

GREATER LONDON AUTHORITY
Development & Environment Directorate

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Our ref: LDD05/01
Date: 22 August 2012

For the attention of: Tara Butler
Sustainable Communities,
London Borough of Merton,
Merton Civic Centre,
London Road,
Morden, SM4 5DX.

Dear Tara,

**Planning and Compulsory Purchase Act 2004 (as amended);
Greater London Authority Acts 1999 and 2007; Town and Country Planning (Local
Development) (England) Regulations 2004 (as amended).**

**Re: Merton Draft Sites and Policies Development Plan Document and Draft
Proposals Map Stage 2a**

Thank you for your letter 2 July 2012 consulting the Mayor of London on the issues and options stage of Merton Council's DPD document. As you are aware, all development plan documents have to be in general conformity with the London Plan under section 24 (1)(b) of the Planning and Compulsory Purchase Act 2004. The Mayor has delegated authority to me to respond. The attached Appendices A and B will constitute his representations to the consultation.

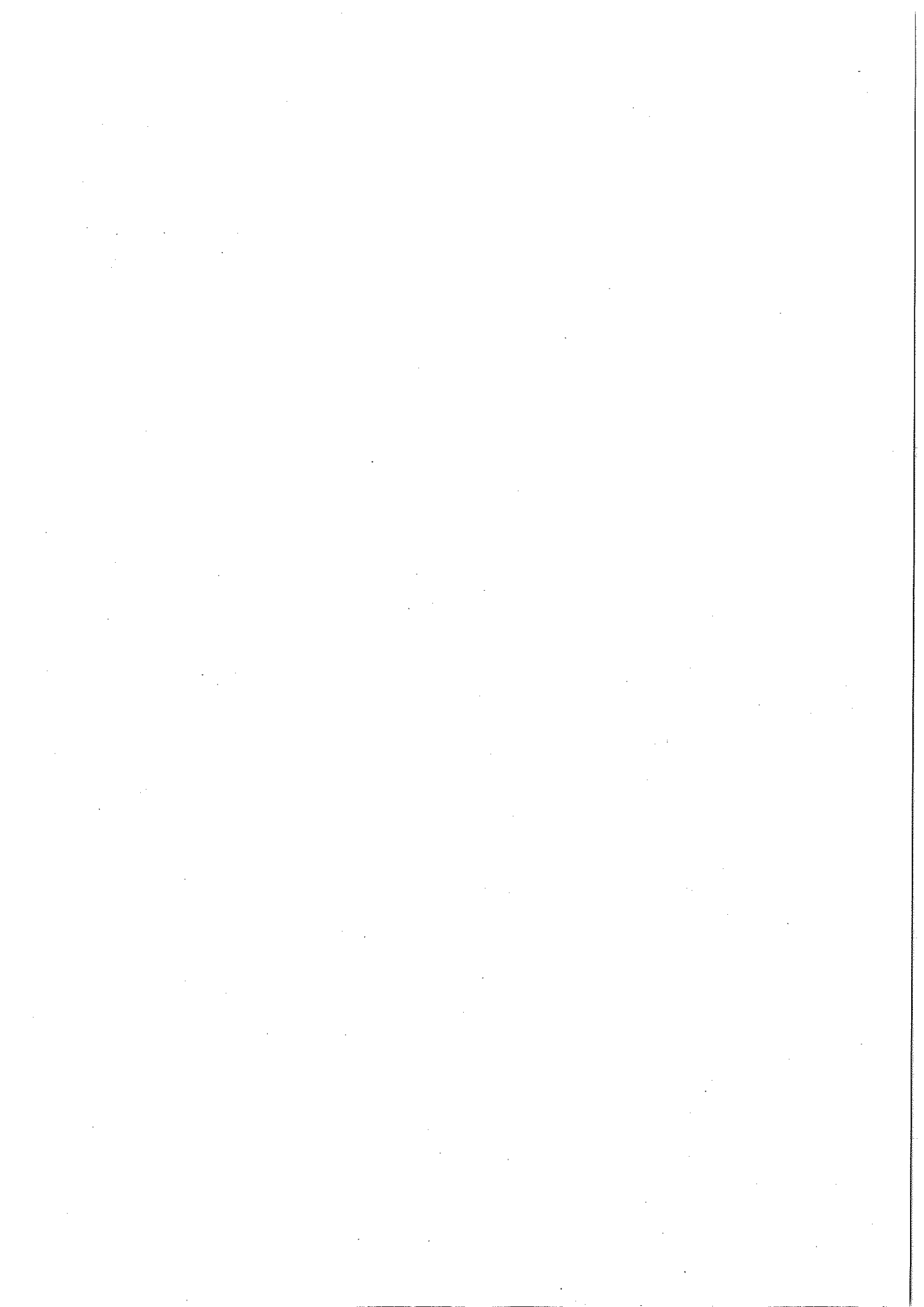
The Mayor will issue his formal opinion on general conformity when requested at the pre-submission stage. However, I hope that the policy concerns I have raised at the current stage can be resolved before then, through further informal discussions with Council officers.

