverable improvements to private sector rental standards in Merton, including Housing Enforcement licensing and planning interventions such as Article 4 Directions covering all or parts of the borough. Depending on the measures, some of these interventions would then be subject to public consultation.

Committee: Borough Plan Advisory Committee

Date: 06 June 2019

Wards: all

Subject: Merton's Local Development Scheme 2019-2022

Lead officer: Director for Environment and Regeneration, Chris Lee

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

Contact officer: Deputy future Merton manager, Tara Butler

Recommendations:

- A. That the Borough Plan Advisory Committee recommends to Cabinet (15th July) and council (18th September) to approve the high level project plan for creating planning policy documents, known as Merton's Local Development Scheme (LDS)
 - B. For the Local Development Scheme to take effect on 19 September 2019, replacing the council's LDS 2016-19.
 - C. That council delegates any amendments to the Local Development Scheme the Director of Environment and Regeneration in consultation with the Cabinet Member for Regeneration, Environment and Housing, the chair and the vice chair of the Borough Plan Advisory Committee.
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1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. The Planning and Compulsory Purchase Act 2004 introduced the requirement for local planning authorities to prepare and maintain a Local Development Scheme (LDS).
- 1.2. The LDS is a short, high level project plan that sets out what Development Plans the council is going to produce and the timetable for producing them.
- 1.3. The council prepared its first LDS in 2005, and issued updates, most recently for the period 2016-2019. It is now time to update the LDS.
- 1.4. This report recommends that the current LDS be updated and presented to Cabinet in July 2019 and full council in September 2019 to take effect on 19 September 2019. Appendix A sets out the LDS to reflect the current timetable for the preparation and adoption of:
 - Merton's Local Plan
 - The South London Waste Plan
- 1.5. Delegation is sought to the Director for Environment and Regeneration in consultation with the Cabinet Member and the chair and vice chair of the Borough Plan Advisory Committee to make any amendments to the Local Development Scheme.

2 DETAILS

- 2.1. Merton's statutory development plan containing the planning policies used to assess planning applications is made up of:
- Merton's Estates Local Plan (adopted February 2018)
 - The London Plan (published by the Mayor of London in 2016 and revision expected later in 2019)
 - Merton's Sites and Policies Plan (adopted July 2014)
 - The South London Waste Plan (adopted March 2012)
 - Merton's Core Planning Strategy (adopted July 2011)
- 2.2. As these documents are already adopted, they do not appear in the LDS.

New Local Plan

- 2.3. As set out in the LDS 2016-2019, the council has already started producing its new Local Plan. Once adopted, it will replace the Sites and Policies Plan 2014 and Merton's Core Planning Strategy 2011.
- 2.4. Stage 1 consultation took place in 2017-2018 and Stage 2 in 2018-19.
- 2.5. Appendix A to this report sets out a new timetable within the Local Development Scheme for the production of Merton's next Local Plan. The timetable is recommended to be extended for the following reasons:
- 2.6. **Alignment with the emerging London Plan**
- 2.7. The Mayor of London is revising the London Plan, the spatial development strategy that sets the planning framework for the whole of London. It is part of each London borough's statutory development plan and therefore the basis for planning decisions across London.
- 2.8. The Mayor's London Plan sets the direction for key planning issues across London including each borough's share of London's housing needs, opportunity areas for development, environmental targets and strategic infrastructural matters such as new transport links (e.g. Sutton Link, Crossrail2). At the time of writing (21 May 2019), a panel of independent planning inspectors are examining the Mayor's London Plan in public hearing sessions. This process started in January 2019 and is expected to finish by the end of May 2019.
- 2.9. The Local Plans of all London boroughs must be in general conformity with the policies in the Mayor's London Plan. It is therefore a good idea to follow the timetable of the London Plan (rather than be ahead of it) in order for boroughs to be able to use the Mayor's up-to-date evidence, to avoid each borough's plan being either out-of-date or failing at examination as it does not generally align with the London Plan.
- 2.10. This is particularly important for outer London boroughs, including Merton, given the increase our share of London's housing needs and the associated infrastructure considerations that we will be expected to deliver in the new London Plan. Merton Council's response to the draft London Plan supported many aspects of the Mayor's Plan but raised concerns about the deliverability of a new housing target for Merton that is +200% higher than

previously. Officers recommend that it is extremely high risk to try and finalise Merton's Local Plan until the Mayor's London Plan is completed and published and Merton can develop the evidence (including further consultation) on housing and associated infrastructure relevant to its Local Plan.

