

Duty to Co-operate statement for the London Borough of Merton Local Plan

2021

1 Introduction and background

- 1.1 The duty to cooperate places a legal duty on local planning authorities and prescribed public bodies to engage constructively, actively and on an ongoing basis on strategic cross boundary matters to maximise the effectiveness of local plan and marine plan preparation.
- 1.2 The Council is obliged to show how it has followed the Duty to Co-operate as set out in Section 33A (1) of the Planning and Compulsory Act 2004 (Introduced through the Localism Act 2011).
- 1.3 The NPPF (National Planning Policy Framework) (para 24), states that: *Local planning authorities and county councils (in two-tier areas) are under a duty to cooperate with each other, and with other prescribed bodies, on strategic matters those cross-administrative boundaries*
- 1.4 NPPF paragraph 25 states local authorities should also '*collaborate to identify the relevant strategic matters which they need to address in their plans*'. It also says '*engage with their local communities and relevant bodies including Local Enterprise Partnerships, Local Nature Partnerships, the Marine Management Organisation, county councils, infrastructure providers, elected Mayors and combined authorities (in cases where Mayors or combined authorities do not have plan-making powers)*'
- 1.5 NPPF Paragraph 27 introduces a requirement to produce Statements of Common Ground throughout the plan-making process to document where effective cooperation is (and is not) taking place as plans are drawn up and taken through the statutory process to adoption. Details on the Merton's Statements of Common Ground is in section 4.
- 1.6 The NPPF further states *that effective and on-going joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy*
- 1.7 The Duty to Co-operate specifically relates to 'strategic matters' which are defined as: sustainable development or use of land that has or would have a significant impact on at least two planning areas (including strategic infrastructure to support development)

- 1.8 Paragraph 156 of the National Planning Policy Framework (NPPF) 2021 outlines strategic priorities that a local plan should have strategic policies to cover. They include:
- The homes and jobs needed in the area;
 - The provision of retail, leisure and other commercial development;
 - The provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and the provision of minerals and energy (including heat);
 - The provision of health, security, community and cultural infrastructure and other local facilities; and
 - Climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape.
- 1.9 The NPPF (paragraph 179) also highlights the need for local planning authorities to work collaboratively with other bodies to ensure that strategic priorities across local boundaries are properly co-ordinated and are reflected in individual local plans. Joint working should allow local planning authorities to work together to meet development requirements that cannot be wholly met within a single local planning area. Local planning authorities should also take account of different geographic areas, including travel-to-work areas.
- 1.10 Certain other public bodies are also subject to the duty to cooperate. These are prescribed in the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended): Regulation 4 of the Town and Country Planning (Local Planning) (England) Regulations 2012 identifies the following prescribed bodies with whom all planning authorities should co-operate with:
- The Environment Agency
 - Historic England
 - Natural England
 - The Mayor of London/Greater London Authority (GLA)
 - The Civil Aviation Authority
 - The Homes and Communities Agency (*devolved in London to the Mayor of London*).
 - Each established Primary Care Trust (*National Health Service, Public Health and Clinical Commissioning Group*)

(CCG)

- The office of Rail Regulation - *(the Council engages and cooperates with Network Rail and the Train Operating Companies (South Western Railway, Southeastern, Southern and Thameslink and London).*
- Each integrated transport authority (*Transport for London*)
- Each highway authority – *(highway authorities are Merton Council or Transport for London, depending on the type of road.*
- The Marine Management Organisation
- Each local enterprise partnership

- **Neighbouring boroughs**
 - London Borough of Croydon
 - London Borough of Lambeth
 - London Borough of Richmond
 - London Borough of Sutton
 - London Borough of Wandsworth
 - Other councils within housing markets or travel to work areas

- 1.11 Local Enterprise Partnerships and Local Nature Partnerships are not subject to the requirements of the duty, but local planning authorities and county councils in England, and prescribed public bodies must cooperate with them. Local planning authorities must have regard to their activities when they are preparing their local plans, so long as those activities are relevant to plan making.
- 1.12 To show effective and on-going joint working, Local Authorities are duty bound to prepare and maintain one or more statements of common ground, documenting the matters to be addressed and progress of the cooperation between the parties to address these. These should be produced using the approach set out in national planning guidance and be made publicly available throughout the plan-making process to provide transparency.
- 1.13 This document is a statement of the work that Merton Council has undertaken so far in respect of the Duty to Co-operate in developing the emerging Local Plan.

- 1.14 Local Plans are examined to assess whether they have been prepared following legal and procedural requirements. If the Planning Inspector considers that the Duty to Co-operate is 'not met', a plan is not 'sound'. The Tests of Soundness criteria are as follows:
- a) Positively prepared: providing a strategy, which, as a minimum, seeks to meet the areas objectively assessed needs¹ and informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development.
 - b) Justified: an appropriate strategy, considering the reasonable alternatives, and based on proportionate evidence.
 - c) Effective: deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
 - d) Consistent with national policy: enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.
- 1.15 Merton's adopted development plan documents include the Core Planning Strategy (2011) and Sites and Policies Plan, and Policies Map (2014). However, following changes to legislation and planning policy both at national (National Planning Policy Framework) and regional level (The London Plan), the Council has produced a new Local Plan that reflects the changes in planning. The new Local Plan (the subject of this report) will replace the Core Planning Strategy (2011) and the Site and Policies Plan (2014) and Policies Map (2014).

Public engagement and consultation

Figure 1 below shows the Local Plan consultation stages.

Local Plan public consultation stages
Adoption winter 2021
Submission: 1 st December 2021
Stage 3 Regulation 19 publication pre-submission: 13 th July to 6 th September 2021
Stage 2a: 13 November 2020 – 1 February 2021.
Stage 2: October 2018 – January 2019
Stage 1: Call for sites: October 2017 – January 2018

¹ Where this relates to housing, such needs should be assessed using a clear and justified method, as set out in paragraph 61 (NPPF).

2 Formal partnerships and neighbouring authorities

- 2.1 Merton Council is an active member of several strategic partnerships/boards, which are either pan-London or sub regional (south London). These partnerships discuss strategic planning issues, planning legislation and promote continuous borough collaboration and engagement.
- 2.2 **London Councils** represents the 32 London boroughs and the City of London to central government, the Mayor of London and other organisations such as the Met Police, the London Fire Brigade. It is attended formally by a London Council's Leaders Committee and also has many other groups and levels of cross borough engagement relating to specific projects, such as the Directors of Regeneration or focus groups on the London Plan preparation. It is a significant resource for cross borough co-operation and engagement with other statutory organisations on matters that affect planning and regeneration.
- 2.3 **Association of London Borough Planning Officers (ALBPO)** is a London-wide forum for the discussion of strategic issues and includes updates from each authority on key work, which may have cross boundary implications. In addition to all London boroughs, these meetings include the Greater London Authority (GLA) and the London Government Association. Meetings involve updates on each council's local plan progress and discussions on updated evidence documents and relevant cross boundary issues. Strategic matters including the overall approach to housing and affordable housing delivery and other topic areas are discussed as well as changes to regional and national planning policy and legislation.
- 2.4 **The London Environment Coordinators Local Enterprise Panels** and **Local Nature partnerships** are not subject to the duty to co-operate requirements, local planning authorities must co-operate with them and should have regard to their activities where relevant to plan making.
- 2.5 **The London Enterprise Panel (LEP)** is the local enterprise partnership for London and governed by the Mayor of London. The Mayor of London works with boroughs, business and TfL to take a strategic view of the regeneration, employment and skills agenda for London through the body. Boroughs have historically engaged with the Mayor of London / GLA rather than directly with the LEP on relevant strategic planning matters. Merton has effectively co-operated with the GLA regarding the development of its evidence base particularly in relation to business needs and likely changes in the market.

- 2.6 The **All London Green Grid partnership** recognised by DEFRA as the Local Nature Partnership for London. The partnership does not yet have a governance structure that allows it to respond on matters of local plan consultations. Policies to protect and restore the natural environment in the Local Plan are in general conformity with the London Plan.
- 2.7 **The South London Partnership** includes five south London boroughs - Croydon, Kingston, Merton, Richmond and Sutton. It meets quarterly and operates within the wider strategic framework of the Mayor's London Plan. The Partnership provides the opportunity for boroughs to address issues that affect the south London; including economic development, skills and jobs, strategic transport, climate change and the circular economy.
- 2.8 The Partnership has also investigated the advantages of SLP (South London Partnership) members and South London Boroughs co-operating with areas outside London on a pragmatic basis, about specific issues for example cross-boundary economic growth, transport and, where a shared interest in cooperation is clear.
- 2.9 Merton is a member of and participates in **ReLondon** (formally London Waste and Recycling Board (LWARB)) to work strategically with the Mayor and other London boroughs to increase London's capacity for sustainable waste management in accordance with London Plan policy.
- 2.10 Merton's direct neighbouring authorities are the London Borough of Croydon, Sutton, Wandsworth and the Royal Borough of Kingston upon Thames. Neighbouring boroughs have been consulted throughout the local plan process, both as part of the standard consultation process and also as part of one to one meetings for statements of common ground. Although we did not receive any representations from neighbouring boroughs to the standard Local Plan consultation process and we did not respond to theirs, we reviewed each other's Local Plans and engaged on various joint projects as set out below.

Sutton

- 2.11 The characteristics of Sutton are very similar to the southern half of Merton, with Metroland inter-war suburbia shared across south London. As set out in the Statement of Consultation and referred to in the Local Plan, Sutton, Croydon, Merton and Kingston upon Thames work closely on a Joint Development Plan Document, the South London Waste Plan. The statutory Local Plan process to revise the adopted 2012 South London Waste Plan was carried out at the same time as Merton's Local Plan revisions, with Sutton as the lead project management authority. The South London Waste Plan Joint Development Plan Document was submitted to the Secretary of State in early 2021 and the public hearings were held in September 2021. The four councils of Merton, Sutton, Croydon and Kingston upon Thames worked closely

together on waste planning policy matters and associated issues including transport, pollution, site specific designations and environmental issues.

- 2.12 During the lifetime of this local plan Merton and Sutton councils also worked closely together on exploring the Sutton Link with Transport for London, a proposed new tram route between Sutton and Merton. As referenced in the Statement of Consultation, Sutton, Merton and Transport for London conducted joint public consultations on the Sutton Link in parallel with Merton's Local Plan stage 2 public consultation. The collaboration involved technical engineering and design work along the route but also wider planning matters such as assessing the potential of housing growth along the new route, were it to occur, considering environmental protection, industrial land and economic benefits.
- 2.13 There are no strategic issues of concern between Merton and Sutton.

Croydon

- 2.14 Croydon lies to the east of Merton and Norbury shares inter war and post war suburban character with Mitcham and Pollards Hill. Croydon town centre has also been a destination for work and socialising for many Merton residents, in part due to its much larger size and the ease of travel along the existing tramlink that runs from Wimbledon to Croydon.
- 2.15 As set out above, Croydon, Kingston, Merton and Sutton worked on the Joint Waste Development Plan document in parallel with the creation of this local plan; with the South London Partnership and with other cross boundary groups. Croydon have previously prepared a Strategic Flood Risk Assessment with Merton, Sutton and Wandsworth for the catchment of the river Wandle. Croydon and Merton met most recently on 18th October 2021 to consider co-operation matters on Merton's Local Plan.
- 2.16 Croydon is also revising its local plan and will be at Regulation 19 stage in early 2022.
- 2.17 There are no strategic issues of concern between Merton and Croydon.

