

ENVIRONMENT AND REGENERATION DEPARTMENT

Chris Lee - Director



Mr Sadiq Khan (Mayor of London)
New London Plan
GLA City Hall
London Plan Team
Post Point 18
FREEPOST RTJC-XBZZ-GJKZ
London SE1 2AA

Future Merton
London Borough of Merton
Merton Civic Centre
London Road
Morden SM4 5DX

Direct Line: 020 8545 3837

Date: 02nd March 2018

Dear Mr Khan,

RE: The Mayor of London's Spatial Development Strategy for Greater London, Draft for Public Consultation

Thank you for inviting the London Borough of Merton to comment on the Spatial Development Strategy for Greater London, published in December 2017 setting out the Mayor's vision and strategy for how London will evolve and develop over the coming years.

General points

Merton supports the policy aims of the draft London Plan, including those to improve the health and quality of life for all Londoners, reduce inequalities and make the city a better place to live, work and visit.

However the Plan overreaches in detail and pitch beyond that considered appropriate for a strategic planning document, leaving limited discretion to each borough in deriving policies that work best for their local areas.

Two issues of particular highlight for Merton, concern the omission of the opportunity of Morden from the draft London Plan and the proposed strategic housing target allocation for Merton which is undeliverable.

Wimbledon's opportunity area / Colliers Wood / Morden

The draft London Plan proposes that Wimbledon (including South Wimbledon and Colliers Wood) is designated as one of London's 16 new Opportunity Areas. We welcome this designation and look forward to working with the GLA on its delivery. However we would welcome the opportunity for Morden town centre to be included in this designation. is not recognised in the draft London Plan and we believe this is an oversight, given the considerable opportunity that Morden represents for as an exemplar for intensifying the suburbs and housing growth (c2,000 new homes) and the associated significant financial investments that Transport for London and

the GLA are making for Morden, including £5 million (TfL Major Schemes allocation) and £80 million (Housing Infrastructure Fund). Morden is also at the heart of the recently published Mayor's Transport Strategy proposal for further investment in the Morden-Sutton Tram and therefore the

Strategic housing target

The draft London Plan proposes that Merton's housing target increases from 411 homes per year to 1,328 homes per year (+228%). Merton considers this proposed target unrealistic, unachievable and predicated on an unsound methodological basis concerning small sites provision.

A significant proportion of the proposed housing target for Merton is expected to come from small sites. Merton is a pro-growth borough and has considerable experience in delivering small sites. Every year, between 85%-95% of Merton's planning applications for new homes are for small sites (sites of 10 homes or less). We allocate small sites as part of our Local Plans and take a positive and proactive approach to their delivery over the last decade. Even in these positive circumstances, Merton considers that increasing the delivery of small sites is unachievable.

Please find attached to this letter a more detailed response that seeks to address identified issues and will hopefully shed some light on the concerns, issues and possible suggestions we have to improve the clarity, effectiveness and deliverability of the draft London Plan.

Merton would welcome an opportunity to collaboratively work with the Mayor's advisors, to resolve these significant areas of difference.

Please do not hesitate to contact us if you have any queries regarding the above or if you would like any further information on any of the suggestions made in this letter or attached detailed response.

Yours sincerely,

Tara Butler
Deputy FutureMerton Manager
London Borough of Merton
tara.butler@merton.gov.uk

Merton Council's detailed response to the Mayor of London consultation draft (Dec 2017) Spatial Development Strategy for Greater London

Chapter 1 – Planning London's Future (Good Growth Policies)

Policies GG1-GG6

We support the Good Growth policies and the strategy this represents.

Policy GG3 Creating a Healthy City

The aims of this policy are welcomed and supported. We are pleased that the policy ensures that the wider determinates of health are addressed in an integrated way, taking a logical approach to improving the mental and physical health of all Londoners and reducing health inequalities. Furthermore, we are pleased that Mayor has continued to support the use of Health Impact Assessments (HIA) approach to assess the potential impact of development proposals on the health and well being of communities. Additionally we support and welcome that the policy states that Healthy Streets Approach should be used to priorities health in all planning decisions.

Chapter 2 - Spatial Development Patterns (and Annex 1 Town Centre Network)

The Spatial Development Pattern objectives are supported. However Morden town centre is not specifically mentioned in the draft London Plan, despite the GLA/TfL investment and its opportunity to deliver new homes on public sector brownfield land using the Healthy Streets approach (with the exception of page 486-487 (Table A1.1 - Town Centre Network Ref 158) which identifies Morden as a district town centre).

Policy SD1 Opportunity Areas

We support this policy subject to the amendments detailed below.

We welcome the "Wimbledon Opportunity Area", which is identified in Figure 2.5 as *Wimbledon / Colliers Wood / South Wimbledon OA*

Objection – request Colliers Wood as designed District Centre

For the draft London Plan to be consistent and to enable the "Wimbledon / Colliers Wood / South Wimbledon OA" to achieve its jobs and housing targets, we recommend that Colliers Wood should be listed as at least a District Centre in Table A1.1 of the draft London Plan. Currently draft London Plan Figure A1.1 and Table A1.1 identify Colliers Wood town centre as a "*future*" *potential District Centre*. Despite its size and scale, in planning terms Colliers Wood is currently an "out of centre" location.

Colliers Wood has:

- more than the required amount of commercial floorspace for Major Centre status,

- excellent public transport access by underground station and bus, with most of the town centre being PTAL 5-6a.
- substantial opportunities for active travel: cycle superhighway 7 runs through Colliers Wood, Colliers Wood is situated along the Wandle Trail and the Wandle Park nature reserve and playspace is also accessible from the heart of the town centre. The public realm investment means that previously disconnected shopping areas within Colliers Wood are now easy to get around by foot and bike.
- considerable recent growth in restaurants, cafes and other uses that make up a District centre, including a new library
- benefitted from substantial improvements and investment to the public realm through around Baltic Close from council, TfL, GLA and private sector investment;
- c500 homes to be completed by 2018-19 on three major sites within the town centre, so a substantial number of new households
- Merton Abbey Mills market and historic area and a Scheduled Ancient Monument, Merton Priory, which is currently receiving investment via the Heritage Lottery Fund to increase visitor attraction.

We believe that Colliers Wood comfortably meets all of the criteria to be a District Centre and many of the criteria for Major Centre status.

Despite all this, the draft London Plan does not recognise Colliers Wood as a town centre of any level, only saying it is an “emerging” district centre. In planning terms, any large office, retail or other commercial development proposed within Colliers Wood has to be considered as “out of centre” and is therefore subject to a sequential test and impact assessment which seems unnecessary given that the area successfully operates as a vibrant town centre in everything but name.

If the London Plan designates Colliers Wood as a District Centre, we will be able to actively encourage further investment, particularly for jobs and businesses. This will then be consistent with the draft London Plan’s ambitions for Colliers Wood to be part of the Opportunity Area for Wimbledon.

Support: South Wimbledon is emerging as a distinctive neighbourhood in its own right and we look forward to working with the GLA and TfL to attract Healthy Streets, public realm, community benefits and other investment to this area commensurate with the potential for new homes and its proposed new status as part of the Opportunity Area

Objection: seeking potential to include Morden in the Opportunity Area.

Merton Council and Transport for London have ambitious plans for investing in Morden to achieve a new public realm and c2,000 new homes. These plans are being supported by the GLA family including £5 million (TfL Major Schemes allocation) and £80 million (Housing Infrastructure Fund) and we very much welcome this support and look forward to continue to working successfully with Transport for London and the GLA’s development teams.

Therefore we would welcome the opportunity with the GLA to consider whether Morden town centre should be included in the Opportunity Area designation.

Currently Morden is not recognised in the draft London Plan and we believe this is an oversight, given the considerable opportunity that Morden represents for as an exemplar for intensifying the suburbs and housing growth (c2,000 new homes), and the associated significant financial investments that Transport for London and the GLA are making for Morden. Morden is at the heart of the Mayor's recently published Transport Strategy's proposal to invest in a new tram for London and well positioned in the Trams Triangle (Fig 2.12)

Morden town centre is in less than 1km to the Wimbledon/Colliers Wood/South Wimbledon Opportunity Area and has excellent pedestrian, cycling, tram, tube, rail, bus and road links to the adjacent Opportunity Area.

The regeneration of Morden town centre Zones and besides the (c.2000) new homes, this regeneration project, which will be guided by a master plan for the wider town centre area, will include substantial public realm improvements and new retail and employment space.

We would welcome the opportunity to discuss the benefits of including Morden town centre within the adjacent Wimbledon Opportunity Area to improve the coordinated delivery of London Plan policies on housing growth, Healthy Streets, Trams Triangle Morden town centre is identified for regeneration in our Local Plan (Merton Core Strategy (2011) policy CS3) and Merton Council is currently working with Transport for London towards the procurement process for a development partner in late 2018.

Further information on the regeneration of Morden town centre can be found on the council's moreMorden webpage:

<https://www2.merton.gov.uk/environment/regeneration/moremorden.htm>

The colours shown in the key and the map in Figure A1.1 (Annex 1) do not match and require clarification as to which town centres are being shown.

