

Committee: Cabinet

Date: 18th September 2017

Wards: all

Subject: Adoption of chapter 9: *basement and subterranean development planning guidance* and chapter 8: *Shop front guidance* of the Design Supplementary Planning document (SPD) and Canons Conservation Area Management plan as a supplementary planning document to Merton's Local Plan

Lead officer: Director of Environment and Regeneration, Chris Lee

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

Contact officer: Future Merton strategic planner: Ann Maria Clarke; Tara Butler

Reason for urgency: The Chair has approved the submission of this report as a matter of urgency as delaying the report would prevent the council using the planning guidance effectively and in a timely matter to improve the quality of development in Merton.

Recommendations:

- A. That the Borough Plan Advisory Committee recommends that Cabinet adopts chapter 9: *basement and subterranean development planning guidance* and chapter 8: *Shop fronts* of the Design Supplementary Planning document (SPD) and The Canons Management Plan Supplementary Planning Document

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. Between December 2016 and the end of February 2017 a draft Canons Management Plan, draft basement and subterranean development planning guidance, shop front guidance was published for consultation, following the Borough Plan Advisory Committee feedback on the draft guidance in late 2016.
- 1.2. Following feedback, some amendments have been recommended to the two chapters. In March 2017 the Borough Plan Advisory Committee resolved to recommend the basements and shopfronts chapter Cabinet for adoption as part of Merton's Design Supplementary Planning Document.
- 1.3. Comments were received in advance of public consultation on The Canons Management Plan from Mitcham Cricket Green Community and Heritage Group. The Canons Conservation Area Management Plan has been finalised and is also recommended to Cabinet for adoption as supplementary planning document to Merton's Local Plan.
- 1.4. The final documents and consultation statements are available online at www.merton.gov.uk/spg (basements and shopfronts) and www.merton.gov.uk/conservationareas (The Canons Management Plan)

2 DETAILS

- 2.1. Drafts of both chapters: basements and subterranean developments and shop fronts were presented to the Borough Plan Advisory Committee at their meeting in November 2016, and subsequently published for consultation. Following the consultation, the Borough Plan Advisory Committee considered the consultation results and advised on the final documents

Basement and subterranean planning guidance

- 2.2. The basement and subterranean planning guidance gives more detail to Local Plan policy namely - Sites and Policy Plan (2014) DM D2 part (b) and (c): *Design and consideration in all developments, basements and subterranean developments.*
- 2.3. The planning guidance outlines relevant statutory requirements related to basement developments including planning polices, building control, licensing requirements, party wall agreements, environmental legislation.

The Shop front planning guidance

- 2.4. The shop front guidance is designed to be a useful guide for shop owners, developer and building owners wanting to undertake work to shop fronts and signs.
- 2.5. An interactive PDF for shop owners to create their own shopfront design is also part of this guidance.

Consultation

- 2.7. Consultation on the two chapters of the SPD took place between 1st December 2016 and 27 January 2017.
- 2.8. During the consultation the council used different methods of public engagement to maximise public involvement and raise public awareness of the consultation.
- A survey was conducted using Survey Monkey, the reason being it is a user friendly, recognisable and trusted. As well as Survey Monkey other consultation methods used for the consultation were:
 - Paper copies of the planning guidance and its supporting documents were made available at Merton's reference libraries
 - Posters displayed at Merton's at libraries
 - Dedicated webpage with copies of the guidance and supporting documents
 - Consultation details tweeted on Merton's Twitter account and information on the council's Facebook page by Merton's Communication team
 - Consultation information was placed on the council's website home page
 - Formal written consultation letters and emails sent to local residents, businesses, residential groups/organisations,

environmental stake holders e.g. Environment Agency and other interested parties

- Reminder emails and letters- informing local community that there was still time to take part in the consultation.
- Specific discussions took place with shopkeepers around the borough on the Shopfronts chapter

2.9. 17 responses were received on the basement and subterranean development chapter.

- Supported - needs early implementation.
- Basements should only be the size of the main dwelling, not extend way beyond a rear or side walls

2.10. The amendments proposed to the basement and subterranean development chapter can be summarised as follows:

- To provide clarity –layout moves
- Appendix B moved to the main part of the document under the heading Outline Construction Method Statement (CMS).