Yours sincerely



Sir Edward Lister
Deputy Mayor and Chief of staff

cc Richard Tracey, London Assembly Constituency Member
Nicky Gavron, Chair of London Assembly Planning Committee
Ian McNally & John Pierce, DCLG
Alex Williams, TfL



Merton Council Draft Sites and Policies Development Plan Document and Draft Proposals Map

Stage 2a: Appendix A

Representations from the Mayor of London 5 July 2012

Consultation period: ends 22 August 2012

GLA Ref. No.	Issue/ Option para/page	London Plan Policy cross ref.	Representations
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Merton Council Draft sites and Policies Development Plan Document and Draft Proposals Map Stage 2a

DM.H3 Support for Affordable Housing

<p>1. DM.H3 Policy Where affordable housing is to be provided in accordance with the London Plan and Merton's Core Planning Strategy policy CS.8 Housing choice, 60% of the affordable housing provision should be for social and affordable rent and 40% for intermediate rent or sale.</p>	<p>3.11 and 3.12</p>	<p>We welcome Merton's approach that 60% of affordable housing should be for social and affordable rent and 40% for intermediate rent or sale. This reflects SPG on implementation of the 2011 London Plan and the approach proposed in the Revised Minor Alterations in the London Plan (REMA).</p> <p>However, the policy must also reflect the London Plan and the NPPF requirement to address the full range of housing need and also acknowledge the unique circumstances of the London housing market which means boroughs should seek to address strategic as well as local housing need.</p>
<p>In accordance with Merton's interim policy statement on affordable rent (07 November 2011), the borough wishes to ensure that rents are genuinely affordable and will work with Registered Providers to this objective. The borough's starting point will be to see as many tenancies as possible at social (target) rent. Merton recognises that Registered Providers will be required to have affordable rents in their portfolio of lettings and the borough will work with the Registered Providers to minimise 80% rents and set a range of</p>		<p>More specifically, the policy should seek to maximise output and not attempt to constrain delivery. Setting rent caps on affordable rent at 65% of market rent could constrain delivery and prevent the maximisation of affordable housing delivery. Capping affordable rent levels is therefore not in conformity with London Plan policy (policies 3.11 and 3.12) or the Mayor's Housing Strategy and the government has made it very clear that setting rent levels is not a matter for planning policy.</p> <p>The London Plan and the draft Housing Strategy emphasise that the priority for affordable housing is maximising supply, having regard to the availability of resources. The nationally set definition of affordable rent product makes clear that it must be available at rents up to 80% of market rent (National Planning Policy Framework (NPPF)). The approach which seeks to impose local, lower rent ceilings through the planning system would compromise the flexibility necessary for the product to deliver affordable housing in different circumstances and in turn will not be compliant with national guidance and would not be in general conformity with London Plan (Policies 3.11 & 3.12). This point is made strongly in SPG on implementing the 2011 London Plan and Grant Shapps (Appendix B) has confirmed it in the context of the NPPF through his representations on Revised Early Minor Alterations (REMA).</p>

**Merton Council Draft Sites and Policies Development Plan Document and Draft Proposals Map
Stage 2a: Appendix A**

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	<p>affordable rents up to 65% of market rent but no higher unless agreed as an exception.</p> <p>The borough will not support schemes where all rents are at 80% of market rents.</p>		<p>The REMA refines and develops on the London Plan as published and its associated draft SPG - that if boroughs adopt planning policies that seek to restrict use of the affordable rent product and/or set rent caps below 80% for affordable rented properties of different sizes of affordable rent, then they would not be in general conformity with the Plan and its emphasis on maximising provision. As advised previously, affordable rented products are considered as part of the 60% for social rented housing, as a reflection of the national policy that it is intended to meet the same segment of housing need. This is a national model set up in response to the need for a more flexible form of affordable housing to meet needs hitherto addressed by social housing in a time of constrained resources.</p> <p>We welcome Merton's approach of working closely with active registered providers in their borough to ensure the delivery of affordable housing.</p>
<p>DM.H4 Demolition and redevelopment of a single dwelling house</p>			
2.	<p>Any proposal seeking to demolish an existing, structurally-sound dwelling house to create a new dwelling house in its place will be required to demonstrate that they have exceeded the minimum sustainability requirements outlined in Merton's Core Planning Strategy 2011 Policy CS15 through:</p> <p>(a) Limiting carbon dioxide emissions arising from the operation of the dwelling and its services in line with Code for</p>	5.2 Minimising carbon dioxide emissions	GLA is supportive of this policy