Wandsworth

- 2.18 Wandsworth lies to the north of Merton with Tooting and Earlsfield the nearest town centres to Colliers Wood and Arthur Road respectively. The borough boundary passes through part of Wimbledon Park, which is managed by Merton

Council.

- 2.19 Wandsworth and Merton have worked specifically together on a Strategic Flood Risk Assessment 2020 and 2021 and on joint bids to the Environment Agency for funding for sustainable drainage matters north of Wimbledon Park and at the Southfields grid.
- 2.20 Wandsworth and Merton are both revising their local plans, with Wandsworth due to reach Regulation 19 stage in early 2022.
- 2.21 Wandsworth and Merton met in January 2021 (during Merton's Stage 2a public consultation) and again in October 2021. Specifically on site Wi3 the All England Tennis Club lands at Church Road, Wandsworth and Merton both received a joint hybrid planning application for the site in August 2021 as the site crosses the borough boundaries and both councils are determining this as Local Planning Authorities.
- 2.22 Wandsworth and Merton are also working jointly on the "missing link" of the Wandle Trail between Wimbledon and Earlsfield. As well as liaising as part of the Local Plan to ensure that each Policies Map route is aligned on this project, both Wandsworth and Merton have secured section 106 from nearby developments to investigate the feasibility of delivering a bridge above the river Wandle and under the Network Rail tunnel. Both boroughs and the Environment Agency are liaising on this project.
- 2.23 No strategic issues of concern have been identified between Wandsworth and Merton.

Kingston upon Thames

- 2.24 Kingston upon Thames lies to the west of Merton and the A3 road is part of the borough boundary. As set out above, Kingston and Merton have worked together on the South London Waste Plan Joint Development Plan Document Kingston has also led on new off road cycling infrastructure that links New Malden and Raynes Park. Kingston is at an earlier stage of Local Plan preparation, having carried out initial engagement in 2019 and further consultation in summer 2021, with more consultation due in 2022
- 2.25 No strategic issues of concern have been identified between Kingston and Merton.

Lambeth

- 2.26 Lambeth lies to the north east of Merton and Lambeth and Merton share a small boundary between Mitcham and Streatham Vale.
- 2.27 Lambeth's Local Plan was adopted in 2021 following examination that took place during the whole of 2020. As well as co-operation through ALBPO, the preparation of the Strategic Housing Land Availability Assessment and other pan-London projects, Lambeth and Merton met in 2019 and signed a statement of common ground between the two parties.
- 2.28 No strategic issues of concern have been identified between Lambeth and Merton.

3 Prescribed bodies cooperation and outcome for strategic cross boundary matters

- 3.1 The council has made every effort to secure the necessary cooperation on strategic cross boundary matters before submitting Merton's Local Plan for examination through active and sustained engagement from the outset of plan preparation. This has gone beyond formal consultation to include regular meetings, involvement in the preparation of joint evidence base, and early and ongoing discussions on policy development and to share findings from partners' emerging evidence base. There is no doubt that this has been more challenging in the context of Covid19 restrictions on face-to-face communications. However, as a London borough and in a two-tier government structure with the Greater London Authority, Merton is in the favourable position of communicating with the Mayor of London and other boroughs on a wide range of strategic matters (transport, policing, infrastructure, housing, funding affordable housing etc) that are important for strategic plan making.

Mayor of London

- 3.2 In 2016-17, the Mayor of London started revising the London Plan and worked with all London boroughs, including Merton to prepare a London Strategic Housing Land Availability Assessment. This involved commenting on the GLA's methodology with all other boroughs; identifying sites within Merton and considering their availability over the London Plan period over a series of face-to-face meetings. Throughout preparation of Merton's local plan housing policies,

Merton officers have worked closely and collaboratively with GLA officers on the development of housing and affordable housing policies.

- 3.3 Like other London boroughs, Merton responded to the draft London Plan public consultations in 2018 raising concerns that the proposed housing targets (at the time, over 1,300 homes per annum) was not justified. Following examination, the London Plan adopted housing target of 918 homes per year and Merton has a five-year supply to deliver this.
- 3.4 For affordable housing, the Mayor of London acts as the Homes and Communities Agency for London boroughs: setting affordable housing grants and requiring nominations to a pan-London pool of affordable homes. There is ongoing and continuous collaboration on affordable housing matters relating to housing delivery, on referable planning applications (such as collaboration on assessing affordable housing viability on particular schemes and collaboration on affordable housing policy formulation.
- 3.5 The Mayor of London's response to Stage 3 / Regs 19 demonstrates the close collaboration between the GLA and Merton on housing matters, stating (letter dated 6th September 2021)
- "The Mayor welcomes the close working between GLA and Merton officers which has led to positively addressing a number of concerns raised in his earlier response. This included Merton's earlier proposed approach to affordable housing, Build to Rent housing and housing numbers. These elements of the draft Plan have been amended and incorporated into this version of the draft Plan. They are now consistent with the London Plan 2021"*
- 3.6 As part of demonstrating housing delivery and seeking to meet Merton's share of London's new homes in 2019 Merton Council successfully bid for the Mayor of London's Homebuilding Capacity fund. Using this fund, we developed Merton's Borough Character Study, Small Sites Toolkit, housing delivery study, all of which involved an analysis of the characteristics of Merton and extensive public consultation. The Small Sites Toolkit in particular developed to improve the quality of development on smaller sites, which typify housing delivery in Merton. The Borough Character Study and Small Sites Toolkits were adopted as Supplementary Planning Documents in 2021 and all three documents are submitted as evidence for this examination.

Engagement and collaboration with other boroughs in the housing market

- 3.7 In late 2019, Merton's total housing target proposed by the Mayor of London in the Draft London Plan ranged from 9,180 to 13,280 homes in 10 years, which, at the time, Merton identified that it would have been unable to meet. As well as responding to the London Plan consultations challenging the methodology for small sites. Merton wrote to other councils

within and outside London to ask if they could help contribute to meeting Merton's draft share of London's new homes, as proposed in the draft London Plan. Of the councils who responded, none stated that they would be able to help meet Merton's unmet need

- London Borough of Bromley
- London Borough of Croydon
- London Borough of Hammersmith and Fulham
- Richmond upon Thames
- London Borough of Southwark
- London Borough of Sutton
- Kingston upon Thames
- London Borough of Wandsworth
- London Borough of Lambeth
- Elmbridge borough Council
- Epsom and Ewell Borough Council
- Guildford Borough Council
- Mole Valley District
- Reigate and Banstead Borough Council
- Runneymead Borough Council
- Spelthorne Borough Council
- Surrey Heath Borough Council
- Tandridge District Council
- Woking Borough Council

- 3.8 By March 2021, the London Plan was adopted and Merton's share of London's new homes was identified as 918 homes per year, which Merton can demonstrate that it can meet across the 15-year lifetime of the Local Plan.
- 3.9 In March 2021, Mole Valley District Council wrote to Merton, asking if we could accommodate any of Mole Valley's identified unmet housing need. We responded in April 2021 to state that we would not be able to offer Mole Valley assistance in meeting its likely unmet housing needs.
- 3.10 In addition to the above, at each co-operation meeting with neighbouring boroughs and following discussions on housing matters it is agreed that each borough would address its housing, affordable housing, gypsies and travellers accommodation needs within their borough boundaries.

Regeneration of Morden town centre

- 3.11 Merton Council has worked closely with the GLA and Transport for London over several years towards the successful regeneration of Morden town centre, including the delivery of up to 2,000 new homes. As the council and TfL both own a

significant portion of land within the Morden town centre, they both have a major role to play in enabling and delivering change within the town centre, particularly within the Morden Regeneration Zone.

- 3.12 In 2017, Merton Council and Transport for London established a formal Memorandum of understanding to work together to deliver the Morden Regeneration zone. This was resolved by Merton's Cabinet in January 2018 (see Examination Library document 5D5). We jointly appointed a suite of consultants to carry out extensive due diligence work, including viability assessments, soft market testing, engineering and technical constraints, a Strategic Development Framework with associated capacity testing, a retail impact assessment and rights of light analysis. This work has tested a variety of development options to demonstrate that the Morden Regeneration Zone Site Allocation (Mo4) can be delivered
- 3.13 This work informed a joint bid for GLA land assembly funding which was submitted to the GLA in 2018. In November 2019 Merton's Cabinet resolve to approve joint procurement for a development partner with TfL (Examination library documents 5D6 and 5D7) including setting up a joint venture partnership with TfL. By early 2020 the GLA informed TfL and Merton Council that the joint funding bid was unsuccessful on this occasion; we continue to collaborate jointly to explore other sources of funding.
- 3.14 Since 2018, arising from the principles of the MOU, Merton and Transport for London have held weekly officer meetings and Senior Officer Meetings every two months. Merton Council, Transport for London and GLA officers have held quarterly meetings to discuss progress and delivery of Morden town centre. In 2019 and 2020 Merton successfully bid for Cabinet Office funding via a programme called One Public Estate which brings together public sector landowners and service providers including the NHS, councils, Transport for London and other statutory bodies with the aim of sharing resources (including physical space), creating homes and jobs from surplus public assets.

Travel, the economy, and town centres

- 3.15 Cooperation with TfL and the GLA has been extensive to ensure plans and infrastructure projects deliver the aspirations of Merton and of the Mayor of London. Merton Council actively participated in the preparation of the London Plan and other Mayoral strategies and projects. This has included input to the London office and industrial policy reviews, Town Centre Health Checks and the London employment sites database.
- 3.16 With Covid19, the Mayor of London and central government invested in immediate infrastructure changes for travel, transport, skills and economic support. While these provisions didn't require planning permission, projects such as Low

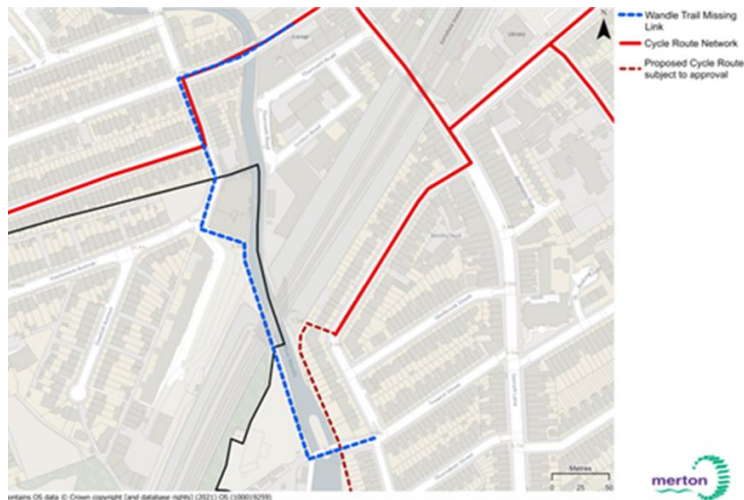
Traffic Neighbourhoods, School Streets, employment, enterprise and skills delivery have a bearing on how people perceive the character of their area and their quality of life. It has also required public bodies to work closely together.

