

Committee: Council

Date: 14 September 2016

Wards: All

Subject: Merton's Local Development Scheme 2016-19

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, 020 8545 4855, tara.butler@merton.gov.uk

Recommendations:

- A. That council resolves to approve the high level project plan for creating planning policy documents, known as Merton's Local Development Scheme (LDS) and for the Local Development Scheme to take effect, replacing the council's LDS 2014.
 - B. That council delegates any amendments to the Local Development Scheme and determination of the specific date on which it should take effect to 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.
-

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 in 2014. The 2014 LDS is now out of date
- 1.4. This report recommends that the current LDS be updated, as set out in Appendix A, to reflect the current timetable for the preparation and adoption of:
 - the Estates Local Plan and
 - the proposed Local Plan incorporating Morden and Wimbledon
- 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 (for example, to make it more user-friendly or include details on the London Plan) and determine on which date the LDS should come into effect.

2 DETAILS

- 2.1. Merton's statutory development plan containing the planning policies used to assess planning applications is made up of:
- Merton's Core Planning Strategy (adopted July 2011)
 - The South London Waste Plan (adopted March 2012)
 - Merton's Sites and Policies Plan (adopted July 2014)
 - The London Plan (published by the Mayor of London in 2015)
- 2.2. As these documents are already adopted, they do not appear in the LDS.

Estates Local Plan

- 2.3. The council is currently working on the draft Estates Local Plan for Eastfields, High Path and Ravensbury estates.
- 2.4. Merton's LDS 2014 published a timetable for undertaking the Estates Local Plan. This timetable has now changed and it is now proposed to ask councillors to consider Merton's Estates Local Plan in November 2016 for submission to the Secretary of State.
- 2.5. Therefore the LDS needs to be updated before the next council meeting in November 2016.
- 2.6. The updated timetable for this project is contained in the new LDS in appendix A to this report.

New Local Plan, including Morden and Wimbledon

- 2.7. One of the provisions of the Housing and Planning Act 2016 is that Local Plans should be kept up to date and that the Secretary of State can now intervene to ensure that Local Planning Authorities have an up-to-date Local Plan.
- 2.8. Earlier in 2016 Government consulted on what this would mean in practice and has not published the results yet. However it is likely that it will mean that Local Planning Authorities must have set out a timetable to produce a Local Plan containing strategic borough-wide planning policies in it before March 2017.
- 2.9. Although Merton's Core Planning Strategy was adopted in July 2011 and we have since adopted the South London Waste Plan 2012, the Sites and Policies Plan 2014 and the London Plan 2015, we will be measured against the date of Merton's Core Planning Strategy, which was adopted less than six months before 2012 and thus may not meet government's requirements.
- 2.10. The council has already committed to creating plans for Morden and Wimbledon to ensure that the opportunities presented by Crossrail2 and the Mayor's Housing Zone in Morden can be realised. Rather than create two separate Local Plans (with two separate sets of research and costs) this LDS proposes to create one borough-wide Local Plan which can cover strategic policies and any statutory site allocations or specific planning policies required for Morden, Wimbledon, or any other part of the borough.

- 2.11. This strategic Local Plan would support detailed masterplans for Wimbledon, Morden and anywhere else which may be created alongside the strategic Local Plan.
- 2.12. The Mayor of London is currently reviewing the London Plan 2015 with a view to publishing a wholly new London Plan by circa 2018. This review enables Merton to work closely with the Mayor and his teams, sharing research and evidence that can contribute to both the London Plan and Merton's new Local Plan.
- 2.13. Given the level of involvement with the Mayor of London, Greater London Authority and Transport for London on Crossrail2 and Morden's Housing Zone, it is proposed that officers continue to work closely with GLA and TfL and seek efficiencies in sharing research and preparing joint planning documents where possible.
- 2.14. The timetable for the Local Development Scheme is set out in Appendix A and delegated authority is sought to amend this prior to bringing it into effect.

3 ALTERNATIVE OPTIONS

- 3.1. An alternative option is not to undertake a new Local Plan. This is not recommended as each council is required to set out a review of their strategic policies by March 2016 if their strategic policies were adopted before 2012 or be publicly listed as a poorly performing council..
- 3.2. It would also mean that the council would not have the opportunity of sharing research and evidence with the Greater London Authority / Transport for London in their review of the London Plan.
- 3.3. Delegated authority is sought to deal with any alternative options on amendments to the LDS timetable.

4 CONSULTATION UNDERTAKEN OR PROPOSED

- 4.1. Consultation on Local Plan-making is a statutory requirement and takes place for each Local Plan.

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. Funding to support masterplanning Morden for 2016-17 is available from the council's successful bid to the London Enterprise Panel (also known as the New Homes Bonus bids). Funding to support masterplanning Wimbledon for 2016-17 is part of the Economic Development Strategy.

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. This report seeks the delegation of the specific date from which the LDS should take effect to the Director for 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.
- 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 2016-2019

Document and status	Role and content	Geographic coverage	Preparation (including early consultation)	Publication	Submission	Adoption
Estates Local Plan – Development Plan Document	Setting out detailed policies, site allocations and other matters associated with estates regeneration	Eastfields Estate, High Path Estate, Ravensbury Estate	2014-2017	Spring 2016	Autumn 2016	Autumn 2017
Local Plan (incorporating Morden and Wimbledon) – Development Plan Document	Setting out spatial vision, objectives, strategic and detailed planning policies and site allocations	Borough wide	2016-2019	Autumn 2017	Summer 2018	Spring 2019

This page is intentionally left blank