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Stage 2a: Appendix A

Representations from the Mayor of London 5 July 2012 Consultation period: ends 22 August 2012

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	<p>Sustainable Homes Level 5.</p> <p>(b) Improved the fabric energy efficiency performance in line with Code for Sustainable Homes Level 5.</p> <p>(C) Made effective use of resources and materials in accordance with Merton's Core Planning Strategy Policy CST5</p>		
DM.EP4 Allowable solutions			
3.	<p>(a) Planning applications that propose using Allowable solutions within the borough may be reviewed by the Allowable Solutions Working Group to ensure that the proposals are the most effective method of saving carbon and benefiting the local community. The views of the Allowable Solutions Working Group would then become a material planning consideration.</p> <p>(b) Merton Council will establish the Merton Community Energy Fund to administer local projects funded via Allowable Solutions.</p>		GLA is supportive of this policy

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Stage 2a: Appendix A

Representations from the Mayor of London 5 July 2012

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Part II Potential Additional Sites for New Uses			
4.	Site 37 Wimbledon Greyhound Stadium		No Issues – support Council's preferred use
5.	Site 64 12A Ravensbury Terrace	6.2 providing public transport and safeguarding land for transport	This site is currently safeguarded for Crossrail 2 and should continue to be treated as such, as outlined by the London Plan policy 6.2 'Providing public transport capacity and safeguarding land for transport' and the 'Land for Transport Supplementary Planning Guidance (2012).'
6.	Site 65 Kenly Road Car Park	6.2 providing public transport and safeguarding land for transport	This site has the potential to provide a bus standing which would help provide space for a tram interchange with the Northern line at Morden station, as outlined by the London Plan policy 6.2 'Providing public transport capacity and safeguarding land for transport' and the 'Land for Transport Supplementary Planning Guidance (2012).'
7.	Site 69 Sibthorp Road Car Park	6.2 providing public transport and safeguarding land for transport	London Buses currently have a driver mess room and toilets in the former public toilet building. These should be re-provided in any redevelopment, as outlined by the London Plan policy 6.2 'Providing public transport capacity and safeguarding land for transport' and the 'Land for Transport Supplementary Planning Guidance (2012).'
8.	Site 70 Haslemere Industrial Estate		No Issues – support Council's preferred use
9.	Site 71 Land on Corner of Weir Road and Durnsford Road		No Issues – support Council's preferred use
10.	Site 72 Wolfson Centre on Copse Hill		No Issues – support Council's preferred use
11.	Site 73 117-125 London Road - Dreams		No Issues – support Council's preferred use
12.	Site 74 Southey Bowls Club		No Issues – support Council's preferred use
13.	Site 75 Former Mitcham Casworks		No Issues – support Council's preferred use
14.	Site 76 2 South Gardens		No Issues – support Council's preferred use
15.	Site 77 26 Bushy Road		No Issues – support Council's preferred use
16.	Site 78 191-193 Western Road		No Issues – support Council's preferred use
17.	Site 80 Crusoe Road Industrial Buildings		No Issues – support Council's preferred use