- 3.17 Transport for London is both the statutory authority of roads and other parts of the transport network in Merton and has been the funder of most major public realm, road, cycling and walking schemes in the borough over many decades. Merton's third Local Implementation Plan (LIP3) sets out how the council will deliver the priorities in the Mayor's Transport Strategy 2018. LIP3 was published in 2019 and produced during the same time as Merton's Local Plan was being prepared, in co-operation with TfL and neighbouring boroughs.
- 3.18 For Crossrail 2, both Merton's and Wandsworth's Local Plans (Reg19 stage) and Kingston's emerging Local Plan recognise that the project may not come forward during the lifetime of these local plans. Crossrail2 is currently unfunded and government suspended further work on it in November 2020.
- 3.19 Network rail stations in Merton include Wimbledon, Haydon's Road, Morden South, South Merton, Wimbledon Chase, Mitcham Eastfields, Mitcham Junction, Raynes Park, West Barnes and Tooting Station served by Southern and South West Trains. Like most boroughs, Merton is supportive of step-free access provided at all stations.
- 3.20 Funding and further work is currently suspended for the Sutton Link (a new tram proposed between Merton and Sutton) and as a result, it will not be delivered within the lifetime of Merton's proposed Local Plan. Merton and Sutton agree to continue to work together on the Sutton link should funding become available. Merton, Sutton and Croydon also share existing tram tracks and tram services and work with Transport for London on supporting these.
- 3.21 Merton has two existing London Underground lines: the District Line (two stations from Wimbledon and Wimbledon Park (Merton) to Southfields (Wandsworth) and central London and the Northern Line with four stations in Merton (Morden, South Wimbledon, Colliers Wood) and on to Wandsworth (Tooting Broadway) and to central London. The Northern Line tube depot is located in Morden. Merton hosts one large bus garage in High Street Colliers Wood, which serves south London.
- 3.22 On cycling and walking, Merton has co-operated with Transport for London and with neighbouring boroughs on cycle routes that cross borough boundaries. As already mentioned above, Merton and Wandsworth are working together to

deliver a project relating to the Wandle Trail, known as the “missing link”, where the existing Wandle Trail deviates from the riverside west of Earlsfield’s centre.

- 3.23 Merton’s Policies Map proposes the following link within the Merton borough boundary and for the purposes of co-operation, have illustrated the route below crossing into Wandsworth’s borough boundary (with the black lines indicating the borough boundaries). Wandsworth’s Policies Map is at an earlier stage

Figure 2: Transport networks engagement – cycling and Wandle Trail Missing Link



- 3.24 **NHS (National Health Service) South West London Clinical Commissioning Group (CCG):** the Council works closely with the health bodies to ensure that development improves health services and health outcomes for Merton’s residents. During the preparation of this Local Plan the Clinical Commissioning Group for Merton has expanded to be the NHS South West London CCG, covering Croydon, Kingston, Merton, Richmond, Sutton and Wandsworth. Under the Health and Social Care Act (2012), Health and Wellbeing Boards were set up to improve integration between

practitioners in local health care, social care, public health and related public services. Merton's Health and Wellbeing board includes the CCG and is responsible for producing:

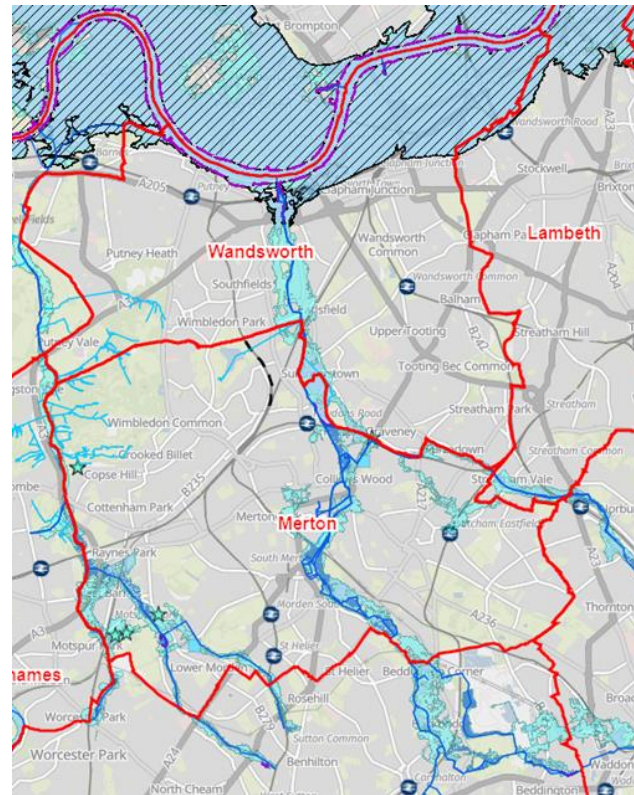
- Joint Strategic Needs Assessment (JSNA) providing policy makers and commissioners with a profile of the health and wellbeing needs of the local population and
- Joint Health and Wellbeing Strategy, based on the priority areas identified in JSNAs.

- 3.25 Work with the CCG and officers in the planning policy team has also included the development of Merton Borough estates strategy for primary and community healthcare facilities in the borough. The estates strategy underpins the approach to meeting health service needs in the Local Plan.
- 3.26 An Infrastructure Delivery Plan (IDP) has been prepared alongside the Local Plan which sets out the borough's key infrastructure requirements, anticipated costs and expected delivery. It is based upon partnership working with stakeholders such as the National Grid and Thames Water. The Council will continue to work with our partners and will monitor and review on a regular basis to reflect the current circumstances and to inform the development management process.
- 3.27 The National Planning Policy Framework¹ (NPPF) and associated Planning Practice Guidance for Flood Risk and Coastal Change (PPG) set out the active role Local Planning Authorities (LPAs) should take to ensure that flood risk is understood, managed effectively and sustainably throughout all stages of the planning process. The NPPF outlines that a Strategic Flood Risk Assessment (SFRA) should support Local Plans and LPAs should use the findings to inform strategic land use planning.
- 3.28 As already stated, Merton and Wandsworth Councils have produced an updated joint Level 1 (November 2020) and Level 2 (February 2021) Strategic Flood Risk Assessment (SFRA).
- 3.29 The Level Merton and Wandsworth 1 SFRA has collated and analysed the most up to date available flood risk data for all sources of flooding to provide an overview of flood risk across the study area. It has informed both councils in the preparation of their Local Plans, including the application of the Sequential Test to site allocations. The key updates to this revised Level 1 SFRA (2020) include:
- River Wandle Climate Change Modelling (August 2017)
 - Online Flood Risk Mapping (to Support the Level 1 SFRA)

- Areas at risk of perched groundwater

3.30 There are three fluvial flood zones as defined by the Environment Agency (EA) Flood Zone 1, 2 and 3. The zones are defined following a national scale-modelling project for the EA and are regularly updated using recorded flood extents and local detailed modelling. The map below shows the flood extents those cross-adjoining boundaries.

Figure 3: Flood risk management cross boundary with Wandsworth



3.31 Merton Council commissioned TEP (The Environment Partnership) to assess the borough's green and blue

infrastructure, biodiversity, open spaces, and provide an evidence base study to inform the preparation and implementation of the new Local Plan. The quantity, accessibility, quality and value of open spaces throughout the borough and carried out in line with guidance on both a national and London level.

- 3.32 The study supports other evidence base documents including the *Playing Pitch Strategy (2019)* and the *Health and Wellbeing Strategy (2019)* and will support the preparation of the Infrastructure Delivery Plan (IDP). In turn, this will aid in the justification of future development contributions and the collection and spending of the Community Infrastructure Levy (CIL). In developing the study, the Council worked with and engaged several bodies and organisations including Historic England, Public Health England, Greenspaces for Greater London (GiGL (Greenspace Information for Greater London)) and the Mayor of London.
- 3.33 **Natural England:** are the government's adviser for the natural environment in England, helping to protect England's nature and landscapes for people to enjoy and for the services they provide. They are responsible for promoting nature conservation and protecting biodiversity; conserving and enhancing the landscape; securing the provision and improvement of facilities for the study, understanding and enjoyment of the natural environment; promoting access to the countryside and open spaces and encouraging open-air recreation; contributing in other ways to social and economic well-being through management of the natural environment. Natural England have responded to the sustainability appraisal of Merton's local plan throughout its production.
- 3.34 **Historic England** helps to identify, protect and promote heritage in England and has a statutory role in the planning process. Historic England also provides a statutory list of historic buildings and structures and identifies heritage at risk. The council has worked specifically with Historic England and the All England Lawn Tennis Club on Wimbledon Park (a Grade II* listed park) which is part of the allocation for site Wi3. We have also engaged with Historic England on the regeneration of Morden town centre given its proximity to the Grade II listed Morden Hall Park.
- 3.35 In developing the study, the Council worked with and engaged several bodies and organisations including Environment Agency, Thames Water, Network Rail, Transport for London, Gas and Electricity providers, Thames Water Utilities Ltd (Thames Water) and Sutton and East Surrey Water (SES) and NHS England.
- 3.36 The Gardens Trust / **London Historic Parks and Gardens Trust** is a statutory consultee for plan-making and relevant planning applications. London Historic Parks and Gardens Trust responded to Regulation 19 stating that they did not receive our correspondence at an earlier stage of plan-making. The council will continue to engage with the London Historic Parks and Gardens Trust to ensure that their views inform Merton's Local Plan.

- 3.37 **Waste plan:** together with the neighbouring boroughs of Croydon, Kingston upon Thames and Sutton, Merton prepared and adopted the joint development plan document, the South London Waste Plan in 2012 and have nearly finalised its review, the South London Waste Plan 2022. The South London Waste Plan 2022, submitted to the Secretary of State in February 2021, the public hearing element of the examination in public was held in September 2021 and at the time of writing the four boroughs are preparing for a seven-week public consultation on the post hearing modifications. Duty to co-operate on waste planning matters was considered as part of the preparation of the South London Waste Plan 2022.
- 3.38 **Telecommunications and digital infrastructure:** Telecommunications and digital infrastructure is not identified as a strategic or cross-boundary issue with any one specific borough. National Grid is building the London Power Tunnels 2 project, 33km of underground cabling from Wimbledon to Bexley via Wandsworth, Lambeth, Southwark Lewisham and Greenwich. The project is under construction and National Grid have already compulsorily purchased the necessary land. The first circuit from Wimbledon substation in Merton to New Cross in Lewisham is due to be complete in 2025. Although it connects to the large National Grid substation in Merton, the tunnelling work and shafts for the boring machine to exit will be located in Wandsworth within the Garrett Mills business park. Although this is a cross boundary issue, as the project is underway (and underground) it is not considered to raise issues for either Local Plan.
- 3.39 **The Civil Aviation Authority:** There are no airfields within the borough of Merton. However, it is the Civil Aviation Authority's (CAA) and local Air Traffic Control centres' responsibility to ensure safe flights across London. Merton Council must contact the Civil Aviation Authority for any proposals that would create a building or structure of over 100metres tall. Merton's Local Plan does not propose any buildings or structures of this height.
- 3.40 The Council considered that there are no strategic issues of relevance to discuss with the following prescribed bodies:
- Civil Aviation Authority
 - The Office of Rail Regulation
 - Highways England

4 Statements of Common Ground

- 4.1 Statements of common ground have been drafted and are attached as Appendix A to this report. In many cases these are still draft and we are working on these with the partners.

- Lambeth Council – signed 2019
- Wandsworth and Merton meeting notes –January 2021
- GLA and Merton meeting notes January 2021
- GLA and Merton meeting notes May 2021
- Croydon and Merton meeting notes

- 4.2 We have drafted a statement of common ground with the Greater London Authority, which is substantially drafted but not signed yet. We will continue to work on this with the GLA.
- 4.3 We are also in the process of drafting Statements of Common Ground with our neighbouring boroughs of Wandsworth, Croydon (substantially drafted but not signed) and Sutton and Kingston upon Thames. We will continue to collaborate on these drafts towards signed agreement.
- 4.4 As already stated, we will also collaborate with the London Historic Parks and Gardens Trust (representor number 27 to Regulation 19) in the light of them not receiving our consultation communications at earlier stages.