All of the Figures in Annex 1 would be more useful if they were provided in an interactive map format i.e. an online interactive map where users could zoom into a particular borough or area that provided labels for each of the different town centres and areas for regeneration.

Policy SD10 Strategic and Local Regeneration

Policy SD10 states that *"Boroughs should 1) identify Strategic Areas for Regeneration (see Figure 2.19) in Local Plans based on a thorough understanding of the demographics of communities and their needs."*

Object: This policy should be more carefully worded to be clear about what is required from boroughs. It states that *"boroughs should identify Strategic Areas for Regeneration in Local Plans"* but it is clear from both the policy wording above and on the map in Figure 2.19 that the draft London Plan has already identified Strategic Areas for Regeneration.

While we welcome the further opportunity to reduce inequalities, improve livelihoods and tackle deprivation, the draft London Plan proposes an additional 16 substantial Opportunity Areas across London as well as 236 Strategic Areas for Regeneration identified in Figure 2.19. We would welcome GLA investment to enable the successful prioritisation and delivery of both Opportunity Area and Strategic Areas for Regeneration.

Chapter 3 - Design

Policy D1 London's form and characteristics

Support subject to amendments: Policy D1 is supported and particularly complementary to Policy D4 concerning internal storage for recycling. However it would be helpful if the policy included reference to communal open space, which appears absent from the LP. (Policy D4 also omits reference to this). It also needs a clear definition of what a street is and what are its essential components, otherwise some of the movement requirements can sit uncomfortably with some of the urban design requirements.

The digital economy and a whole range of visitors and servicing requirements will mean there will always be a legitimate vehicular role for streets. These need to be direct and efficient to keep costs and pollution down. There is also the unknown of how car clubs, car sharing and electric vehicles will evolve and what the parking requirements will be in terms of quantity and location. Again, there will always need to be good and convenient access by vehicles and flexibility in the ability of streets movement function to change over time. This issue needs to be more effectively addressed by the LP.

Clarification on the guidance on design reviews supporting para 3.2.7 is needed.

The policy's promotion of good design to help create healthy places and prevent or mitigate the impacts of noise and air pollution is supported.

Policy D4 Housing quality and standards

Support with amendments This policy is supported and is a significant improvement to previous LP design policies. There is considered to be good policy wording on gated development. However there is an omission in this policy (and policy D1 A7) to reference to communal amenity space. It is considered that there should be at least an acknowledgement of this even if the Mayor considers it inappropriate to include a specific policy in the LP on this matter.

Supporting para 3.4.11 sets out useful urban design advice on the relationship between buildings and spaces irrespective of the proposed building use, and therefore may serve more appropriately as a supporting paragraph to a more overarching design policy such as Policy D2 (delivering good design). The policy as written has no specific elements in it about the 'arrangement of the urban environment' that provides a hook for the supporting para. 3.4.11.

Conversely, the policy includes good content on internal design of units, but provides no supporting paras.

Supporting para 3.4.11 includes the only reference where communal open space is explicitly acknowledged, however only as a 'qualitative aspect' of development. The policy states things that 'should be addressed' in design. However it could be appropriately strengthened if, for example it was expressed as a 'checklist for helping ensure design quality'

This policy needs to include requirements for all planning applications for residential units to include information on unit size and room areas.

The comparatively stronger policy on single/dual aspect is supported, but there needs to be clarity on definition without which the policy's purpose will be undermined.

Policy D7 Public Realm

Support with amendments This is generally a welcome policy on the public realm. However, a significant omission is the lack of a clear explanation or definition of what the public realm is and acknowledgment that a very significant component of it is made up of streets. Parts **B & C** appear to be contradict each other, which could be resolved by inclusion of clarity on what defines a street. The reference to decluttering is welcomed.

The policy's positive contributions to public health improvements is supported, including by encouraging the provision of free drinking water and the adoption of the Healthy Streets Approach.

Policy D11 - Fire Safety

Support with amendments The council supports this policy approach, but would like this to be accompanied by refreshed vehicle access guidance for emergency vehicles. This is particularly relevant to constrained back land development, where the opportunity to turn on site and exit in forward gear can be restricted. Such sites often feature long and narrow private shared driveways. This needs to be considered in the context of wider access requirement from the public and private streets and carry distances for ambulance patients.

Policy D13 - Noise

Support with amendments Recognition of the noise impacts of new development on existing uses through this policy (and policies D1 and D12) and the requirement to provide mitigation to adjoining uses where this is required to manage adverse impacts is supported. This approach could also facilitate greater flexibility to realign deliveries outside vehicle peaks.

Chapter 4 – Housing

Policy H1 - Increasing Housing Supply

Object The new strategic housing target for Merton set out in the draft London Plan is not supported as it is not justified or effective.

Merton is a pro-growth borough and has substantial experience in delivering small sites over a long timeframe and throughout different economic and political cycles. Every year, between 85%-95% of Merton's planning applications for new homes are for small sites (sites of 10 homes or less). We allocate small sites as part of our Local Plans and take a positive and proactive approach to their delivery over the last decade. We have led on innovative projects such as off-site construction to provide more homes. Even in these positive circumstances, Merton considers that increasing the delivery of small sites is unachievable.

Merton's current housing target is 411 homes per annum and the 10 year target of 1,328 homes per annum proposed by Policy H1 results in a target uplifting for Merton of 223%. A significant proportion of this target is expected to come from small sites as Fig. 1 below indicates:

Fig. 1: Components of Merton's 10 year housing capacity figure				
Large sites	Small Sites modelled figure	Small Sites remaining windfall figure	Non Self Contained	Total 10 year capacity
6,540	5,800	910	30	13,280

The target proposed by the draft London Plan for Merton is considered unjustified, not effective, unrealistic, unachievable and predicated on an unsound methodological basis, particularly concerning projected small sites provision. Figure 2 below *Merton's housing completions by permission type 2006-2016* demonstrates the stark difference between what has been delivered over the last 10 years and the 1,328 target the draft London Plan expects for using Methodology B.

As Figure 2 illustrates, Merton has met its housing target every year for the last 10 years; only substantially exceeding this on three occasions. This demonstrates that previous Strategic Housing Land Availability Assessments, other housing research and London Plans have set Merton's target at the correct level for the borough.

Setting an undeliverable housing target for any borough will have both a direct financial impact on the borough and directly affect the delivery of new homes, including affordable homes by affecting Local Plan and London Plan delivery:

- Government is proposing that planning fee increases and New Homes Bonus delivery will only be allocated to boroughs that achieve their housing targets. Although Merton has achieved its target consistently for more than a decade, moving forward the borough won't be able to do this. This will result in less funding for the council and specifically for the planning service, raising the burden on Merton council taxpayers to support these services and deliver new homes.
- For Local Plans to be found sound, each must be able to demonstrate meeting housing needs and achieving their housing target. Merton is at the start of preparing a new Local Plan to guide development in the borough for the next 10 years, and provide many of the policies and tools that will help implement the emerging London Plan. In particular, this will include site allocations and development priorities to de-risk and

accelerate development on public sector land in Morden town centre, and deliver Wimbledon's Opportunity Area. Merton's Local Plan will not be able to be found sound at examination, and therefore adopted if Methodology B is used to set the final London Plan targets.

- Small sites rarely have additional funding via planning obligations or Community Infrastructure Levy (CIL) that can help to address provide local infrastructure to support new homes. A ministerial statement (November 2014) clearly states that central government do not support seeking planning obligations from small sites. In London, many small sites are conversions of existing houses or small workshops that do not pay CIL. Unless small sites are being delivered by a Registered Provider (and we are keen to promote this), there are no contributions to provide affordable housing. Contributions to schools, parks, healthcare and other matters do not come from small sites, leaving the borough and other public sector bodies to seek funding elsewhere.