- 2.11. Merton's 2016 LDS was originally based on the Mayor's London Plan being revised by 2018. As the Mayor's London Plan timetable has extended, officers are recommending that Merton's Local Plan timetable is adjusted to reflect this.
- 2.12. Revising the Local Plan timetable will also better support Morden regeneration. Since the 2019 consultation on specific sites in Morden closed, Merton Council has been working closely with Transport for London and the Greater London Authority to deliver Morden regeneration. A development partner will be appointed in 2020 and will therefore be in place at the time of the Local Plan's proposed submission to the Secretary of State in 2021. This will help to demonstrate the deliverability of Morden regeneration and of the whole Local Plan.

South London Waste Plan

- 2.13. Waste treatment is a strategic planning issue across London and a challenge for all successful urban areas. There is a significant need for new homes in south London which generates the requirement for essential waste treatment infrastructure to support this growth.
- 2.14. In 2012 the four boroughs of Merton, Kingston, Sutton and Croydon adopted the 10-year South London Waste Plan which allocated sites, created planning policies and designated areas for waste management development. This existing South London Waste Plan will finish in 2022.
- 2.15. The four boroughs proposed to work together again and produce a new South London Waste Plan in line with government policy and guidance. The new South London Waste Plan will also cover the geographical area of the London boroughs of Croydon, Kingston, Merton and Sutton.
- 2.16. The London Plan sets the boroughs the target of managing 100% of London's waste within Greater London by 2026 and having zero biodegradable and recyclable waste going to landfill by 2026. It also sets targets for local authority-collected waste, commercial and industrial waste and construction, demolition and excavation waste.
- 2.17. With significant need for new homes and consequent commercial activity planned across London, the need to provide essential infrastructure such as waste facilities to meet this growth is therefore a regional strategic priority.
- 2.18. The new South London Waste Plan will give the opportunity for the four south London boroughs to ensure the South London conforms to waste-related policies in the London Plan, the National Planning Policy Framework and the National Planning Policy for Waste. It will also help the four boroughs to work together to review the long-term vision and objectives to consider waste as a resource in South London, supporting the circular economy.
- 2.19. Since the current South London Waste Plan was adopted in 2012, the four boroughs have been working closely together on:
 - Monitoring the South London Waste Plan annually

- Fulfilling the legal Duty to Co-operate with other councils on waste management issues, responding to other Local Plans for waste management.
 - Preparing and submitting a successful bid for government funding to support a new South London Waste Plan 2021-2036 on the basis of joint working.
- 2.20. In 2018 the four boroughs successfully bid for government funding (Planning Delivery Fund – Joint Working) for £136,594 to support the project.
- 2.21. The proposed timetable for the South London Waste Plan 2022 is set out in Appendix A
- Relationship with the South London Waste Partnership*
- 2.22. Although the South London Boroughs already work together as the South London Waste Partnership and have with a shared contract for the municipal collection and disposal of waste, this project and associated MOU relates to the waste planning functions and responsibilities of the South London Boroughs as Local Planning Authorities. The South London Waste Plan considers the municipal waste arising in each borough but it will also considered other forms of waste collected by private contractors.