Site-specific issues

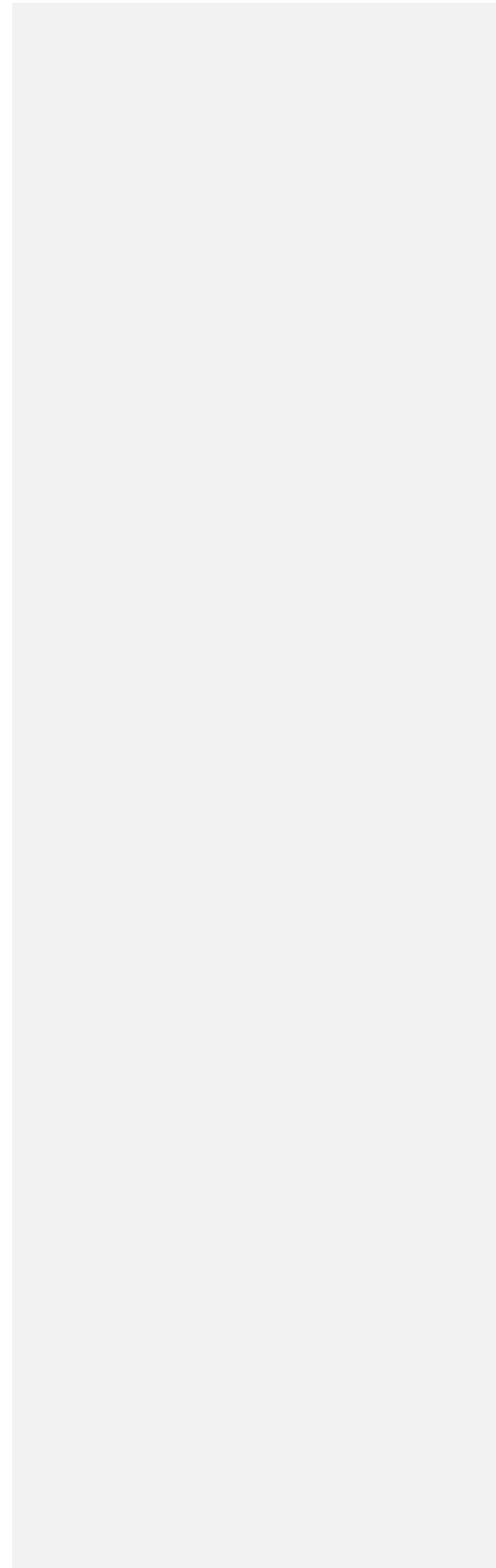
- 4.5 The council has engaged with landowners throughout the process representors that have responded to Regulation 19. We will continue to collaborate with representors on the matters they raise in their representations and we are preparing Statements of Common Ground
- CBRE GI – representor number 9
 - Hoo Hing and Elmbrook Cash and Carry – representor number 20

5 Conclusion

- 4.1 During the preparation of the Local Plan, Merton Council has engaged very actively with its stakeholders and partners and discussed with them all strategic matters. The Local Plan published under Regulation 19 (Town and Country Planning Act (Local Planning) (England) Regulations 2012) reflects the views and comments received during the engagement and cooperation process. The Council considers this reports show that positive engagement through the Duty to Co-operate has resulted in regular exchanges of information, particularly participation in strategic projects to inform the London Plan, jointly preparing Development Plan Documents and evidence base.
- 4.2 As the London Historic Parks and Gardens Trust did not receive correspondence relating to Merton's Local Plan prior to Regulation 19 stage, the council will continue to work with this statutory body to ensure their views are reflected in Merton's Local Plan.
- 4.3 We will also continue to work with our the GLA and our neighbouring boroughs to finalise statements of common ground which reflect the joint evidence base preparation and dialogue we have had together during the preparation of this local plan.

Draft Statement of Common Ground
between London Borough of Lambeth
and London Borough of Merton

December 2019



1. Executive summary

This Statement of Common Ground (SCG) has been prepared to demonstrate that Lambeth's Draft Revised Lambeth Local Plan – Proposed Submission Version January 2020 (DRLLP PSV 2020) is 'based on effective joint working on cross-boundary strategic matters', in accordance with the requirements of paragraph 35 of the National Planning Policy Framework (NPPF). It focusses on areas of agreement or disagreement between Lambeth and Merton on strategic cross-boundary matters.

Updates to this document will be agreed as matters progress and agreement is reached on any outstanding issues. It therefore includes details on mechanisms for review and updating.

Lambeth's AMRs also provide further details of how the DRLLP PSV 2020 plans have been informed by ongoing engagement with key partners, including those that are not party to this Statement of Common Ground.

2. Parties involved

- London Borough of Lambeth
- London Borough of Merton

3. Strategic geography

This section sets out the factual position regarding cross-boundary strategic matters.

The London Plan

The London Plan is the spatial development strategy for London, produced by the Greater London Authority on behalf of the Mayor of London. Every London borough local plan must be in general conformity with the London Plan. Together, the policies in the London Plan and in each borough's Local Plan constitute the statutory local development plan for that borough, along with any neighbourhood development plans once made.

It is worth noting that in a London context, collaboration on many strategic issues that go beyond borough boundaries (e.g. distribution of housing targets, identification of major areas of growth etc.) are largely addressed through the London Plan.

The London Plan is currently subject to a review and the Draft London Plan is undergoing examination at the time of writing. It is expected the replacement London Plan will be published (adopted) in early 2020.

Transport for London

Transport for London (TfL) is the integrated transport authority responsible for implementing the Mayor's Transport Strategy, which covers three key elements - healthy streets and healthy people, a good public transport experience and new homes and new jobs. The boroughs are required to work with TfL to support implementation of the Mayor's Transport Strategy.

TfL runs the day-to-day operation of the capital's public transport network (London Buses, London Underground, London Overground, Docklands Light Railway, TfL Rail and London Trams). Network Rail own, operate and develop London's railway infrastructure.

TfL also manages London's main roads (the Transport for London Road Network or TLRN). The London boroughs are responsible for all the other roads within their boundaries (other than the national motorway network, which is managed by Highways England).

The London Enterprise Panel

The London Enterprise Panel¹ (LEP) is the local enterprise partnership for London and is governed by the Mayor of London. It is the body through which the Mayor of London works with boroughs, business and TfL to take a strategic view of the regeneration, employment and skills agenda for London. Boroughs have historically engaged with the Mayor of London / GLA rather than directly with the LEP on relevant strategic planning matters. Both parties have effectively co-operated with the GLA regarding the development of its evidence base particularly in relation to business needs and likely changes in the market.

All London Green Grid

The 'All London Green Grid partnership' is recognised by DEFRA as the Local Nature Partnership for London. The partnership does not yet have a governance structure that allows it to respond on matters of local plan consultations.

Thames Water

Thames Water is the statutory water and sewerage undertaker for the area and is hence a "specific consultation body" in accordance with the Town & Country Planning (Local Development) Regulations 2012. From the 1st April 2018 all network reinforcement work required to support development will be delivered by Thames Water and funded through the Infrastructure Charge applied to each property connected to the water and wastewater networks. The Infrastructure Charge will also cover all modelling and design work required to deliver any necessary upgrades. The planning system will still play a key role in assisting that development does not outpace the delivery of any necessary infrastructure provision.

It will be essential that all development is aligned with any necessary water and sewerage infrastructure upgrades required to avoid any adverse impacts such as sewer flooding, pollution of land or watercourses and impacts of low/no water pressure. In line with DRLLP policy EN4, Thames Water will, where appropriate, request phasing conditions are used to ensure that any new development or phase of development is not occupied until any necessary upgrades have been completed.

LB Lambeth

Lambeth is an inner London borough with a northern boundary on the River Thames and situated mainly between the boroughs of Wandsworth and Southwark. It covers an area of approximately ten and a half square miles. It is surrounded by seven other London Boroughs - LB Southwark; LB Bromley; LB Croydon; LB Merton; LB Wandsworth; City of Westminster and City of London.

¹ Also known as the London Economic Action Partnership

LB Merton

Merton is an outer London borough, situated in south west London, in the Wandle Valley. It covers an area of approximately 14.7 square miles and is surrounded by five other London Boroughs – Wandsworth, Lambeth, Croydon, Sutton and Kingston upon Thames. Merton bounds Lambeth to the south west.

The boundary between the two boroughs is less than 3 kilometres in length. This Statement includes the whole of the LB Lambeth and the whole of LB Merton.

Commented [RE1]: It's around 2.6km according to boundary in map 2

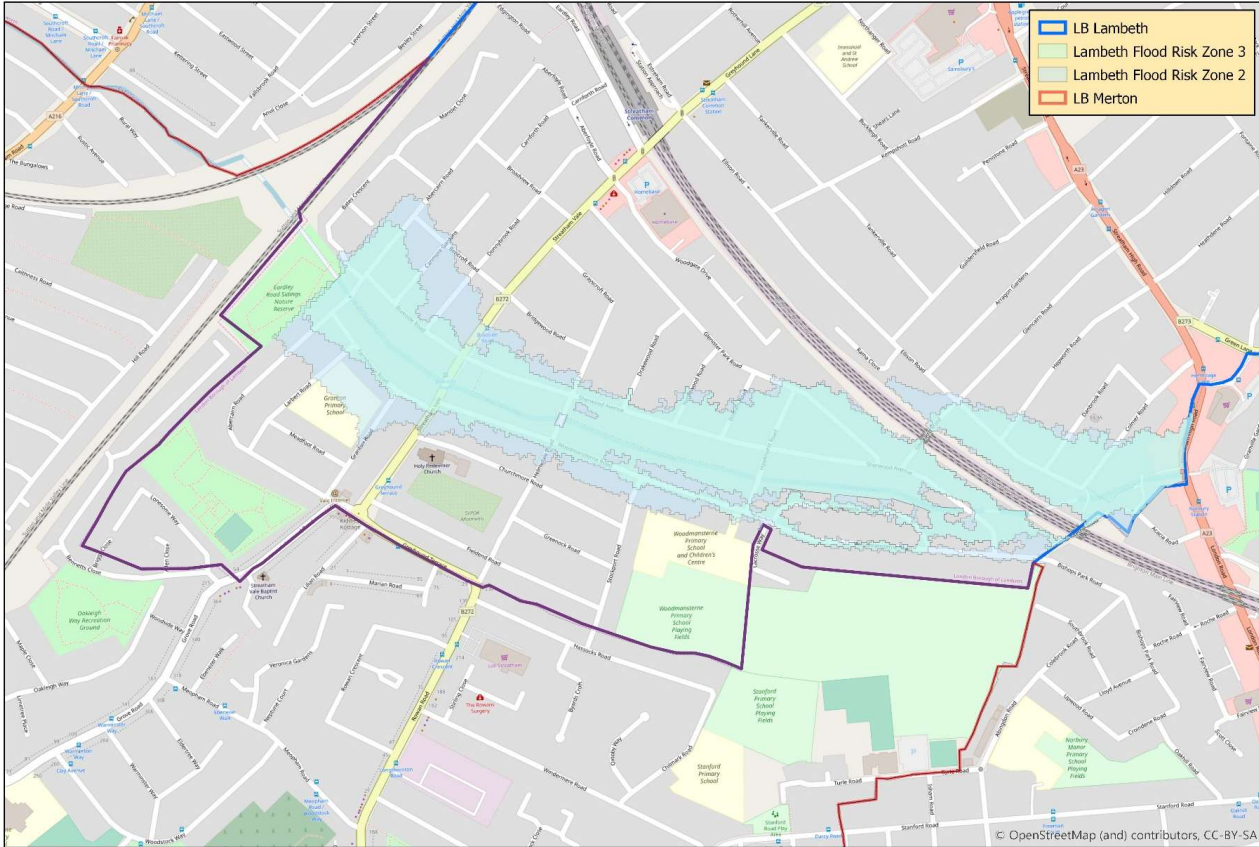
Map 2 – Border between the two parties and key policy designations



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Map 3 - River Graveney and associated flood risk zones



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Neighbourhood planning

There are no designated neighbourhood planning areas spanning the borough boundary between the two parties.