Fig 2 Merton's Housing Completions by Permission Type 2006-2016

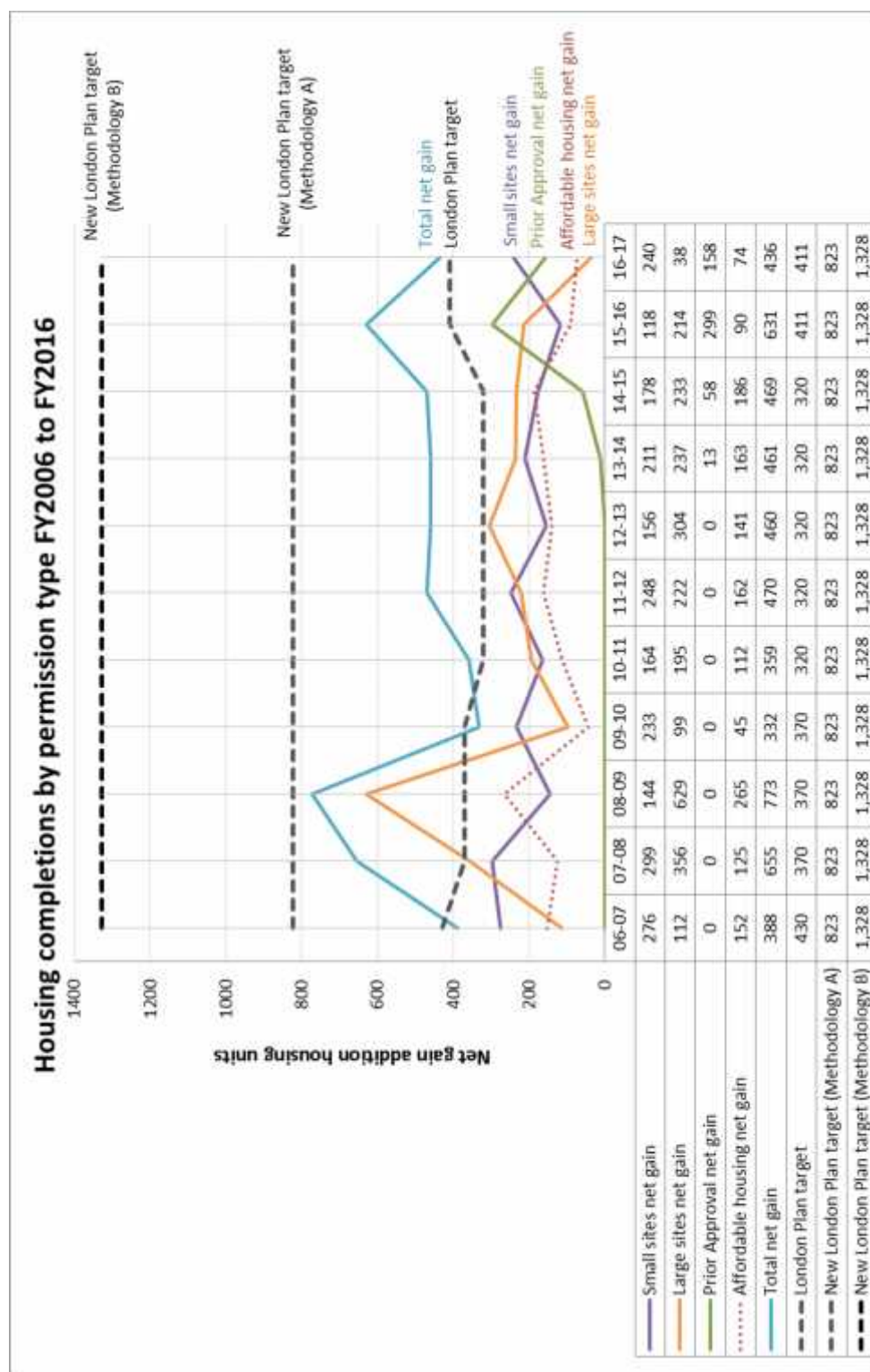


Figure 2 above sets out Merton's performance in net provision of housing units, against the current strategic housing target (411 homes per annum) for the period 2006 to 2016.

Were the windfall trend approach used to inform the housing target (indicated as **Methodology A** in Figure 2) this would result in a target level for Merton of 823 homes per annum. The draft London Plan housing target is predicated on growth factor assumptions (indicated as **Methodology B** in Figure 2) which result in a proposed target level for Merton of 1,328 homes per annum.

Comparison and analysis of Merton's actual housing provision performance over the period 2006 to 2016 as indicated in Figure 2 indicates that application of **Methodology A** provides an ambitious but justified and more realistically informed housing target for Merton.

Officers would therefore welcome the opportunity to work collaboratively with the Mayor's advisors to resolve this matter.

Policy H2 Small Sites

Object The small sites target for Merton set out in the draft London Plan is not supported.

Merton is a pro-growth borough and has substantial experience in delivering small sites over a long timeframe and throughout different economic and political cycles. Every year, between 85%-95% of Merton's planning applications for new homes are for small sites (sites of 10 homes or less). We allocate small sites as part of our Local Plans and take a positive and proactive approach to their delivery over the last decade. We have led on innovative projects such as off-site construction to provide more homes. Even in these positive circumstances, Merton considers that increasing the delivery of small sites is unachievable.

Policy H2 is considered unjustified, overly prescriptive and limits opportunity for local discretion e.g. Part E requires the presumption in favour of small housing developments to approve schemes which are in accordance with the design codes developed in accordance with Part B. Part B requires all 33 councils to prepare area-wide design codes specifically to encourage higher residential densities on small sites. Merton has already prepared a Borough Character Study covering approximately 66% of the boroughs' 37 neighbourhoods, however this is extremely resource and time intensive work and diverts crucial resources away from the delivery of planning applications. This is worthwhile for the delivery of substantial numbers of new homes, however despite c90% of Merton's planning applications for new homes being on small sites every year, Figure 3 below demonstrates that this only delivers about a third of the homes required. This approach represents a significant amount of resources for limited number of new homes, which would be more efficiently spent on guiding planning applications and the delivery of larger sites.

For Merton, a significant proportion of the proposed housing target set out in Table 4.2 of the Draft London Plan target is expected to come from small sites. As Figure 1 above indicates, up to 6,710 new homes over the 10-year housing target period are expected by the Mayor to come from small sites in Merton.

The following table sets out Merton's rate of completions over the past 10 year period (2006 – 2016). This is also backed up by the extensive 30 years housing research set out in appendix B (small sites completions 2004-2016) and Appendix C (Thirty years of small sites house (1987-2017) conversions in Merton with SHLAA Methodology A buffer and conservation areas) to this response.

Figure 3 - Merton's completion rates

Table 2 : Merton's housing development completions 2006 – 2016	Completed units	Completed schemes
Total completions in last 10 years (all site sizes)	5,934	1059
Total small sites completions in 10 years (10 units and fewer in scheme):	2,169	960
Total large sites completions in 10 years (11 or more units in scheme):	3765	99

Whilst the majority of planning applications coming forward in Merton are for small site developments (around 90%) the capacity these contribute to meeting Merton's overall housing target is modest (37%) even during the buoyant housing market periods.

Of particular concern is the modelling approach to calculating small sites capacity figure. Detailed assessment work of historic housing provision from Merton's small sites indicate comparatively lower growth rates and demonstrates that the Mayor's London-wide trends are therefore not considered to be representative or realistic of what prevails in Merton.

SHLAA small site modelling (Methodology B) assumes that:

- A net additional growth assumption of **2.2** is applied to semi and detached houses
- A net addition growth assumption of **1.3** is applied to terraced houses

The growth factor for detached and semi-detached houses is based on historic small sites residential to residential development. In Merton this has historically been **1.35** (versus 2.2 modelled) for small sites (less than 0.25ha with fewer than 10 homes proposed) between FY08 and FY15.

The growth factor for terraced houses is based on historic conversions data. In Merton this has historically been **1.2** (versus 1.3 modelled) for conversions between FY08 and FY16.

Therefore whilst the growth factors applied to houses may be a fair assumption of London-wide trends, they are far higher than historic trends in Merton over a thirty year period.

SHLAA small site modelling (Methodology B) assumes that:

- **1%** of detached, semi-detached and terraced houses will come forward for intensification each year

In Merton between FY05 and FY16 an average of **0.19%** of properties in the output areas within 800m of a station or town centre came forward for development each year.

Methodology B therefore assumes that in Merton the new small sites policies will result in a

five-fold increase in the number of houses coming forward for redevelopment each year. We feel that this is unrealistic and seek evidence from the GLA on how new policies would result in such an increase in sites coming forward.

It is questionable whether measures such as presumption in favour of small housing developments, Permission in Principle and Local Development Orders will increase attainment of the housing targets proposed in the draft London Plan. Again, both approaches represent a substantial investment in time and resources from the planning service of all 33 London councils to achieve. Merton is a pro-growth authority and this is reflected in the local development plan which contains policies that clearly encourage and support the provision of high density new homes in locations with good public transport access, such as in and around Merton's town centres. The willingness and appetite of homeowners and small developers to bring forward such developments and also in some cases access to facilitating finance represent the main barriers to more schemes not coming forward.

Recent research conducted by the Local Government Association (LGA) (referenced in the Planner Magazine published on 22/2/18) supported the LGA's view that the planning system *"is not a barrier to building"*. The research indicated that *there are more than 450,000 homes with planning permission waiting to be built in England and Wales*. Taking account of the Glenigan's database of construction projects for the financial years 2015/16 and 2016/17 the LGA report suggested that the backlog of unimplemented planning permissions *has grown by almost 16% in the past year*.

It would be helpful if the Mayor could advise on what evidence has been prepared on the willingness / appetite of homeowners to build additional homes within their property curtilages and the extent to which this research has informed the small sites growth factor modelling assumptions.

It would be helpful to understand what financial incentives are being proposed for homeowners by the Mayor to facilitate small site development on the scale advocated by the modelling approach? (e.g. for homeowners wishing to build additional homes within their property curtilages, where recourse to funding is not available).