3 ALTERNATIVE OPTIONS

- 3.1. **South London Waste Plan:** the alternative is for each borough to produce a Waste Plan independently, which would be far more resource intensive for each borough. In any case, it is recognised that the production of a ‘sound’ Development Plan Document would require neighbouring boroughs to collaborate in order to develop consistent policies and proposals in line with the legal requirement of “duty to co-operate”.
- 3.2. **Local Plan:** Alternative options considered and rejected are to only extend Merton’s Local Plan timetable by six months. This was rejected as officers consider that this would not give enough time to account for possible scenarios at a London level (such as further amendments to the London Plan timetable) or for Merton to develop robust evidence on housing and infrastructure delivery and deliver the Local Plan within the LDS
- 3.3. Delegated authority is sought to deal with any amendments to the LDS.

4 CONSULTATION UNDERTAKEN OR PROPOSED

- 4.1. Consultation on Local Plan-making is a statutory requirement and takes place for each Local Plan, including the South London Waste Plan.
- 4.2. Two stages of borough-wide consultation have taken place on the Local Plan which has generated responses on a very broad range of policy matters. However there has been more limited feedback on site-specific matters. Extending the timetable will allow the time to undertake further engagement on site-specific matters with community groups and landowners, engagement with young people and further engagement on housing matters. Officers have already started this targeted engagement and will report back to councillors at Borough Plan Advisory meetings towards the end of 2019

5 TIMETABLE

- 5.1. As set out in this report, including Appendix A

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 6.1. Funding to support this work will mainly come from existing resources and officers will seek opportunities for funding bids and match funding wherever possible.
- 6.2. Successful external funding bids that will help to resource Local Plan or South London Waste Plan include:
- 6.2.1 Cabinet Office One Public Estate programme (relevant to Local Plan, including Morden regeneration)
- 6.2.2 Ministry of Housing Communities and Local Government Planning Delivery Fund - joint working (for the South London Waste Plan)
- 6.2.3 Mayor of London's Housing Capacity Fund (for small housing sites)

7 LEGAL AND STATUTORY IMPLICATIONS

- 7.1. A Local Development Scheme is required under Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011). This must specify (among other matters) the documents which, when prepared, will comprise the Local Plan for the area. It must be made available publically on the council's website.
- 7.2. The provisions in section 15(8) of the Act 2004 state that the Council should revise the LDS as and when they consider it appropriate to do so.
- 7.3. The provisions of section 15(7) of the 2004 Act which states that the Council must resolve for the LDS to take effect and specify from what date it shall take effect..
- 7.4. 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.
- 7.5. 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.

8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 8.1. Local Plans contain planning policies to improve community cohesion and are subject to Sustainability Appraisal / Strategic Environmental Assessments and Equalities Impact Assessments.

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.

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: Merton's Local Development Scheme.

APPENDIX A – MERTON’S LOCAL DEVELOPMENT SCHEME 2019-2022

Document and status	Role and content	Geographic coverage	Reg 18 consultation	Publication pre submission	Submission (followed by 6 month examination)	Adoption
Local Plan– Development Plan Document	<p>Setting out spatial vision, objectives, strategic and detailed planning policies and site allocations.</p> <p>Replacing Merton’s Sites and Policies Plan 2014; Merton’s Core Planning Strategy 2011 and Merton’s Policies Map (where relevant) 2014</p>	Borough wide	<p>Stage 1: October 2017-Janaury 2018</p> <p>Stage 2: October 2018-January 2019</p> <p>Stage 2a start: Sept-Oct 2020</p>	Spring / Quarter 2 2021	Summer / Quarter 3 2021	Winter 2021 / Quarter 4 2021
South London Waste Plan – Development Plan Document	<p>Replacing South London Waste Plan 2012. Setting out spatial vision, objectives, strategic and detailed planning policies and site allocations all relating to waste management. Ensuring that waste facilities have the least impact on the environment, supporting waste as a resource and the circular economy.</p> <p>Covering the London boroughs of Merton, Croydon and Sutton and the Royal Borough of Kingston upon Thames</p>		Start: October 2019	Start: May 2020	Winter / Quarter 4 2020	Summer / Quarter 3 2021

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