Gypsy and Travellers site

The Streatham Vale Gypsy and Traveller site in Lambeth lies in close proximity to the borough boundary between the two parties.

Employment, retail, leisure and commercial development

Shared town centres:
None.

Transport

Main roads that cross the border between Lambeth and Merton:

There are no London distributor roads or roads on the TfL Road Network that cross the borough boundary between the two parties.

Rail lines that cross the borough boundary and connect the two parties:

- Streatham to Mitcham Eastfields
- Streatham to Tooting

Mainline stations on lines that cross the borough boundary and connect the two parties:

- Streatham (Lambeth)
- Mitcham Eastfields (Merton)
- Tooting (Merton)

Air quality

Air Quality Focus Areas spanning the borough boundary between the two parties:
None.

Flood risk

River Graveney

The River Graveney runs through both Merton and Lambeth and spans the boundary between the two parties. The River Graveney flood risk zones also span the borough boundary between the two parties.

River Thames

The Thames Barrier is managed and maintained by the Environment Agency and protects 125 square kilometres of central London from flooding caused by tidal surges. This includes the protection of just under 29,000 properties in Lambeth. The Thames tidal defences also includes tidal walls and embankments along the banks of the River Thames. Should they fail or become breached the areas most at risk of flooding would be in the north of Lambeth, but this could also impact on the

surrounding neighbourhoods. The Environment Agency holds tidal breach modelling. This is also detailed within Lambeth's SFRA Tidal Breach addendum.

Critical Drainage Areas

A Critical Drainage Area is a discrete geographic area (usually a hydrological catchment) where multiple and interlinked sources of flood risk (surface water, groundwater, sewer, main river and/or tidal) cause flooding in one or more Local Flood Risk Zones during severe weather thereby affecting people, property or local infrastructure. No Critical Drainage Areas span the borough boundary between the two parties.

The provision of energy (including heat)

The Draft London Plan states that boroughs should engage at an early stage with relevant energy companies and bodies to establish the future energy and infrastructure requirements arising from large-scale development proposals such as Opportunity Areas, Town Centres, other growth areas or clusters of significant new development (see DLP policy S13). It also states that development plans should identify the need for, and suitable sites for, any necessary energy infrastructure requirements including energy centres, energy storage and upgrades to existing infrastructure. Furthermore boroughs should identify existing heating and cooling networks, identify proposed locations for future heating and cooling networks and identify opportunities for expanding and inter-connecting existing networks as well as establishing new networks.

The London Heat Map is an online tool, developed by the Mayor, used to find opportunities for decentralised energy (DE) projects in London. The Mayor has identified Heat Network Priority Areas, which can be found on the London Heat Map website (see DRLLP policy EN3). These identify where in London the heat density is sufficient for heat networks to provide a competitive solution for supplying heat to buildings and consumers. No existing or proposed heat networks cross the borough boundary between the two parties.

Green infrastructure

Sites of Importance for Nature Conservation (SINCs) in Lambeth adjoining the borough boundary with Merton:

- Eardley Road Sidings – Acid Grassland SINC
- Railway Lineside – Tooting Bec to Eardley Road SINC (towards Mitcham Eastfields)

Strategic and local views

Strategic views which cross the borough boundary between the two parties:
None.

Lambeth Local views into Merton:

- Streatham Common (LV 20)
- The Rookery (LV 21)

Merton Local views into Lambeth:

None

Heritage, design and conservation designations

There are no conservation areas in either Lambeth or Merton adjoining the borough boundary between the two parties.

There are no historic parks and gardens in either Lambeth or Merton adjoining the borough boundary between the two parties.

Archaeological priority areas in Lambeth adjoining Merton:

- Roman Road APA4

Archaeological priority areas in Merton adjoining Lambeth:

None

4. Strategic matters

This section sets out where agreement has or has not been reached on cross-border strategic matters.

4.1 Neighbourhood Planning

There are no designated neighbourhood planning areas spanning the borough boundary between the two parties.

4.2 Housing

4.2a. Overall housing need

Housing need is a strategic issue dealt with at the regional level in London by the Mayor. Within the Draft London Plan 2017 (consolidated with proposed further changes July 2019, plus EIP Panel recommendations), the Mayor sets borough-level housing targets. These targets are based on evidence of housing capacity in the capital set out in the London Strategic Housing Land Availability Assessment 2017 (London SHLAA 2017) and underwent examination during 2019. Through their own local plans, authorities must plan to meet or exceed their London Plan target to ensure they are in general conformity with the London Plan.

At the time of writing (November 2019), the Draft London Plan has been subject to independent examination. The Inspector Panel report (October 2019) recommends some changes to the draft London Plan, including changes to the approach to small sites and consequentially to the 10-year housing targets: reducing Lambeth's 10-year net housing target from 15,800 to 13,350 and Merton's 10-year net housing target from 13,280 to 9,180.

- Both parties agree that they can meet or exceed the total numerical housing target assigned to them by the Mayor of London in the Draft London Plan, within the confines of their own administrative boundary.
- As part of attempting to meet housing need within Merton and in recognition of the difficulty Merton Council currently anticipates of being able to meet a target of either 1,328 or 918 new dwellings per annum, on 26th November 2019 Merton wrote to Lambeth to request if any of Merton's share of London's new homes could be accommodated within Lambeth's boundary. During the next 12 months Merton will be exploring housing delivery

further as part of its new emerging Local Plan and will also be writing to other boroughs to request if any of Merton's housing target can be accommodated within their boundaries.

4.2b. Affordable housing

The London Plan and borough level Local Plans together set out the levels and types of affordable housing provision required.

- In terms of affordable housing, to ensure a consistent approach across London, both parties **support** the Mayor's threshold approach to affordable housing and the Mayor's strategic target of 50% affordable housing across London.

4.2c. Gypsies and Travellers

In their current adopted Local Plan, LB Merton has a need for 2 pitches between 2014 and 2024 and is planning to meet this need within its border by utilising vacancies on its existing site in north Wimbledon. In 2019 Merton undertook an accommodation assessment of gypsy and traveller needs to inform its emerging new Local Plan. The findings of this accommodation needs assessment will feed into Merton's emerging Local Plan by mid-2020.

LB Lambeth has a need for 3 pitches for gypsies and travellers between 2019/20 and 2034/35, which equates to one pitch every five years. There is no identified need for plots for travelling showpeople in the borough. Lambeth will meet the needs of Lambeth's gypsy and traveller community over this period by safeguarding the existing gypsy and traveller site in Streatham Vale (Lonesome depot) and managing churn in vacant pitches on this site to meet identified future need.

- Both parties agree that on this basis both boroughs can meet their identified need for gypsy and travellers accommodation within their own boundary

4.4 Health

Health infrastructure planning in Lambeth reflects the priorities of the Lambeth Clinical Commissioning Group - this has had regard to and acknowledges potential movement of patients across the border between the two boroughs.

Health infrastructure planning in Merton reflects the priorities of Merton's Clinical Commissioning Group. Merton's CCG, Merton Council and other providers are working together on Merton Borough Estates Group to inform Merton's health infrastructure planning.

- Both parties acknowledge that there is likely to be cross border movements of patients between each borough but **agree** there are no known planning reasons why these movements cannot continue.
- Both parties **agree** to work collaboratively to meet the needs for strategic cross border health facilities

4.5 Education

Both parties have school place planning teams who seek to ensure that projected levels of demand for both primary school and secondary school places are met. Each party has undertaken a school place planning exercise which has had regard to cross-border movement of pupils between the two boroughs. The findings are reflected in the Lambeth Infrastructure Delivery Plan 2019 and will be reflected in the Merton Infrastructure Delivery Plan 2020.

- Both parties acknowledge that there is likely to be cross border movements of school pupils between each borough but **agree** there are no known planning reasons why these movements cannot continue.

4.6 Telecommunications

- Both parties **agree** to work collaboratively on the delivery of digital connectivity infrastructure where there are cross-border implications

4.7 Security

- Both parties **agree** to work collaboratively on counter terrorism measures such as hostile vehicle mitigation.

4.8 Transport

Transport is by its nature a cross-border strategic issue - the approach in both local plans to managing the impacts of growth on the transport network can have significant impacts beyond the local authority boundary.

- Both parties **agree** to take a co-ordinated approach when possible to traffic management at cross border level.
- Both boroughs **agree** to consult each other about proposed changes to parking controls where these may have a cross-border impact.
- Both parties **agree** to work collaboratively on the delivery of digital connectivity infrastructure where there are cross-border implications.
- Both parties **agree** to take a co-ordinated approach to bus corridors and bus priority measures.
- Both parties **agree** to promote and support the development and implementation of improvements to local rail services as part of the Mayor's 'metroisation' plan.

4.9 Air quality

The whole of Lambeth is an Air Quality Management Area, with Air Quality Focus Areas defined in Draft London Plan paragraph 9.1.8. Both parties have produced an Air Quality Action Plans. Both parties propose to follow the Draft London Plan policy approach to air quality in relation to new development.

- Both parties **agree** to continue their involvement in a number of cross-organisational projects and organisations to tackle poor air quality across London (see appendix 1).

4.10 Waste management

Each Waste Planning Authority is expected to plan for their identified waste needs including planning to meet London Plan apportionment targets.

Lambeth is planning for net self-sufficiency for LACW, C&I and C&D waste and a target of 95% beneficial use of excavation waste. Net self-sufficiency means providing enough waste management capacity to manage the equivalent of 100% of these waste streams generated in Lambeth, while recognising that some imports and exports will continue. This includes meeting the London Plan apportionment targets for the borough. Lambeth is planning for its identified waste needs by safeguarding existing waste sites and identifying sufficient land to provide opportunities to meet the waste management capacity gaps for the borough.

Merton has a joint Development Plan Document (the South London Waste Plan) produced with the London Boroughs of Croydon and Sutton and the Royal Borough of Kingston upon Thames and adopted in 2012. It identifies the waste arisings and sets out how the four boroughs meet the London Plan apportionment targets within their borough boundaries. The four boroughs are currently revising the South London Waste Plan and published the Regulation 18 consultation on 31st October 2019 for six weeks. Evidence for the new South London Waste Plan demonstrates that the four south London boroughs will be able to continue to meet the London Plan apportionment targets by safeguarding existing waste sites.

Both parties have a separate Statement of Common Ground as part of the South London Waste Plan boroughs.

The South London Boroughs (which includes LB Merton) receive strategic amounts of construction, demolition and excavation (CD&E) waste exports from Lambeth.

- Both parties **agree** there are no known planning reasons why exports of similar amounts of waste exports cannot continue.
- Both parties **agree** to plan separately to meet their respective Local Plan waste apportionments following the approach described above

4.11 Water supply, wastewater

- Each party **agrees** to support Thames Water's approach to planning for water and waste water infrastructure.