2.11. 12 comments were received on the shop fronts chapter, which can be summarised as:

- Well produced high quality document
- Confusion regarding the target audience for the document
- Issues about the level of detail and accuracy of information relating to advertising consents
- Need to address shop conversions to residential uses

2.12. The amendments proposed to the shop front chapter can be summarised as follows:

- Expansion of introduction to clarify layout and identify clearly the target audience and status of the document. References to relevant planning documents and policies made.
- Addition of planning consent table on page 45 to clarify the types of planning permission required.
- Addition of section 8.5 Conversions to residential which provides design guidance on the conversion of shop front to residential use.

The Canons Management Plan

2.13. The Canons Management Plan was commissioned by London Borough of Merton to inform the development of detailed design and activity proposals as part of a Second Round Heritage Lottery Fund Bid under the 'Parks for People' programme. The plan is designed to inform the conservation, repair, use, management and possible alteration of The Canons, whose site boundary also incorporates the Park Place estate.

2.14. The term 'The Canons' describes the entire site currently owned by the London Borough of Merton (which does not include 'Park Place'). The Canons Management Plan includes an appraisal of the heritage value of

Canons house, Park Place and several other building and structures as well as the designed landscape. It also examines the main conservation-related issues and outlines guidelines for the future management of the site.

- 2.15. This Conservation Plan provides:
- an overview of the area's historical development its local and wider context, as well as outlining how the park's heritage is looked after.
 - A statement of significance is provided in terms of different types of heritage.
 - Risks and opportunities are outlined which inform the development of a number of policies covering conservation, new work, standards of maintenance, access, climate change, effects on the environment and managing Information about heritage.
- 2.16. The Canons Management Plan was one of the documents submitted by The Canons Partnership to the Heritage Lottery Fund as part of the *Parks for People* funding bid. The bid was successful and £4.7 million has been awarded by the Heritage Lottery Fund to help restore The Canons and its surrounds
- 2.17. **Consultation:** The Canons Partnership is a group comprising local community organisations and Merton Council, including Friends of the Canons, Mitcham Cricket Green Community & Heritage, the Mitcham Schools Cluster and the Mitcham Society, The Canons Management Plan has involved considerable engagement with several local community groups who are extremely knowledgeable and active in conserving their local heritage. Detailed comments were received from these groups in advance of the public consultation. No comments were received as part of the public consultation
- 2.18. The Canons Management Plan has now been updated and Cabinet is recommended to adopt it as a supplementary planning document to Merton's Local Plan.

3 ALTERNATIVE OPTIONS

- 3.1. The alternative option would be to not adopt any or all of these documents as supplementary planning guidance to Merton's Local Plan. This alternative option is not recommended.

4 CONSULTATION UNDERTAKEN OR PROPOSED

- 4.1. Consultation took place on all documents for six weeks each between December 2016 and February 2017. A summary of comments received is contained within the body of the report. The consultation statements for basements and shopfronts and the final documents are available online via www.merton.gov.uk/spg Detailed and extensive comments were received in advance of the public consultation on The Canons Management Plan and incorporated into the draft prior to consultation; no comments were received during the consultation.

5 TIMETABLE

- 5.1. As set out within the body of the report.

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 6.1. Should they be adopted as supplementary planning documents to Merton's Local Plan, these plans will be used to guide relevant planning applications in Merton.

7 LEGAL AND STATUTORY IMPLICATIONS

- 7.1. Both Design SPD chapters have been produced under the Town and Country Planning (Local Planning) (England) Regulations 2012.

8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 8.1. No implication. The proposals have been subject to a Strategic Environment Assessment (SEA) screening.

9 CRIME AND DISORDER IMPLICATIONS

- 9.1. None, the council invited the Metropolitan Police Service to take part in the consultation; we received no comments.

10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

- 10.1. None

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

- Chapters of Merton's Design Supplementary Planning Document: Basement and subterranean development and shopfront guidance.
- Available online at: Basements and subterranean developments
https://www2.merton.gov.uk/yes_basement_andsubterranean_planing_guidance_2017.pdf
- Shop front guidance:
https://www2.merton.gov.uk/shop_front_cab_060417_website.pdf
- The Canons Management Plan
https://www2.merton.gov.uk/canons_mitcham.htm
- Also available on request by contacting 020 8545 3837 or future.merton@merton.gov.uk

12 BACKGROUND PAPERS

- 12.1. NPPF 2012; NPPG; London Plan 2015; Merton's Sites and Policies Plan 2014; Merton's Core Planning Strategy 2011

12.2. Consultation statement – basement and subterranean development and shop front guidance chapter of Merton's Design SPD