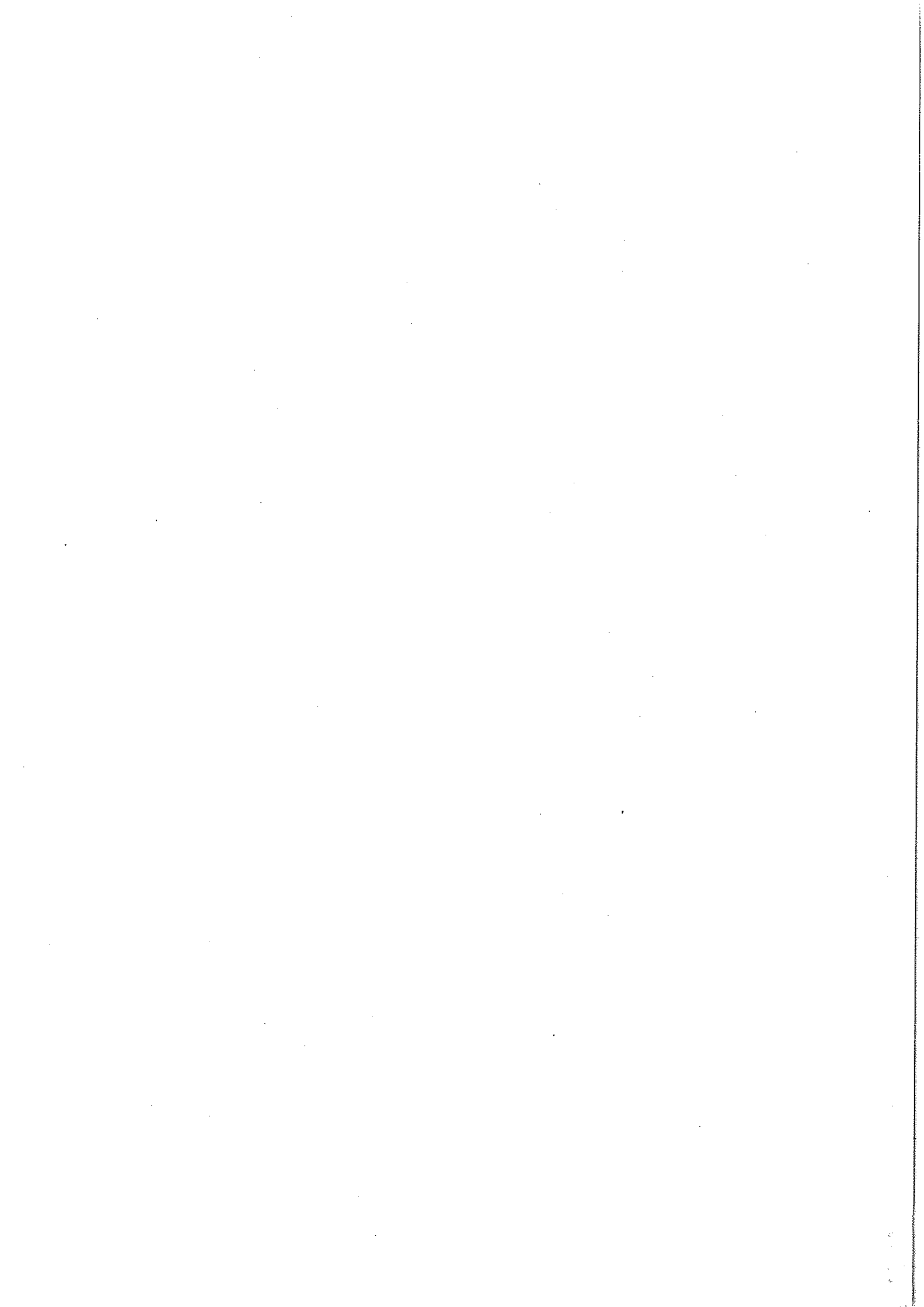
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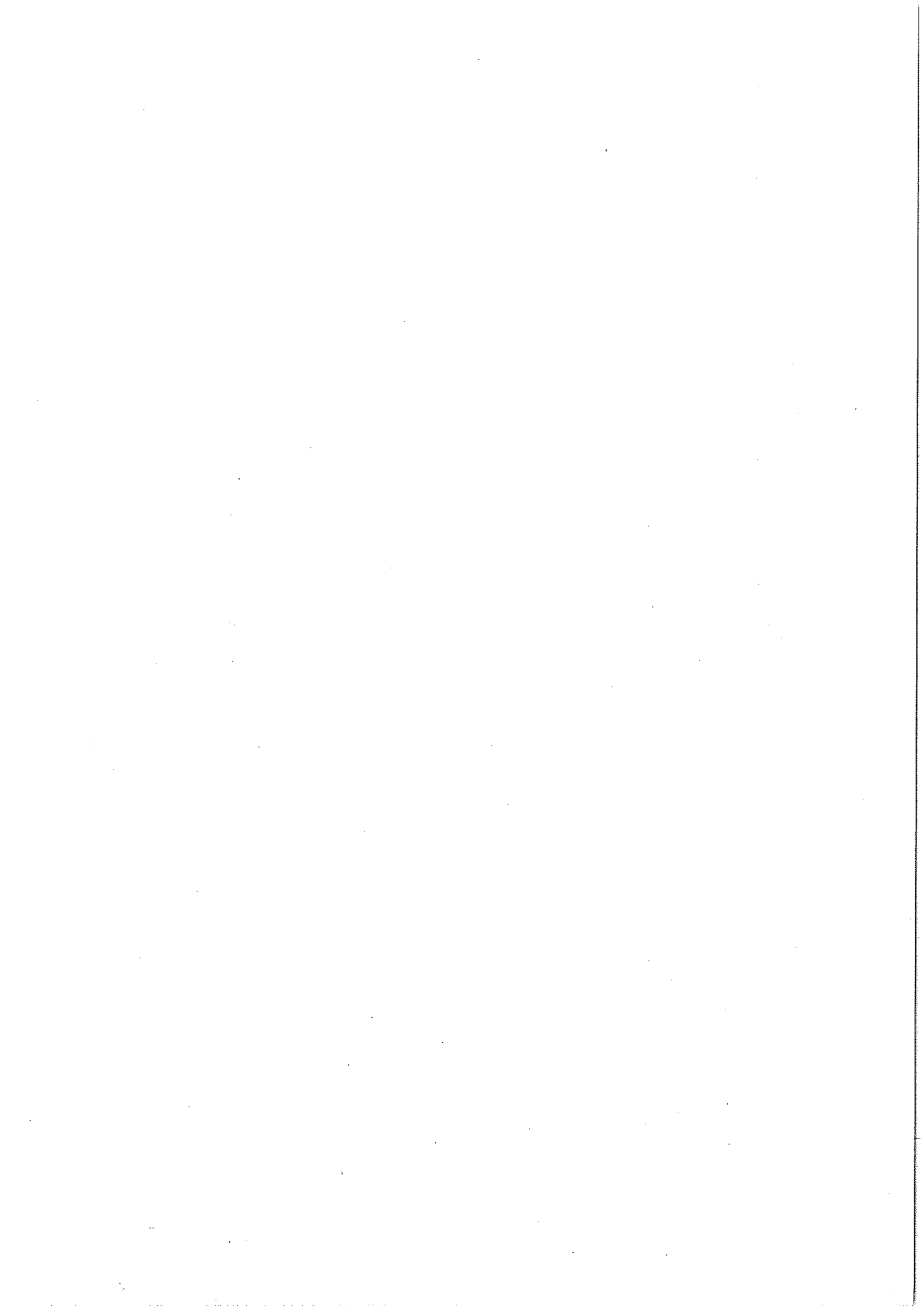
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18.	Site 81 Moat Housing Estate		No Issues – support Council’s preferred use
Draft proposal map revisions			
19.	Rayners Park		No comment
20.	Proposed designated industrial areas	Proposed change from “Strategic Industrial Location” to “Locally Significant Industrial Area”	GLA accept in principle that the Strategic Industrial Land designation can be changed to Locally Significant Industrial Area. However, the re-designation will have to go through the London Plan Review process scheduled for approximately 2013-14 before it can be fully validated.
21.	Tram Line Network	LDF Transport Proposal 9TN deleted Tooting to Sutton Tram Line	No comment