4.12 Flood risk

Flood risk in each borough is addressed through respective Strategic Flood Risk Assessment (SFRAs) and Local Plan policies. SFRAs assess the risk from all sources of flooding, this includes fluvial, tidal, surface water and foul water sources. The joint Strategic Flood Risk Assessment for Croydon, Sutton, Merton and Wandsworth (SFRA, 2017) identifies the main risks of fluvial flooding in the vicinity of

the Norbury Brook through Thornton Heath and Norbury and through Kenley, Purley and Waddon along the Brighton Road and Godstone Road valleys and around the culverted River Wandle.

Each council is statutorily required to produce a Local Flood Risk Management Strategy (LFRMS) for their respective borough which details how they assess and will manage Local Flood Risk within their administrative boundary. LFRMSs require cross boundary partnership working to achieve the ultimate outcome of reducing Local Flood Risk. As part of the partnership working, Lambeth's and Merton's Flood Risk Officers meet at quarterly Flood Group meetings, which form part of the reporting mechanism for the Thames Regional Flood and Coastal Committee. These meetings assist in collaborative working and also provide a platform for sharing knowledge and common issues in flood risk management.

- Both parties have had regard to each other's flood risk policies and **agree** that they are complimentary.
- Both parties **agree** to consult each other on any proposals within the flood risk zone where these may have a cross-border impacts

4.13 Provision of energy (including heat)

Lambeth and Merton proposes to follow the Draft London Plan policy approach to the provision of energy in relation to new development (see Draft Revised Lambeth Local Plan policy EN3).

- Although no significant development is currently identified near the borders of each borough, both parties **agree** to work collaboratively where opportunities arise to connect development to heat networks that cross, or are in close proximity to, the borough boundary between the two parties.

4.14 Green infrastructure (i.e SINC's and MOL)

- Both parties **agree** to consult each other on any proposals that could impact on SINC's in the neighbouring borough.
- Both parties **agree** to have regard to each other's SINC designations on or in close proximity to the borough boundary and their respective Local Plan policies when determining applications.

4.15 Planning measures to address climate change mitigation and adaptation

Lambeth Council declared a Climate Emergency in January 2019. Lambeth has set itself a target to achieve net zero carbon for council operations by 2030. In July 2019, Lambeth published a corporate carbon reduction plan which sets out initial actions to achieve this target, to be reviewed annually to ensure Lambeth is on track. Lambeth are also developing a wider Lambeth climate change response plan, which will be published in 2020. In the next eleven months Lambeth plans to engage widely, starting with a Citizens' Assembly early next year, to raise awareness, gather evidence and seek to build consensus around Lambeth's climate change response and the resulting action plan.

Merton Council declared a Climate Emergency in July 2019, proposing targets to achieve net zero carbon for council operations by 2030 and net zero carbon across the borough by 2050. To inform the action plan on how we will meet these targets Merton is currently asking residents, workers, young people and anyone else interested what priorities and actions they think should be delivered. Merton's climate change action plan is also informed by Merton's Climate Change Working Group of volunteers from a variety of disciplines and interests. Merton's climate change action plan is due to be published in 2020.

The sections above relating to transport, waste, flood risk, provision of energy, green infrastructure and air quality are all relevant to mitigating and adapting to climate change.

- Both authorities **agree** to follow the approach outlined in the London Plan for zero carbon developments (see DLP policy SI2) and support the principle of the Mayor's urban greening objectives

4.16 Strategic and local views, and heritage, design and conservation

- Both parties **agree** to have regard to cross border local views when determining applications, and consult each other on any proposals that could impact on these views.
- Both parties **agree** to have regard to the setting of heritage, design and conservation designations adjoining the borough boundary in the neighbouring borough when determining applications, and consult each other on any proposals that could impact on these designations.

4.17 Cultural infrastructure

Lambeth has developed a cultural evidence base (*Visitor attractions, leisure, arts and cultural uses in Lambeth 2019*) which sets out existing cultural uses in the borough. This has been used to inform DRLLP policy ED13 which seeks to follow the Draft London Plan approach to protecting and enhancing cultural infrastructure (see DLP policy HC5).

Merton's adopted Local Plan recognises the importance of arts, culture, leisure and tourism and continues to support the London Plan approach of protecting and enhancing cultural infrastructure. To this end, funding has been allocated from Merton's Community Infrastructure Levy towards supporting such attractions in Merton, including the Polka Children's Theatre and Morden's new Leisure Centre.

5. Governance arrangements

This statement has been informed by on-going engagement between the parties – as evidenced by the main body of the statement explaining joint working and the schedule of engagement between the parties in Appendix 1.

This statement of common ground is a live document and will be reviewed on a regular basis, informed by continued communication between the parties through meetings, statutory consultation at key plan making stages and electronic communication.

Key stages of each borough's plan making process (set out in Table 1) will be triggers for the SCG to be reviewed, however strategic matters will be dealt with on an on-going basis in-between formal reviews of the SCG.

Timetable for agreement, review and update

Local authority	Present plan adoption	Plan review date	Reg 18 date	Anticipated Reg 19 date	Anticipated submission date
Lambeth	September 2015	October 2017	October 2018	January 2020	April 2020
Merton	July 2014	2018	Autumn 2020	Spring 2021	Summer 2021

Table 1: Plan review, update and submission dates

6. Signatories

Both signatories agree that this statement is an accurate representation of areas of agreement and disagreement between the two parties.

Signed: _____

Name: Councillor Matthew Bennett

Position: Cabinet Member for Planning, Investment & New Homes

London Borough of Lambeth

Date:

Signed:



Name: Tara Butler

Position: Deputy FutureMerton manager

London Borough of Merton

Date: 10th January 2020

Appendix 1 - Schedule of engagement between the parties

Officer-level meetings to discuss strategic cross border planning matters under the duty to co-operate and to develop this statement of common ground took place:

- 21st November 2018
- 9th October 2019

Correspondence regarding Merton’s proposed London Plan housing target:

- 26th December 2019 – Merton emailed Lambeth requesting the help of neighbouring and adjoining boroughs, such as Lambeth to meet Merton’s housing target.

Air quality meetings:

Project	Partner
Schools Air Quality Audit Fund	GLA
Nurseries Air Quality Audit Fund	GLA
School Streets Campaign	Living Streets (Lead)
London Councils work into new AQ legislation	London Councils (lead), various other boroughs
Healthy Streets Everyday	Islington (lead), Cross River Partnership, 15 other boroughs, GLA (funders) – TBC
Clean Air Villages	Lewisham (lead), Cross River Partnership, Camden, H&F, RBKC, Wandsworth, Defra (funders)
Non Road Mobile Machinery register	King’s College London, GLA, TFL, Brent, Camden, City of London, Croydon, Hammersmith and Fulham, RBKC, Islington, Lewisham, Tower Hamlets, Wandsworth, and Westminster.
Air Quality Monitoring Network	King’s College London
Breathe London Project	GLA (lead), University of Cambridge, King’s College London, AirMonitors, CERC, Environmental Defence Fund, Google Earth Outreach, National Physical Laboratory, C40 Cities.
airTEXT service	Islington Council (Current lead), University of Cambridge, London boroughs, GLA, Chelmsford, Colchester, Slough, Three Rivers, Thurrock, Environment Agency, Public Health England, CERC, European Commission, DEFRA, PREVAIR and European Space Agency
STARS programme	TfL
Pollution alerts to schools, GP surgeries and care homes	GLA, King’s College London
Ultra Low Emission Zone	GLA
Electric Vehicle Car Clubs project	GLA (funders), TfL
Statutory duties as Air Quality Management Area	GLA, Defra

Table 2: List of projects both parties are part of taking place in London to monitor and improve air quality.

Air quality organisations:

Organisation	Participating authorities	Frequency
APRIL Network (Air Pollution Research in London)	All boroughs, GLA, TfL, research institutions	Quarterly

Table 3: List of organisations both parties are part of taking place in London to monitor and improve air quality.

Flood officer meetings:

Lambeth's and Merton's Flood Officers meet at quarterly Flood Group meetings, which form part of the reporting mechanism for the Thames Regional Flood and Coastal Committee. These meetings assist in collaborative working and also provide a platform for sharing knowledge and common issues in flood risk management.

All London Borough planning officer meetings (Association of London Borough Planning Officers):

- 13th Jan 2016
- 21st June 2016
- 27th July 2016
- 13th October 2016
- 9th Feb 2017
- 14th March 2017
- 16th May 2017
- 16th February 2018
- 1st May 2018
- 3rd July 2018
- 18th September 2018
- 13th November 2018
- 25th January 2019
- 07th February 2019
- 12th March 2019
- 04th April 2019 (sub group meeting)
- 07th May 2019
- 05th June 2019 (sub group meeting)
- 16th July 2019
- 25th July 2019
- 17th September 2019
- 19th September 2019 (sub group meeting)
- 12th November 2019

Appendix 2 - Evidence of activities undertaken to address an issue

Local Plan consultations

On 9th October 2017, Lambeth notified Merton that the first stage of public consultation on the Lambeth Local Plan Review (Regulation 18 part 1 - Issues consultation) would run for eight weeks from 9 October to 4 December 2017. Lambeth invited Merton to make representations. No representations were received from Merton.

On 22nd October 2018, Lambeth notified the City of London that the second stage of public consultation on the Lambeth Local Plan Review (regulation 18 part 2 - Draft Revised Lambeth local Plan 2018) would run for eight weeks from 22 October to 17 December 2018. Lambeth invited the Merton to make representations. No representations were received from Merton.

Schedule of representations received from Merton in the DRLLP 2018 regulation 18 consultation

None.

Schedule of representations received from Lambeth in the Merton New Local Plan Stage 2 consultation on 23rd January 2019

Representation Wording	Merton Officer Response
We would welcome reference to the integration of proposed cycle networks with neighbouring boroughs. Please refer to Lambeth's proposed Healthy Route Network included within our Draft Transport Strategy - https://www.lambeth.gov.uk/sites/default/files/co-lambeth-transport-strategy-consultation-draft_0.pdf .	Agreed
We would welcome joint working on boundary issues, such as managing demand for parking and reducing short car journeys, particularly for education trips. We would also welcome support for investment in and restructuring of the suburban rail network in order to provide a metro style service in south London.	Agreed



Meeting Minutes

Partner
London Borough of Merton

Topic
Duty to Cooperate

Date
Friday, 22 January 2021

Location
MS Teams

Time
10:00 – 11:30

Meeting Attendees

Name (Organisation)	
Robert Wellburn (RW) (LB Wandsworth)	Tim Cathy (TC) (LB Merton)
Emil Ancewicz (EA) (LB Wandsworth)	Katharine Fox (KF) (LB Merton)
Alisha Levermore (LB Wandsworth)	Tara Butler (TB) (LB Merton)
	Valerie Mowah (VM) (LB Merton)

Actions – identified in red in body.