Finally, Merton's experience of delivering small sites is that these sites can often cause some of the highest levels of neighbour concerns and objections compared to sites that are many times their size and deliver far more homes and jobs. Residents have told us both via planning applications and the Local Plan process of their concerns at intensifying suburban neighbourhoods and the ability of local infrastructure to cope with the incremental demands of new households. Small sites rarely have additional funding via planning obligations or Community Infrastructure Levy (CIL) that can help to address provide local infrastructure to support new homes. A ministerial statement (November 2014) clearly states that central government do not support seeking planning obligations from small sites, including crucial contributions to affordable housing. In London, many small sites are conversions of existing houses or small workshops that do not pay CIL. To support a collaborative and effective planning process and the delivery of more affordable homes through the planning system, we would strongly encourage the draft London Plan to review

the approach to small sites and focus on the successful and co-operative delivery of larger developments that local communities can benefit from and see the benefits of.

Policy H3 Monitoring Housing Targets

Support The principle of policy H3 is supported. It is noted that as proposed in the London Plan AMR (July 2017) Policy H3 proposes to alter the approach to the monitoring of non-conventional supply against the housing target, to reduce the impact of non-conventional homes on overall supply. Given that non-conventional supply represents a component of boroughs strategic housing targets, it is hoped that the proposed monitoring adjustments do not result in compromising borough's ability in meeting their targets.

Policy H4 Meanwhile use

Support with amendments Whilst the principle of the policy is supported, its justification at paragraph 4.4.1 – 4.4.3 is considered overly prescriptive. Often residents, businesses and landowners in local neighbourhoods are best placed to identify potential for meanwhile uses. We would recommend that this justification is changed to support local communities, landowners and the borough working together on identifying viable and attractive meanwhile uses on a particular circumstances; not just the boroughs identifying sites.

Policy H5 Delivering affordable housing

(please also refer to Policy H2 above)

Support with amendments The intentions of Policy H5 are supported however requires clarity to improve its effectiveness. Policy H5 proposes a new London wide affordable housing target of 50% (10% increase per annum on the current target) and specifies a number of specific measures to achieve this including public sector land delivering a minimum of 50% affordable housing.

It is considered that Policy H5 should state whether the affordable housing target is **net** or **gross** and should be included within the policy to improve transparency and understanding. The aim of the policy is to increase affordable housing provision therefore it is considered that the policy should state that the target is net (or additional). Suggested wording as follows: *The strategic target is for 50% of all **net** (i.e. additional) new homes delivered across London to be affordable...*

The policy should clarify that the whole scheme will be assessed - not just regarding the additional proposed units – in determining whether the *maximum reasonable* Affordable housing provision is proposed and that proposals resulting in net loss will be unacceptable.

Similarly to ensure clarity Policy H5 should specify whether the strategic target refers to units, habitable rooms and /or floorspace. There appears to be inconsistency between the

Mayor's Affordable Housing Viability SPG and Draft London Plan housing policies and supporting paras concerning how affordable housing requirements are measured.

Draft London Plan supporting para 4.6.3 requires the affordable housing threshold targets set out in Policy H5 to be measured as habitable rooms by stating: *The percentage of affordable housing on a scheme should be measured in habitable rooms to ensure that a range of sizes of affordable homes can be delivered, including family-sized homes.*

It would help in the comprehension of Policy H5 to clarify the relationship between the habitable rooms measurement approach and the 50% strategic *affordable homes target* requirement – as habitable rooms are not homes but components of homes. In particular explanatory wording to help understand the statement at supporting para 4.6.3 (of policy H6) that *habitable rooms should be of comparable size when averaged across the whole development...* would be particularly helpful.

Policy H6 Threshold approach to applications

(Please refer also to comments on Policy H5 above).

Support with amendments. The intentions of Policy H6 are supported however requires clarity to improve its effectiveness. It is unclear what the affordable housing target requirement is that submitted viability assessments for large site proposals exempted from the fast track route would be scrutinised against. It is presumed that it would be relevant material considerations such as the adopted development plan policy requirement (currently 40%) but it would be helpful if Policy H6 could include clarification on this. Policy H6 needs to specify whether the affordable housing on non-viability tested route schemes are expected to be measured in accordance with adopted development plan policy requirements or as habitable rooms. Merton's adopted plan policy measures by units and not habitable rooms.

A significant proportion of the London Plan strategic affordable housing target will be reliant on public sector land schemes. Merton is typical to many London boroughs, in working in joint partnership with other public bodies such as TfL and private developers, usually via joint venture to deliver large scale scheme proposals.

Supporting Para 4.6.5 states: *The Mayor recognises that public sector land can play a significant role in meeting affordable housing need. The threshold for public sector land (land that is owned or in use by a public sector organisation, or company or organisation in public ownership, or land that has been released from public ownership and on which housing development is proposed) is set at 50 per cent to be considered under the Fast Track Route.*

Schemes brought forward via private public joint ventures usually involve land in public ownership being transferred into the ownership of the joint venture partnership which technically transfers the land to private ownership. The highlighted text in supporting para 4.6.5 is welcomed, as it provides clarity that public sector land transferred to the ownership of such a joint venture would still need to adhere to policy H6 concerning public sector land. It would be helpful if the words (*e.g. public sector land transferred to the*

ownership of a joint venture partnership / vehicle) could be added after the highlighted text in supporting para 4.6.5.

The requirement that early stage viability reviews that demonstrate that *viability has improved since the application stage (pg.19 Mayor's Affordable Housing and Viability SPG 2017)* should result in *additional onsite affordable housing* is welcomed. Anecdotally in practice applicants could avoid on-site provision by contesting that the design configuration of all phases of the scheme are set and therefore make no feasible allowance for the incorporation of additional units on-site. It would be helpful if the policy requires schemes to be designed flexibly so as to accommodate additional on-site provision deemed viable under a viability review. Inclusion of best practice examples and guidance would also be useful.

Policy H7 Affordable Housing Tenure

Object Whilst the objective of the policy to deliver genuinely affordable housing is fully supported, it is considered to be overly prescriptive. London is a diverse city with a huge range of wealth and deprivation. Rather than a London-wide approach which masks the unique and varied situation across London, boroughs (or groups of boroughs) should be able to use local housing market research, local income, and other relevant robust local housing needs research to support and inform on appropriate affordable housing tenure requirements for the borough. Currently the policy only allows boroughs to influence 40% of affordable housing tenure in its area; this should be closer to 80%.

Policy H8 Monitoring of Affordable Housing

Support with amendments This Policy is supported however it needs to be consistent with Policy H3 (and also suggested changes to Policy H5) by setting out that monitoring of affordable housing should be in net terms taking account homes lost through demolition or change of use / tenure.

Policy H9 Vacant Building Credit

Support This pragmatic policy approach is supported. The borough discretion to apply the Vacant Building Credit in exceptional circumstances where specific sites with genuinely vacant buildings need unlocking rather than across the board is considered reasonable.

Policy H10 Redevelopment of existing housing and estate regeneration

Support with amendments The aims of Policy H10 are supported however it requires strengthening and wording revisions to improve its clarity and effectiveness. It is considered that the policy should be more forthright in requirements for existing housing and estate regeneration to result in uplift in affordable housing provision. The word *generally* from line 4 of point (b) should be deleted as it weakens this intent.

Where developments proposes the loss of existing affordable units, but *at least an equivalent level of affordable housing floorspace* it is considered that this should be supported by robust housing needs evidence demonstrating how this more effectively addresses the housing needs of the occupants of the existing units. Notwithstanding whether re-provision is measured as units or floorspace the policy should clearly state that there should be no net loss of affordable housing.

The regeneration of three existing housing estates is proposed in Merton, largely to provide higher quality, and environmentally better performing replacement homes. This objective is characteristic of a large number of estates regeneration schemes that have or will / are taking place in London. Similarly it is considered that the policy should be more forthright in requiring replacement affordable homes to be provided to a better quality. The word *or* on line 2 of point (b) should be replaced by the word *and*.

Inclusion of 'like for like' re-provision regarding bed-spaces and for homeowners also equity share irrespective of uplift value differences between existing property and the replacement property should be included as requirements in Policy H10.

In view of affordable housing properties being '*lost*' to Right To Buy and stair-casing schemes, the Mayor could consider Policy H10 requiring clawback contributions from these homes '*lost*' as a result of Right to Buy as part of estate regeneration schemes and encourage this provision to be on-site, in a bid to contribute towards addressing the net loss resulting from Right to Buys and stair-casing schemes.

Policy H11 Ensuring the best use of stock

Support In contrast to a number of the other policies which are overly prescriptive, this policy largely reads more as statements of intent rather than policy setting out clear requirements.

Policy H12 Housing Size Mix

Object The intentions to deliver mixed and inclusive communities are supported. However the policy is considered overly prescriptive and inflexible for a strategic plan. It restricts what type of housing tenure that planning authorities can specify dwelling size mix requirements for:

C. Boroughs should not set prescriptive dwelling size mix requirements (in terms of number of bedrooms) for market and intermediate homes.

D. For low cost rent, boroughs should provide guidance on the size of units required (by number of bedrooms) to ensure affordable housing meets identified needs.