Appendix B: Grant Shapps representation on Revised Early Minor Alterations (REMA)





Department for
Communities and
Local Government

Boris Johnson
Mayor of London
Greater London Authority
City Hall
The Queen's Walk
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SE1 2AA

The Rt Hon Grant Shapps MP
Minister for Housing and Local Government

*Department for Communities and Local
Government*
Eland House
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02 AUG 2012

Dear Boris,

London Plan: Supporting affordable housing in London

Thank you for your letter of 20 June to the Secretary of State inviting comments on the revised early minor alterations to the London Plan. As Housing Minister, I thought it would be beneficial to respond in relation to your position on affordable rent levels, given the broader implications for housing policy.

The approach you have set out in the revised minor alterations of the London Plan is aligned to the Department's objective of increasing the delivery of affordable housing.

I am aware that some local authorities' intention to intervene and set arbitrary rent caps is likely to have a detrimental effect on the delivery of the Affordable Rent homes by housing associations. Indeed, I note that the Affordable Rent model was recently praised by the National Audit Office as the most viable way of delivering new affordable housing given the requirements of the Government's deficit reduction programme.

More broadly, it is clear that unreasonable Section 106 agreements, planning conditions or affordable housing quotas do not result in more affordable housing; rather, they make new developments economically unviable, resulting in no development, no regeneration and no community benefits.

We should also recognise that reintroducing rent controls 'via the back door' of planning policy is likely to hinder the supply of affordable and private rented accommodation, reducing choice for tenants and simply meaning less housing is available to rent. This will not be in the public interest for Londoners.

Thank you for offering this Department an opportunity to participate in your consultation.

GRANT SHAPPS MP