1. **LBM** to involve LBW in pre-application discussions on the All England Lawn Tennis Club site (Wi3) in Wimbledon Park. (TB to follow up with LBW DM)
2. **LBW** agreed to consider involving LBM if they commission a supplementary note on economic land to further support the Employment Land and Premises Study. (RW)
3. **LBM and LBW** involved in discussions relating to the S106 Wandle Trail project in Earlsfield, and to send through information relating to this for mapping purposes. LBW can add this information to the Reg 19 version of the Local Plan. (TB, RW)
4. **LBM** to ensure that LBW Officers are contacted regarding the planning application on the lake (reservoir) in Wimbledon Park. (TB)
5. **LBW** to update LBM on responses to the Reg 18 Local Plan concerning air quality with regard to the group who have concerns about the Durnsford Road area.
6. **LBM** to pose questions on Urban Greening Factor, if required. These should be emailed to Eoghan McConville. (KF)

Agenda Items

1. Introductions
 2. Local Plan update
- **LBW** provided update on Regulation 18 ‘Pre-Publication’ draft Local Plan. For more detailed information, please [the Council’s website](#). Points of note:
 - The borough has commissioned an [Urban Design Study](#) for the first time as part of the Local Plan evidence base. This has been developed by Arup.
 - Most evidence was collected prior to the COVID-19 pandemic. While reference to this is made within the Plan, generally it is considered too early to adapt the approach to accommodate the impacts of this. The longer-term impact will be kept under review, including to assess whether / when evidence-based documents need updating.
 - Public consultation on the Reg 18 draft LP will run until 1 March 2021. All documents are now available online. An interactive map is [now available](#). The consultation will be supported by events with ‘seldom heard’ groups, including young adults and estate residents. This is being led by a Public Practice Associate with an expertise in community engagement.

- The ambition is to get the Regulation 19 to the September committee, and therefore to consult on this in the autumn 2021. The Plan will be submitted to PINS in spring 2022, and adoption hoped for in spring/summer 2023.
- Two SPDs have been identified as emerging from / associated with the Plan: a Small Sites Development SPD; and an area-based SPD for the Wandle Delta. The latter was published in the February 2021 committee. Some of the content for the site allocations and the area strategy for Wandsworth Town will be amended to fit in with the objectives of this document.
- **LBM** provided an update on the Local Plan. Points of note:
 - The Local Plan Review seeks to update the Core Strategy (2011) and the DMPD (2014). A first Regulation 18 version was produced and consulted on in 2018-2019, which was aligned to the original London Plan drafts. The main 'direction of travel' set out within the draft Local Plan is to combat climate change and to support the provision of affordable housing. The housing target, which has increased from 411 homes/year to 918 homes/year is particularly challenging.
 - The ambition is to take the draft Local Plan to July Council.
 - LBM also have a Public Practice Associate, who has been leading work on a borough Character Study, as well as a Small Sites Toolkit, which will be adopted as SPDs in 2021. Both are out for consultation from 9/2/21 until 23/3/21.
 - The Estates Local Plan (adopted 2018) will be retained and the 2012 South London Waste Plan is being updated and has been submitted to the Planning Inspectorate.

3. Duty to Cooperate – strategic / cross-boundary issues:

a. Overall strategy for each Local Plan and potential cross boundary issues

- **LBW:** The Draft Local Plan seeks to concentrate growth in the centres identified in the Plan's nine Area Strategies, which are collectively expected to deliver 15,200 homes, or 74% of the 10-year housing supply. Growth will be particularly targeted to the VNEB OA (Nine Elms), Wandsworth Town and the Wandle Delta, and Clapham Junction (including the York Road / Winstanley Estate), and consequently these are the focus of our site allocations / masterplanning.
- **LBW:** The Plan includes an overarching Area Strategy for the Wandle Valley, which borders with Merton in the south. The broad approach set out within the strategy is for the protection of the industrial land in that capacity, and to support green infrastructure (balancing recreational uses with biodiversity function).
- **LBM:** The Draft Local Plan takes forward a town centre first approach, including in Morden and Wimbledon (Future Wimbledon SPD), Estates Regeneration (High Path, Eastfields and Ravensbury), however there is a much greater focus on small site delivery. Not proposing co-location of industrial and residential uses in this draft.
- **LBM:** The area-based chapter on the Wandle Valley has been removed from the Local Plan, however LBM will continue to work with LBW on the identification of cross-boundary green links in this area.

b. Potential site allocations with cross boundary issues

- **LBW:** Noted the 'St George's Hospital Car Park and adjoining land on Blackshaw Road, Maybury Street, SW17' site allocation (Ref: TO2). This is on page 150 of the Local Plan. LBM advised to review as part of the broader response to the Reg 18 Plan.
- **LBM:** There are a number of site allocations which border LBW:
 - The Wimbledon Stadium site (Wi12) is not considered to raise any new issues, and will likely be finished by the adoption of the Local Plan. This is agreed by LBW.
 - The All England Lawn Tennis Club (Wi3) overlaps with LBW, and the northern part of the site is in LBW ownership (although managed by LBM). With the closure of the Bank of England site (the Championships need to move out by 2030), the intention is to bring tennis-related development to Wimbledon Park on the exiting golf course to enable to full tournament to take place on site. There are numerous planning constraints: the golf course is part of a Capability Brown designed Grade II* Registered Park and Garden, and is designated MOL, SINC, Open Space, and is within a Conservation Area. There will likely be cross-boundary impacts of the development. It was agreed as an **action** to that LBW will be involved in pre-application / application discussions.

c. *Housing*

- **LBW:** The Local Plan will aim to deliver at least 1,950 homes per year in line with the housing requirements set out in the London Plan, 7% more than the 2015 target and 70% more than the 2011 targets set out in the London Plan. The draft Local Plan has a positive approach to housing delivery on small sites, an emphasis on a design led approach to optimise housing capacity, and opportunities to create homes through estate regeneration.
- **LBW:** Identified capacity to meet and even slightly exceed the housing requirements set out in the London Plan for years 1-10 of the Local Plan period, however there is a shortfall identified over the 15-year period (noted some uncertainty over the longer-term). The capacity is substantially smaller than the local housing need figure.
- **LBM:** Merton have a 123% increase in housing target to 918 homes a year. For the first three to four years of the Merton Local Plan they are unlikely to meet the annual target of housing. Merton have identified sufficient housing sites to meet the 918 target over 15 years.
- **LBM:** Asked whether LBW would be able to help in providing some of their housing requirement in December 2019 and formally asked again if any assistance would be possible. LBW consider that, due to insufficient housing capacity, it is not possible for LBW to support LBM with their housing requirement.
- **LBW:** The Local Housing Need Assessment (LHNA) identifies a net need for 2,327 affordable rented and 1,248 affordable home ownership dwellings per annum to be provided over the plan period. The level of need is significant, and for that reason the proposed affordable housing policy (LP25) sets the aspiration to secure 50% of all new homes to be affordable, in line with the intent of the emerging London Plan. This will be informed further by the outcomes of a Whole Local Plan Viability Assessment and will be updating the Nine Elms Development Infrastructure Funding Study.
- **LBM:** The borough have challenges in delivering affordable housing through the planning system as historically +90% of planning applications for new homes are on small sites (less than 10 homes) which do not currently contribute to affordable housing, and will not be able to meet their need unless they can introduce a policy for small sites to contribute to affordable homes. The draft Local Plan therefore sets out a 50% overall target. Public sector sites should conform to the London Plan target of 50%, and for all other sites there is a target of up to 50% with a minimum of 40%, rather than the 35% set out in the emerging London Plan (for a threshold of 10 or more units). LBM are considering a scheme of 2-9 units providing a financial contribution (of up to 20%) rather than on-site. The approach has been viability tested (BNP Paribas) which found it to be 'ambitious' but with suitable flexibility.

d. *Gypsies & Travellers*

- **LBW:** The Council has a long-established Gypsy and Traveller site, which currently accommodates 11 residential pitches, one of which is vacant. The Gypsy and Traveller Accommodation Needs Assessment (2019), which was conducted in-house, found that there is no evidenced requirement or need for additional pitches to be provided on the existing site or elsewhere in the borough. If demand exceeds supply in the future, the Council will explore options to identify an additional site.
- **LBM:** Study conducted in 2012/2013 indicated that current and future needs could be met. LBM are looking to update this.

e. *Employment land*

- **LBW:** The updated [Employment Land and Premises Study \(2020\)](#) suggests there is demand for office floorspace (22,500 sqm) and industrial land (8.6ha) in excess of supply. The Draft Local Plan therefore takes a protective approach.
- **LBW:** Following the draft London Plan, Policy E5, LBW have designated 'Summerstown' as a SIL. This replaces the existing designation as a Locally Significant Industrial Area (LSIA); the borough equivalent of the LSIS. Co-location is not permitted in LSIA's in the draft Local Plan (re: Policy E7 of the draft London Plan).
- **LBM:** Merton have a large demand for industrial land, especially for workshops, food production and depots. Industrial land is now priced higher than residential land in some parts of the borough. Merton plan to protect the SILs. Co-location is not taking forward within industrial designations.
- **LBW:** The impact of the introduction on Class E threatens to undermine the Local Plan approach, as areas of protected land will now fall under this category (which allows COU and potentially will be subject to future PDR). This might have implications for the approach to co-location. LBW noted potential to re-engage AECOM (consultants on the ELPS study) to produce a statement on the validity of the draft approach / existing evidence in light of these changes. LBW agreed as an **action** to consider involving LBM if this work is to be commissioned.
- **LBW:** The draft Local Plan includes an affordable workspace policy seeking 10% of the economic floorspace as affordable provision (for schemes over 1,000 sqm). Within the Wandle Valley, this can be realised as a reduction

below market rent by 25% (an increase on the adopted position of 20%) or as managed workspace. This has not been viability tested, but will be looked at as part of the Whole Plan Viability Assessment. It may therefore be subject to review.

- **LBW:** Noted an appeal that was successful against the Council for a site on Penwith Road (Thornsett Road LSIA), which introduced residential and commercial uses within designated industrial land. The proximity to Earlsfield local centre was heavily weighed as a benefit for the introduction of other uses, as was the fact that intensified industrial uses were introduced. LBW shared details of the appeal (LBW's planning application numbers are 2018/1426 & 2019/1427, joint appeal).
- **LBM:** Highlighted an upcoming S106 project with cross boundary implications, which seeks to resolve a missing link along the Wandle Trail. It would be helpful if this could be identified within the Local Plan, and that the boroughs liaise to ensure the mapping is consistent. This should be taken forward as an **action**. LBW Officers have contacted LBM on this project already.
- **LBM:** There is an active group in north Wimbledon who are concerned about air quality in the Durnsford Road area resulting from industrial, waste management and HGV levels. Recommend Wandsworth have regard to it – will let Merton know if anything comes out of the Reg 18 consultation. Recorded as an **action**.

f. Town centres & retail / Transport and other infrastructure

- Both boroughs have sought to accommodate the introduction of the E Use Class within their plans with respect to town centres & appropriate uses, welcoming the flexibility that this brings. **LBM** will not seek to designate frontages anymore. **LBW** have retained these, and the current draft of the Local Plan specifies that conditions may be used to restrict uses, although it is noted that there have been different PINS decisions on the validity of this.
- **LBW:** The draft LP would seek to protect Tooting Markets as part of any development, including if regeneration around the centre result from Crossrail 2 (big if!). The London Plan has an opportunity area for Wimbledon, South Wimbledon and Colliers Wood, however this is based on Crossrail 2 and there is uncertainty given the status of that project. LBM are meeting with the GLA to discuss this.
- **LBM:** Colliers Wood isn't recognised as district centre in the London Plan but LBM intend to designate this area as a district centre and expect the area to come forward for redevelopment once existing retail leases have ended in the later 2020s. This is not considered to impact on Wandsworth's centres.
- **LBM:** Noted the emphasis on broadband infrastructure within the draft LP, but not considered to have cross-boundary implications for LBW.

g. Water and flooding

- **LBM** and **LBW** have a shared strategic flood risk assessment, part I of which has been agreed and part II of which is near to being finalised. There are no further cross-boundary issues due to this joint work.

h. Waste management

- **LBW:** Duty to Cooperate on waste is being led by the Council's waste consultant, Victoria Manning of Vitaka Consulting, who will deal with separately. The Waste Technical Study found there to be a shortfall of up to 2.1ha.
- **LBM:** Noted that they have a separate waste plan.

i. Climate change & energy

- **LBW:** Developed the Wandsworth Environmental and Sustainability Strategy (WESS). There is a significant focus on ensuring targets within this strategy are met. Achieve Zero Carbon by 2050 and Carbon neutrality as a council by 2030. This strategy is referenced within the Local Plan.
- **LBM:** There is significant political support for addressing climate change in the borough. Merton are going further than the London Plan and are introducing targets for minor developments. This has been tested for viability.
- **LBM:** Have worked with other boroughs on an assessment of the cost of carbon offsetting, and have raised the contribution from £90 to £300 per tonne. A stepped approach was considered by was rejected for being too complicated. **LBW** have followed the amount identified within the London Plan. The price of carbon is recognised as a potential cross-borough issue, as higher carbon targets in LBM might shift development across the border. LBM will contact LBW if this issue needs to be further looked at.

j. Community facilities (healthcare, education, community infrastructure)

- **LBW:** A revised Infrastructure Delivery Plan is being produced, and will be published with the Regulation 19 version of the Local Plan. It will be confirmed as part of this work, however it is understood that LBW can meet its own educational and health care needs through identified sites within the borough.