As stated earlier in this response and in the draft London Plan, London is a city of huge contrasts in wealth, deprivation and income. It should be for boroughs to use the findings of local robust evidence e.g. councils' local housing market assessments, deprivation indices, local income levels and other factors to determine what local borough planning policy

requirements would be most appropriate to realistically optimise housing delivery, size and mix. This would genuinely and effectively address identified housing needs in their area.

In particular, we have concerns about this policy's blanket prevention of boroughs to identify local issues in their Local Plan policies that might help both the delivery of affordable homes, reduce uncertainty for developers and Registered Providers and thereby speed up the planning system. Pockets of Merton have extremely high land and housing values which means that properties classed as "affordable" shared ownership of +3-beds in size in these areas are all valued in excess of £500,000 and some in excess of £600,000. These types of properties are usually unattractive to those households looking for a shared ownership.

We recommend that this policy is substantially amended to allow boroughs to consider setting dwelling size mi

Policy H13 Build to Rent

The policy intention to increase the range and offer of homes available to Londoners is supported. Build to Rent may be attractive to potential tenants given the longer tenancies and on-site maintenance teams. However these unique features of build to rent result in much higher cost, exacerbating an already critical issue for many renters, especially in London. The incentive of Policy H13, to encourage affordable housing provision is therefore supported. Build to rent is still a relatively new area and as it establishes the viability/capacity to support lower rental tenures/partner with RPs may become clearer. More clarity on ensuring discounted market rent is genuinely affordable at a level that may be more affordable than London Living Rent if supported by local needs would be helpful.

Policy H15 Specialist Older Persons Housing

Support The policy aims are supported. Clarity contained within the policy concerning affordable housing requirements in relation to provision of specialist older person housing is welcomed. However, in view of the scale of the projected growth in London's older population and the housing affordability issues it raises, why does the proposed Plan no longer include support of boroughs in seeking application of the principles of its affordable housing policies of developments falling within Use Class C2 – which cater specifically for older people?

Does supporting para 4.15.7 refer to specialist older persons accommodation falling within Use Class C2?

Policy H16 Gypsies and Travellers Accommodation

Object – not consistent with national policy. This policy is not consistent with national policy and as such is not sound. The discretion should remain with Local Authorities to determine based on their local evidence whether or not to depart from Government Guidance on the definition of Gypsies and Travellers, where they consider this can be robustly justified and evidenced. The evidence used in the GLA research paper dates from

c10 years ago, in some cases longer. No other policy attempts to justify a departure from national policy on out-of-date evidence.

Chapter 5 Social Infrastructure

Policy S1 Developing London's Social Infrastructure

Object The proposed policy S1 no longer includes the following which is part of the adopted London Plan 2016: *"facilities should be accessible to all sections of the community (including disabled and older people)."* It is not clear why this has been removed from the new policies? To be effective, this should be inserted into the draft policy

Part **F** should clarify for point (1) whether the loss and re-provision is for social infrastructure in an area of defined need for that type of social infrastructure, or for the loss and re-provision of any social infrastructure of defined need.

Paragraph 5.1.3: more detail is needed on how to assess London's needs for infrastructure for the diverse range of faith groups in the capital and how competing needs should be reasonably assessed.

The relevance of paragraph 5.1.7 in reference to affordable housing is questioned and further clarification in sort, particularly when Part **F** highlights the need to resist the loss of social infrastructure and specific affordable housing policies are provided in a separate chapter of the Plan. Were the Mayor minded to retain this reference it would be helpful if further explanation could be provided e.g. clarification of whether the target requirement would be 50%.

Policy S2 Health and Social Care Facilities

Support The Policy is supported. However the policy places emphasis on boroughs working with the CCG. We would encourage the Mayor to support the CCGs in working with the boroughs on planning for future primary healthcare needs.

Policy S3 Education and Childcare Facilities

Support with significant amendments The Policy is supported subject to inclusion of suggested amendments.

Part **A3** states that *"Boroughs should... ensure that development proposals for housing and commercial facilities incorporate suitable childcare provision"* As almost every minor and major planning application in London is a development proposal for housing and/or commercial facilities, this policy is undeliverable without further detail. Our assumption is that this policy would apply to schemes that are referable to the Mayor of London (i.e. over

150 homes or 2,500sqm non residential floorspace, and not for a single dwelling or small shop however the justification for this policy is entirely silent on any aspect of its delivery, simply repeating that *“childcare facilities ... should be provided within new housing and commercial developments, where there is a need”* . The choices and trends in childcare (e.g. looked after in own home by parents / in purpose built nursery / by childminder in their home / by grandparents / by parents sharing / by after-school club on school site / by after school club off site / by au pair or nanny) create such a range of potential parental choices and premises requirements that *“suitable childcare provision”* does not necessarily mean additional floorspace through the planning system. Additional floorspace will require a childcare provider to run it. We would strongly recommend that this policy is amended to state *“where there is an identified need that can viably be delivered”*,

identify sites for future provision through the Local Plan process, particularly in areas with significant planned growth and/or need”

This policy requires clarification – is this referring to both education and childcare sites or just education sites?

Part **B10** *“ensure that there is not a net loss of facilities unless it can be demonstrated that there is no ongoing or future demand”*. There are many residential properties in Merton that have been part converted by the owner to act as a childminder, usually looking after a small number of children on the ground floor while continuing to live on upper floors. When the owner wishes to cease childminding and simply continue with the property as their home, this policy would prevent the owner converting their ground floor back to residential if there was any “ongoing or future demand” for childcare in the area, regardless of whether the owner was willing to deliver it. The policy should be amended to refer to facilities of over a specific size, say 280sqm, and include *there is no ongoing or future viable demand”* in order to make the policy reasonably deliverable.

Policy S4 Play and Informal Recreation

Support For clarification, Part **A1** should insert “children’s” in front of “play and informal recreation.”

Part **B2** has inserted the requirement that development proposals should incorporate at least 10 square metres per child of good quality, accessible play provision, which is welcomed as a standard for applicants to meet. However there is no child yield calculator provided in the policy or a reference to a child yield calculator in the supporting text. How is this 10sqm expected to be calculated? As a suggestion, a similar wording to that provided in the current London Plan policy 3.6 relating to the Mayor’s SPG on Children’s Play and Informal Recreation (or a future SPG) should remain as part of the policy, as this document provides a good level of detail and clearly sets out guidance on this issue.

Chapter 6 – Economy

Policy E1 Offices

Object this policy is ineffective but could be made effective with significant amendments and we would welcome this.

Part A seems to be a statement of the obvious, rather than a policy.

Part B precludes boroughs supporting any speculative development of offices. Speculative office developers, such as we see in Wimbledon town centre, are likely to have a far greater and more up-to-date understanding of the business space and office market than planners. Part B should be removed as unnecessarily restrictive and harmful to economic growth and jobs as it prevents boroughs from supporting office development unless there is *“authoritative, strategic and local evidence of sustained demand for office based activities, taking into account projected demand for office based employment and office floorspace to 2014 in Table 6.1”*

Part D is ineffective and needs a review to improve clarity and what it is trying to achieve. *The diverse office markets in inner and outer London (outside the CAZ and NIOD) should be consolidated and – where viable – extended...* It isn't clear at all what this is trying to achieve – consolidation or extension which are two separate matters. Also, “inner and outer London” could just be expressed as “London”

Parts E, F and G are ineffective, duplicate matters and are undeliverable. Although this section refers several times to Article 4 Directions (and thereby an understanding of current permitted development right), Part G(3) states *“support the redevelopment, intensification and change of use of surplus office space to other uses including housing”*, a policy that will rarely if ever be applied as this has been possible since 2013 via prior approval. Parts E and F can be combined with more concise wording to simply support the introduction of Article 4 Directions in specific geographic areas or circumstances.

Policy E3 affordable workspace

Support with amendments to make the policy deliverable

We support the aims of this policy but would recommend significant amendments to ensure it is genuinely deliverable.

Part A starts, *“in defined circumstances”*. Does this refer to the tests for planning obligations or something else? The justification is very short given the complexity of this new policy and is not clear on this element.

Part D states that for boroughs or applicants to deliver this policy *“evidence that they will be managed by a workspace provider with a long term commitment to maintaining the agreed or intended social, cultural or economic impact. Applicants are encouraged to engage with workspace providers at an early stage...”* Neither the justification nor the glossary defines “workspace provider”, unlike Registered Providers of affordable housing. It isn't clear whether a “workspace provider” is intended to be a freeholder (e.g. a pension fund) or a leasehold entity (e.g. Workspace, Central Working) especially as Part A of this policy sets out four potential definitions but there could be more. It isn't clear whether the affordable workspace is expected to be managed in perpetuity, or are subject to viability. This policy requires a far more extensive justification to help support boroughs and applicants delivering this existing new approach.

- **Policy E4 Land for industry, logistics and services to support London's economic function**

- **Policy E5. SILS**
- **Policy E6 Locally significant industrial sites**
- **Policy E7 Intensification, co-location and substitution of land for industry, logistics and services to support London's economic function**

Support with amendments While the principle of supporting a dynamic and thriving economy, businesses and jobs is fully supported, there are tensions between these four policies and also with the overall strategy set out for Opportunity Areas in Wimbledon, elsewhere in the Wandle Valley and the Trams Triangle intensification.

The approach set out on industrial land consolidation in E7 with diagrams at Figure 6.3 seems that it will apply in very specific circumstances: for example where industrial land is very valuable and sought after and cannot be sought elsewhere (e.g. beside a major port or major airport). Most industrial land in the Wandle Valley is not like that. The South London Partnership has identified South Wimbledon Business Area and Willow Lane (both SILs and Business Improvement Districts) as being the highest value, highest demand business areas across five boroughs in South London. Even with this, investment in a multi storey B8 warehouse is (a) very unlikely to be viable in these locations, especially when taking account of the requirements set out in Policy E7 1-4 and all connected policies and (b) very unlikely to deliver the business space and jobs that London needs. It seems that collectively these policies are taking an academic approach that may work in specific parts of London (e.g. near airports, ports and motorway corridors) and trying to apply it across the whole of Greater London.

Part of the areas within the Tram Triangle and Opportunity Areas within Wimbledon are designated industrial areas (SIL and LSIS) . We welcome the opportunity to explore making more effective use of land as set out in policy E5 (b)(3) but we consider that it should not be conditional on the approach set out in policy E7. In some cases, land along the Wandle Valley was in historic industrial use and has an industrial use on a specific site that would be unlikely to ever be applied in a modern planning system (for example, the site is in heavy industrial use but for historic reasons is sited beside the river Wandle on residential roads, adjacent schools, homes, nature areas) When this industrial usage ceases, it is reasonable for all appropriate uses to be explored, including for social infrastructure, workspace and homes. Policies on the Tram Triangle, reuse of brownfield land, environmental improvements, modal shift, improving air quality, reducing noise pollution and developing Opportunity Areas support this approach but the series of policies E2-E7 do not allow for this.

Our view is that there is scope for some intensification of business areas – whether designated or undesignated – alongside community or residential use, particularly where these are in retail warehouse use currently. We would welcome a rationalisation of these policies, to focus on the laudable and fully supported aim of supporting London's economy and jobs, rather than the extensive detail and prescriptive requirements that they set out.

Policy E8 Sector growth opportunities and clusters

Support : we support this policy, in fact it is hard to see how anyone could object to any of the statements within it. However it reads like a vision or a series of objectives; it is difficult to see in what circumstances it would apply or how it would be delivered in practice. It has three pages of supporting text, which simply repeats the support for economic growth, business space for every business and jobs for everyone without really adding to the Plan. We support Part G and the potential to identify Strategic Outer London Development Centres, however it is difficult to see how these differ from A-F of the policy or Opportunity Areas or Strategic Areas for Regeneration or town centres.

Policy E9 Retail, markets and hot food takeaways

Support The policy aims are supported, especially Part C restricting the proliferation of hot food takeaways, particularly around schools, in order to help create a healthier food environment. The discretion for boroughs to set locally determined and justified boundaries and restrictions to appropriately manage an over-concentration of A5 hot food takeaway uses is welcomed. Part D requirements for operators to achieve, and operate in compliance with, the Healthier Catering Commitment standard is welcomed.

Policy E11 Skills and opportunities for all

Support The Policy aims to promote inclusive access to training, skills and employment opportunities for all Londoners are supported. The opportunities that the policy provides to increase the proportion of underrepresented groups within the construction industry workforce is particularly welcomed.

Chapter 8 – Green Infrastructure and Natural Environment

The inclusion of the green infrastructure policy as part of the ‘Green Infrastructure and Natural Environment’ chapter is welcomed. This chapter now groups all of the relevant open spaces and natural environment policies together, providing a more user-friendly structure than the current London Plan.

Policy G1 Green Infrastructure

Object - ineffective Policy G1 has removed the previous policy 2.18(E) which specified the green infrastructure requirements for development proposals. The proposed draft London Plan therefore silent on the green infrastructure requirements for development proposals, which doesn’t correlate well with the Mayor’s new ambition to make 50% of London ‘green’ by 2050. If the intention is for the new policy on Urban Greening (Policy G5) to pick up the developer’s requirements, then this should be referenced in G1.

Policy G4 Local Green and Open Space

Support with amendments “Local green and open space” (and all forms of this throughout the policy – “green and open space”) is not defined within the Glossary and Policy G4 needs

to be clear about what it is referring to specifically so that there is no confusion with NPPF 76-78.

Policy G5 Urban Greening

Support with amendments to improve effectiveness and delivery This new policy refers to Urban Greening Factor (UGF) as the tool to be used for urban greening. However UGF is not defined in the glossary and instead there is a definition of Green Space Factor (GSF), which appears to have been taken from the Ecology Consultancy Report provided as part of the evidence base. As GSF is not referenced at all in the new plan (apart from referencing the report), this seems to be a mistake in the glossary.

The definition of Urban Greening specifically refers to “green infrastructure elements that are most applicable in central London and London’s town centres.” This conflicts with Parts **A** and **B** of Policy G5 which refer to “major development proposals” and “new developments” respectively. Is this policy only applicable to Central London and town centres, or major developments, or all new developments?

While supporting para. 8.5.3 acknowledges that “The UGF is currently only applied to major applications, but may eventually be applied to applications below this threshold as boroughs develop their own models” this needs further clarity as the Ecology Consultancy evidence report recommends that “all developments should deliver additional greening”.

Are the recommended target scores mentioned throughout Policy G5 a minimum requirement? By setting a minimum standard, there is a risk that applicants will only try to provide on site urban greening to this minimum score without attempting to exceed it, even if a site is capable of providing more. This should be clarified in the supporting text.

The statement on urban greening in 8.5.2 appears inconsistent with the definition of urban green provided in the glossary and requires clarification / correction.

Policy G6 - Biodiversity and Access to Nature

Support with significant amendments Part **A** states that “the greatest protection should be given to the most significant sites.” It is not clear what is considered to be a significant site and this requires clarification. It is considered that the following phrase should be added at the end of the last sentence: ‘in accordance with the hierarchy in paragraph 8.6.1’ or by clarifying at the start of paragraph 8.6.1 that: *‘In descending order of significance, Sites of Importance for Nature Conservation (SINCs) comprise: ...’*

This policy is silent on the requirements of development proposals in relation to biodiversity, whereas the NPPF encourages ‘net gains in biodiversity’. Specifically, policies 7.19 **C** and **D** from the current London Plan have either been removed completely from the policy or moved from the policy into the supporting text.

The wording provided in part **C** “where harm to a SINC is unavoidable” provides a negative policy approach, which somewhat promotes the allowance of damage to a SINC and challenges the “protection” stated in policy G6(A). NPPF para 117 highlights that “planning policies should promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations...” It is suggested that the wording of Part **C** be redrafted to focus more on protection and enhancement than harm.

Part **D** should include the word “*protection*” alongside enhancement, to accurately reflect NPPF para109.

Policy G8 Food Growing

Support Policy G8 is supported, as food growing makes a positive contribution to the creation of a healthier food environment.

Chapter 9 – Sustainable Infrastructure

Policy S12 – Minimising greenhouse gas emissions

Support The inclusion of storage as a ‘Green’ measure is welcomed; however there is currently no recognised methodology for calculating the carbon savings from battery storage. Establishing a methodology for calculating the carbon savings from incorporating battery storage would help create a business case for developers to include them.

Policy/supporting text/guidance should specifically refer to target as FEES target in order to link the policy to the building regulations methodology.

If the policy relates to all major developments, how will the fabric efficiency targets be translated / interpreted for major change of use and extension applications? There is no methodology for calculating FEES efficiency in part B of the building regulations.

Adjusting the language of Part **C** would help to strengthen the policy – i.e. replacing ‘should’ with ‘must’. Specifically shifting the focus onto the developers to meet the fabric standards or demonstrate why this is not possible. e.g. *Residential developments must achieve a 10% improvement through energy efficiency measures or provide a robust justification why this is not possible.*

Parts **C.1** and **C.2** should be swapped over in order to highlight that payment of S106 offsets to the local authority are a last resort

The reporting framework for S106 is set out in national policy, it does not need to be repeated in the London Plan.

Setting a mandatory reporting framework for annual reporting in Part **D** imposes stricter reporting requirements on carbon offset S106 than exist for S106 collected for other purposes. Is it necessary to replicate and increase reporting requirements for what is a relatively modest element of S106 funds?

The reporting requirements should be a recommendation in the supporting text or in the forthcoming carbon offsetting guidance, or should only be applied to payment made through routes other than S016.

All S106 funds are ring-fenced for the purpose that they were collected – as outlined in the S106 agreement. Stipulating that carbon offset payments should be collected via S106 would remove the need to include a requirement to ring-fence funds within the policy.

Para 9.2.1 – Reference to major refurbishments is welcomed, however, further guidance will be needed in order to provide a clear methodology for developments that would be assessed under Part L B (e.g. change of use).

Para 9.2.2 – Given the importance place on reducing peak energy demand in this paragraph would it not make more sense to define on-site energy storage at a higher (Be Clean) level of the hierarchy?

Will guidance on calculating the carbon savings from storage technologies be included in later iterations of the Mayor's guidance on preparing energy assessments? If no carbon savings are to be attributed to storage, what mechanism is envisaged to encourage their use?

Para 9.2.3 – The purpose and wording of this paragraph should be reconsidered to avoid any potential confusion/conflict with the energy hierarchy, notably:

- 'Maximising opportunities for on-site electricity/heat production' may be interpreted as promoting 'be green' methods ahead of the 'be lean' and 'be clean' approach outlined in Part A.
- Boroughs have very little traction with developers to push for maximising onsite electricity/heat if the policy requirements are already being met via the energy hierarchy.

If the aim of paragraph 9.2.3 is to maximise on-site electricity/heat production, then this should be stipulated in the policy wording. Simply placing the onus on boroughs to seek to maximise opportunities for these technologies or to ask developers to "install as much PV as possible" without any further policy requirement is unlikely to deliver the desired outcome.

Para 9.2.6 – BREEAM targets would necessitate that developers meet technical standards and targets that sit outside of building regulations. Borough introducing BREEAM targets for non-residential developments maybe challenged on the basis that this goes against the Ministerial Statement (Written statement to Parliament Planning update 25 March 2015). Additionally, there have been a number of cases in Merton where developments have claimed that they have achieved the minimum emissions reductions requirements for BREEAM Excellent under ENE01, whilst the BRUKL documentation has demonstrating the carbon saving achieved fall well short of the 35% target. It would therefore question the suitability of relying on BREEAM certification as a method of demonstrating compliance with the London Plan targets unless conditions require that developers demonstrate compliance with both a specific BREEAM level **AND** the London Plan targets.

Para 9.2.6 – In the absence of quantifiable metrics it is difficult to determine if planning applications have got “as close as possible” to zero carbon or if applications are “relying on offset payments”. Developing quantifiable metrics either within the London plan policy/supporting text, Mayor’s SPG or Mayor’s guidance on preparing energy assessments would help determine if developments have gone far enough on-site. Examples of potential metrics could include: tables of benchmark U-values for building fabric, ratios of available roof-space used for PV or the level of on-site storage provided.

Para 9.2.8 – Careful consideration should be given to ensure that guidance on establishing carbon offsetting programs does not undermine or contradict existing carbon offsetting schemes established in boroughs that have been early adopters and implementers of carbon offset programs. An example of this would be the introduction of requirements to achieve a 1:1 ratio for offsetting, either for individual projects or across a portfolio of projects. This is important because one potential use of carbon offsetting funds could be the support of emerging technologies that are not yet market ready and do not have a carbon price equivalent to that of the offsetting fund. For example, carbon offset funding of battery storage for solar PV could increase the speed at which this technology becomes market mature.

Para 9.2.9 – Post construction monitoring is an important requirement that is missing from the existing planning framework. Post construction monitoring should be restricted to either energy or carbon and according on a specific methodology (e.g. Display Energy Certificates) in order to ensure comparability of results across London.

Para 9.2.10.Part F – A requirement for all major developments to undertake dynamic overheating modelling maybe overly onerous for developments that are not at a high risk of overheating. A method of identifying buildings at a high risk of overheating maybe useful, e.g. the overheating checklist in the Mayors guidance on writing energy strategies.

Policy SI3 - Energy Infrastructure

Support with significant amendments. District heating networks are designed based on the assumption that all the units will be occupied. Where the level of actual occupancy is low the operation of the district heating will be very inefficient, leaving residents who are occupying their properties at risk of higher costs from inefficiently operating district heating schemes. Planning is driving the installation of district heating systems without any provision being made for quality/efficiency of their ongoing operation. Adding hooks within the district heating policy relating to ongoing operation of district heating networks according to ‘best practice’ would allow conditions to be place on networks to adopt recognised codes of practice e.g. The Heat Customers Protection Scheme

The approach to Heat Network Priority Areas and the policy drive to deliver low temperature networks are in conflict with one another. Heat Network Priority Areas have been identified by work done by ARUP that identified clusters of existing buildings with high heating demand. Existing developments will tend to have higher operational temperatures for their heating systems which will reduce their suitability for connection to a low temperature network.

How are “Large scale development proposals” and “significant new development” defined?

Placing the responsibility for engaging with energy companies on the boroughs will place additional strain on planning departments, the responsibility should lie with the developers only.

Responsibility for establishing the energy masterplan should sit with the developer and this should be highlighted within the policy.

Heat loads from existing buildings may not be suitable for connection to new developments if there is a large difference between the operational temperature of the new and existing developments.

There should/could be a requirement for developers to provide/upload data on new development/DH system on London heat map.

Para 9.3.3 – It is good that the supporting text references the London Heat Map. However, in order to keep the information on the London Heat Map up to date developments could be required/conditioned to submit information about the developments district heating systems. This could be supported via a policy requirement to report information to the London Heat Map within policy SI3. A suggested example condition is contained at Appendix A of Merton’s response.

Figure 9.3 – A reference to the appropriate mapping layer and a signpost to the where it can be found (e.g. the London Heat Map) would help to ensure that developers are referring to the most up to date heat map for London (see comment 9.3.3).

Policy - SI4 Managing Heat Risk

Passive ventilation strategies maybe at risk of exposing residents to high levels of noise and air pollution. It maybe helpful to create links between policies relating to noise and air pollution either within the policy or the supporting text.

Policy SI12 Flood Risk Management

Support with amendments General comment (A-F and para’s 9.12.1 -): The Flood Risk Management policy, while generally supported, should try and address the existing imbalance that exists within the NPPF across the various sources of flood risk. In particular, due to the significant risk of surface water flooding across London, the level of detail that specific applications may need to submit in terms of Flood Risk Assessment should be equal across surface water, groundwater and sewer flooding, not only fluvial/tidal risk, which is often seen as more critical because of Flood Zone mapping.

(E) – Higher standards of protection should be considered for essential infrastructure including utility services, compared to other development classes, such as more vulnerable development.

9.12.1. – This paragraph underplays the role of LLFAs. The role of LLFAs as a statutory consultee for surface water matters is not mentioned, as well as the promotion of SuDS and implementation of SuDS schemes in the public realm across London.

9.12.2 – The general comment made above regarding all sources of flood risk is a matter that should also be picked up in the regional flood risk appraisal. Climate change allowances should have reference not only to sea level rise but also rainfall intensity and river flows.

Policy SI13 Sustainable Drainage

Support with amendments Merton generally supports the policy aims are generally but consider that the following should be addressed to improve policy effectiveness.

Part A -Strategic Flood Risk Assessments should also be mentioned, in para 9.13.1. Consideration should be given to stronger policies for areas that have the ability to generate increased surface water flows but are outside of areas at specific risk i.e. they are contributing to the problem.

Part B - There are some issues with the proposed revision to the drainage hierarchy 1-8. The strategy considers both treatment via SuDS technique such as a green roof and the discharge method, which is a significant change to the existing drainage hierarchy. Point 4 states discharge direct to a watercourse, but does not mention 'attenuated' or 'restricted discharge' to a watercourse. Point 5 states above ground attenuation but no discharge method, so could be to the combined or even foul sewer. Drain is mentioned in point 7, it is unclear if this also could be a ditch i.e. a watercourse or an unadopted sewer. Further thoughts and revisions need to be considered to this hierarchy to align with LLFAs requirements for SuDS.

Part C - This should be amended to state that all proposed paving should be impermeable, unless appropriate justification is made to the Local Planning Authority. Consideration could be given to incentivising retro-fitting green spaces in front gardens rather than hard paving.

Footnote 136 – there are also other benefits from an engineering perspective, to keeping attenuation above ground level. This allows for biodiversity and amenity gains.

Para 9.13.2 –The standards for runoff within the Design and Construction SPG have a stronger bearing and influence on achieving greenfield runoff rates across developments in London. It is important that this target is retained or improved and could be considered to form part of policy to give this further weight.

Policy SI8 - Waste Capacity and Net Waste Self-Sufficiency

The proposed policy is not supported and considered unsound and unjustified. Together with the boroughs of Croydon, Kingston and Sutton, the London Borough of Merton intends to jointly produce a new South London Waste Plan for adoption in 2021. Central to this plan will be the apportionments set out in the London Plan as a target for allocating sufficient waste sites. The council notes that the arisings for the four boroughs in 2041 is 845,000

tonnes while the apportionment is 944,000 tonnes. This means that the four boroughs will have to find sites to manage 12 per cent more waste than they produce. Given that Table 6.2 of the plan acknowledges that industrial land is in short supply across the four boroughs (Sutton is to provide industrial land and Croydon, Kingston and Merton are to retain industrial land), the council considers there would be more justification to divert the additional 12% of waste management from the four constrained South London boroughs to boroughs which have excess industrial land capacity and are categorised for “limited release” such as Barking & Dagenham, Havering and Newham.

Chapter 10 - Transport

The Council supports the plans overall approach to transport and ambition to embed the principles of healthy streets in new development. The reduction of maximum car parking standards and closer relationship to connectivity levels, practically near transport interchanges is welcomed.

Policy T2 - Healthy Streets

Support. This policy which embodies the Healthy Street Approach is supported. The approach is intended to help make our streets healthier, more sustainable, connected and safer places to use and is therefore supported by the council. However, in practice it will need to be applied in a flexible manner that recognises local sensitivities and deliverability.

Policy T5 - Cycle parking standards

Support In order to achieve the Mayor’s ambition for 80% of trips by sustainable modes and public transport it is important to ensure that supporting infrastructure is provided. Designating Merton alongside inner London Boroughs where higher parking standards apply is therefore welcomed. However, guidance is also needed in respect to support for dock-less cycle hire parking provision around town centres and other attractors, where on-street space may need to be allocated for cycle parking, especially where pavement widths are narrow. Greater clarity on the provision of the new London wide network of strategic cycle routes is also sought.

Policy T6 – Car parking

Point **c** sets out that at least 20 percent of all residential parking spaces must provide active charging facilities for electric vehicles/Ultra low vehicles. Where a mixture of off/on-street spaces are proposed provision should be shared in proportion to the mix. Appropriate mechanisms/commuted sums should also be provided for maintenance/operational costs for on-street facilities e.g. lamp column chargers.

Many parts of London do not benefit from reliable and regular public transport links. Part **H** allows outer London Boroughs to adopt minimum parking standards for areas with low 0- 1 PTALs. Similarly item 10.6.3 suggests that the starting point for discussions on parking standards should be the highest or planned PTAL. However, some major sites may just encroach onto areas of PTAL 2, which could overstate connectivity levels. Even in these

slightly higher PTAL locations, services can be slow or indirect to local attractors. The council welcomes support for minimum parking standards. However, the range should be expanded to 0-2 PTALS, where PTAL 0-1 is dominant across a site. An alternative would be for a simple average PTAL calculation score to be applied.

Policy T9 – Funding Transport Infrastructure through Planning

Object - ineffective. This policy states that the Mayors Community Infrastructure 2 (MCIL2) will be levied from April 2019, to support strategic infrastructure projects such as Crossrail 2. However, it is evident that any government decision on funding has been pushed back. The Mayor therefore needs to set out a prioritised list of alternative projects to justify the levy.

Other transport considerations

Clarity is required on the parking approach for air rights development. A core objective of the plan is to achieve an 80% modal share by sustainable modes and public transport. Opportunity exists to intensify large retail sites with large car parks, with podium style residential development. Whilst retaining an element of the original retail parking below. In such instances, guidance on how parking standards should be applied would be helpful.

Conclusion

We welcome the opportunity to respond to the draft London Plan 2017 and to continue working with the Mayor and the GLA to deliver the homes, jobs and community uses that Londoners need. One final point is a request for either additional support or funding from the Mayor or a rationalisation of the requirements that boroughs have to undertake in order to make this draft London Plan deliverable.

The draft London Plan requires that “*boroughs should*” more than 150 times in order to provide research or create the circumstances in which the draft London Plan can be delivered. While some of these requirements are essential to proper planning, others require boroughs to undertake detailed research, sometimes over several years, in order to support the draft London Plan. If a policy can’t be implemented without all boroughs undertaking this work, it will result in a patchwork application across London as boroughs are at different stages of Plan-making and few, if any, boroughs will have additional resources. We would recommend a review to ensure that all 33 boroughs are clear about what of the +150 requirements that “*boroughs should*” prioritise and can deliver what matters for London.

- **Appendix A** - A suggested example condition in response to Policy SI3 - Energy Infrastructure.
- **Appendix B** – small sites completions 2004-2016
- **Appendix C** – Thirty years of small sites house (1987-2017) conversions in Merton with SHLAA Methodology A buffer and conservation areas.

Appendix A

A suggested example condition in response to Policy SI3 - Energy Infrastructure

Example condition¹:

London Heat Mapping Condition:

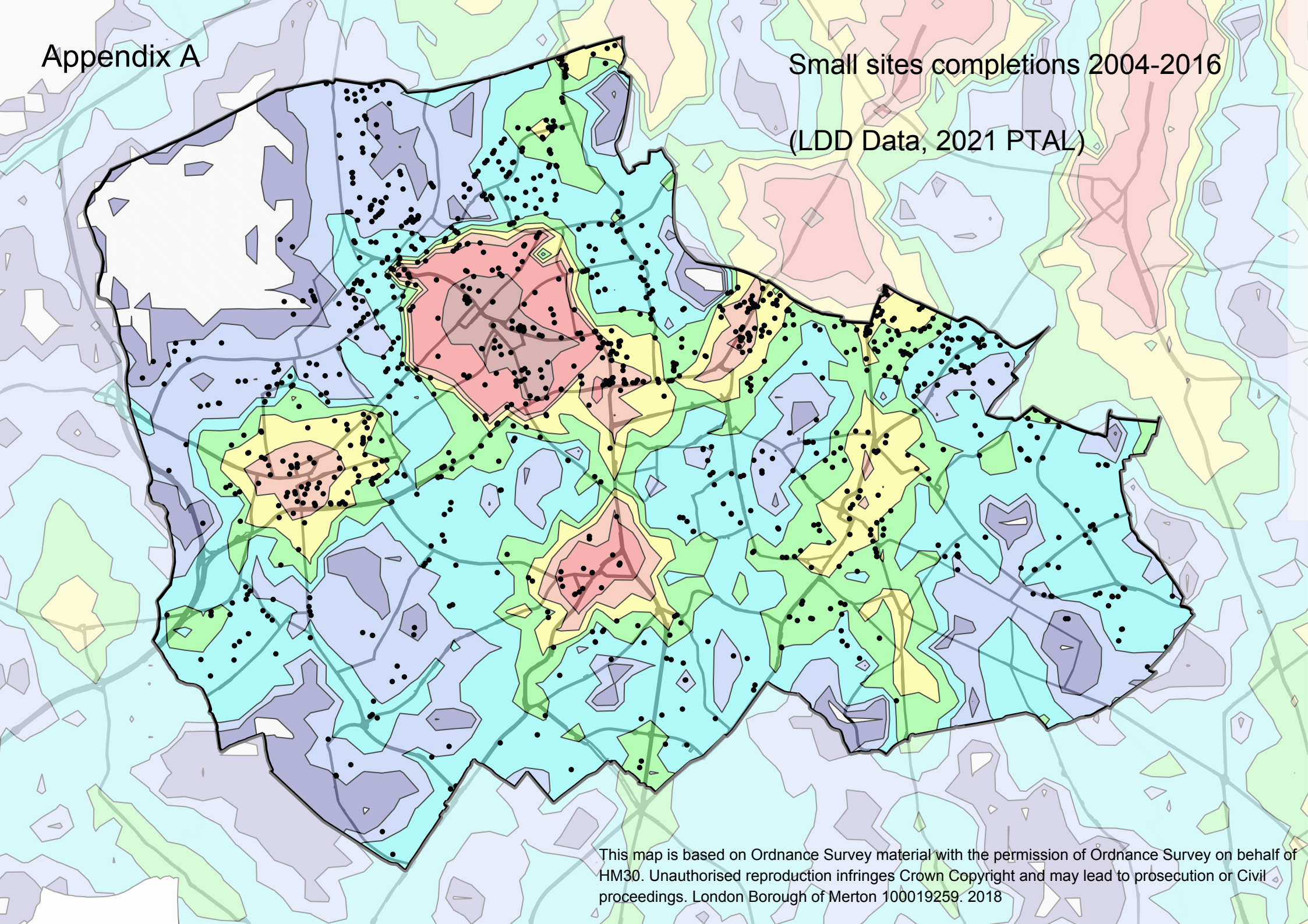
‘Unless otherwise agreed in writing by the Local Planning Authority, no part of the development hereby approved shall be used or occupied until evidence has been submitted to the council confirming that the developer has provided appropriate data and information pertaining to the sites Combined Heat and Power (CHP) system to the Greater London Authority (GLA, environment@london.gov.uk) to allow the site to be uploaded to the London Heat Map (<https://www.london.gov.uk/what-we-do/environment/energy/london-heat-map>).’

Reason:

To ensure that the development contributes to the London Plan targets for decentralised energy production and district heating planning. Development Plan policies for Merton: policy SI3 of the London Plan [Date] and policy CS15 of Merton's Core Planning Strategy 2011

¹ Acknowledgment to Roberto Gagliardi la Gala from the GLA for assisting with the drafting of this condition

Small sites completions 2004-2016
(LDD Data, 2021 PTAL)



Total net gain 687 units

Legend

House to Flat 1987-2017

House to House 1987-2017

Flat to House 1987-2017

Flat to Flat 1987-2017

800m buffer town centres

800m buffer stations

Conservation areas