- **LBM:** Also consider that its education and healthcare needs can be met within the borough.
- Both boroughs are part of the South West London CCG, and therefore cooperate strategically in this regard.
- **LBW:** A new Arts and Culture Strategy is being produced.

k. *Natural environment*

- **LBM:** In Wimbledon Park, the lake is actually a reservoir (Council owned). A recent Environmental Agency inspection identified that the dam needs repairing. A planning application to resolve this is expected to be submitted within the coming weeks, and LBW will be contacted as part of this. This is recorded as an **action**.
- **LBM:** The draft Local Plan removes a small area of green space designation, however this is to correct an error in the mapping (the area in question has houses on it). This is not considered to raise any issues.
- **LBM:** The Officer responsible for green infrastructure expressed interest in posing questions on Wandsworth's Urban Greening Factor policy. Identified as an **action** if follow up is required.

l. *Historic environment & tall buildings*

- **LBW:** Commissioned the [Urban Design Study \(UDS\)](#) to develop a better understanding of the values, character and sensitivity of different parts of the borough. The UDS recommended revising the currently adopted tall buildings policy. The draft policy identifies a number of local definitions of "tall" (informed by the local prevailing height), and identifies broad locations across the borough where tall buildings may be appropriate.
- **LBW:** Several locations along the boundary have been identified as having 'opportunities for tall buildings within a local context'. Development proposals involving tall buildings will be assessed against the tall buildings criteria set out in the emerging London Plan, and additional Wandsworth-specific criteria listed in policy LP4 Tall Buildings. Although, tall buildings in these locations may impact on views from Merton, it is not considered that the impact would be unacceptable given that proposals will need to comply with the criteria set out in the policy. **LBM** will consider this as part of the review of the draft Local Plan, and LBW are happy to respond to any further questions on this (directed to Emil Ancewicz).
- **LBM:** Conducting a borough character study which will refer to tall buildings. The Local Plan currently has three main locations for taller buildings: Colliers Wood TC, Morden TC, and Wimbledon. Merton's taller building definition aligns with the London Plan. Within the Future of Wimbledon SPD there is a tall building heights map. Limits are not set, but there is guidance as to how each area will be assessed. In Colliers Wood and Morden a specific number of stories is not set, rather this is based on prevailing heights. There is currently a petition on the policy in Colliers Wood, which will therefore be looked at closely. Merton's Character Study has done some research in to areas suitable for taller buildings in the borough.

4. Statement of Common Ground

- **LBW** will be drafting a Statement of Common Ground. The intention is for this to be thematic, and to therefore only produce one for all parties to sign. LBW will share a draft with LBM once this has been written, in advance of the Reg 19 consultation.

5. AOB

Neighbourhood Planning

- **LBM:** A group are interested in proposing a neighbourhood plan for Wimbledon. The area identified on the website extends to the borough boundary with Wandsworth, and covers a substantial area of Merton borough. LBW will be notified if an application is forthcoming.
- **LBW:** The Tooting Broadway and Tooting Bec Neighbourhood Area has been designated, and it is understood that work is ongoing on developing a plan, although there has been no further discussions on this with the group. The Tooting Area Strategy draws upon evidence that was commissioned by the Neighbourhood Forum, and so it is hoped that this will be well received in the Reg 18 consultation.

GLA and Merton - Duty to co-operate
 Wednesday 25 January 2021, 11am-12.30am
 MS Teams

Hassan Ahmed – GLA
 Darren Richards - GLA

Item	Lead	Internal LBM comments	Meeting notes
a) London Plan latest – key conformity issues for an outer London borough like Merton.	GLA		London Plan - to be adopted 22 March Issues form other local Plans <ul style="list-style-type: none"> • Industrial land - not an issue in LBM • Affordable housing (35%) • Tall buildings • Waste Issues
b) Strategy for Merton’s Local Plan, identifying potential strategic issues including key (GLA referable) site allocations:			
a. Wimbledon / South Wimbledon / Colliers Wood Opportunity Area			Define a boundary - which sites within and without (when policies LP are engaged) OA figures are indicative - not targets (starting points for growth aspirations) - research to shows realist growth figures More work on ability for tall buildings and what that height might be

<p>b. Morden regeneration</p>	<p>Notes for meeting: Evidence base documents: a. HB SDF ('straw man') b. Visual Impact Assessment c. Heritage Assessment Policy wording is similar to Stage 2 (reduced details in Justification text) a. Morden Regen Zone b. Wider Regen Area c. Morden neighbourhood</p>	<p>Expecting more on height and other details to be published at next stage</p> <p>Suburban Metroland up to 6-storeys would in principle be acceptable (LP small site policy)</p>
<p>c. Colliers Wood as a district centre</p>		
<p>d. Proposed Site Allocation Wi13 – All England Lawn Tennis Club (inc golf course)</p>		
<p>e. Taller buildings, small sites and urban design</p>		
<p>c) Housing policy and targets (including affordable housing and gypsies and travellers);</p>		<p>Clarify that LBM has a stepped housing target - see Waltham Forrest Reg19</p> <p>Clarify what is the plan period 'Places' section and 'Housing' section contradict</p> <p>For post 2029 see para 4.1.11</p> <p>Change 2016 reference</p> <p>Affordable housing (3 matters):</p>

			<p>1. LBM is basing AH basing on NET instead of GROSS residential dev (policy 8.6) significant issue regarding conformity with the London Plan. Evidence will not change matters. See GLA answers on this matter during London Plan hearing.</p> <p>2. LBM minimum thresholds. Note that local plan is proposing 40% which is a significant conformity issue. Mayor will be reviewing the 35% this year.</p> <p>50% threshold on industrial should only be where there is a loss of capacity</p> <p>3. Units v Hab rooms significant matter regarding conformity with the London Plan.</p> <p>Local Plan to include 10-year pitch target for G&T needs. Mayor will be doing a London-wide study.</p> <p>Less restrictive / more positive / soften about student housing. Policy points A1 & A2 (not a big issue)</p>
d) Policies on designated town centres, industrial estates, businesses and jobs in shops and services			Not so restricted with wording on self-storage
e) Climate change policies			<p>See policy DF1.</p> <p>GLA would be expecting the borough to prioritise affordable housing, transport etc (other items in London Plan policy DF1 over Climate Change). However they are interested to see how our ambitious climate change policies play out at EiP.</p>

f) Policies Map – Metropolitan Open Land designations	Kate	<p>Process – MOL criteria, GIBOSS reports</p> <p>Some notable proposed changes include:</p> <ul style="list-style-type: none"> • AELTC – part removal of MOL not contiguous with Wimbledon Park. • Wandle Valley Sewerage Works, Colliers Wood – addition (as continuity to the WV) • David Lloyd Club Raynes Park – addition and minor removal in line with criteria and recent planning approval. 	<p>GLA: Tooting and Mitcham hub – current referable scheme. They are not supportive of proposed MOL changes going through planning process instead of LP process.</p> <p>LBM should set out any proposals in draft policies map and LP text.</p> <p>LBM: Proposed map changes are available on the LP consultation website for comments. ACTION Kate to send Hasan a link to the Appendix List and the proposed map changes.</p>
g) General discussion on conformity issues on Infrastructure, including (Selisa, Tom, Kate; Eben, Ann Maria)		Draft IDP published alongside draft LP. Will be finalised once further information is provided from CCG, Thames Water, SES, UKPN and SGN.	Not discussed
i. transport,			Not discussed
ii. air quality			Not discussed
iii. telecommunications,		I don't think there are any issues here – we reference the London Plan for provision of digital infrastructure.	Not discussed
iv. security,			Not discussed
v. water supply, wastewater, flood risk (including sustainable drainage systems),			Not discussed
vi. Waste management			

vii. Community facilities (such as health, education and cultural infrastructure);	Have worked with SW London BEWG on identifying health priorities. This has been reflected in IDP. Covid updates. Playspace – updated GLA SPG?	Not discussed
viii. conservation and enhancement of the natural, built and historic environment, including landscapes and green infrastructure.	Evidence base: <ul style="list-style-type: none"> • PPS • ISFS • GI study Clear reference in policy to AELTC site being an international sporting venue. Link with Site Allocation. UGF - Small sites guidance?	Not discussed
h) AOB		

GLA: General update/lowdown

GLA formally publication before the 22nd March 2021 – GLA believes they have covered the SOS concerns - the GLA have been using the IP LP for Apps etc.

Key things for some LAs – Ind land general issue with LAs

Affordable housing –some LA not applying the correct approach/ thresholds i.e 30% on private land – this has caused issues for some LA's

Tall buildings

Merton

Key issues are:

Housing targets – challenging to meet year on year

OA (CR2) We see the development starting around CW with Morden and Wim later.

GLA –LBM should define set out a boundary for the OA. Housing and OA figures don't include/informed by CR2.

LBM needs to set out sites for the OA

Figures for the OA are indicative –LBM to work out how - these figures for the OA should be starting points not targets. LBM investigation should outline what the figure will be

GLA would like to see more work and delivery of tall buildings – SCOPE TO GO HIGHER – LOC/PLAN states it a target we need to correct

GLA believes we should investigate the heights in the OA.

Tall buildings – LBM highlighted the BOR Char studies, Wimbledon SPD, estate plans – we need to bring together and link in the LOCplan

Morden reg. LBM outline the changes on the policy and the issue/ areas it cover (neighbourhood, zone, wider area). LBM highlighted the Morden evidence pages of studies for Morden and challenges e.g land assembly. The policy is to de-risk CPO within the policy.

GLA stated LBM do not assume planning colleagues are aware of the Morden work. Its TfL. If we want detail comment on the Morden studies more time is needed. Concern that the Mor policy does not say where tall building go. - advised to take a look at Old Kent Road tall buildings studies.

How is the 2000 figure is right, if LBM has not said where the tall building are going? Could it delivery more homes?

LBM went through the Hawks Brown study that covers these issues.

GLA – Currently the policy does not highlight the work/thinking behind etc. GLA would not like to see stepping down in metro areas – so tall building is above 6 storey as the gov defines.

GLA – tram link is in the long grass – LBM confirmed it is not required to deliver Morden Regen.

CW-

GLA set out as a district centre – it has potential to be a DIS centre- We need to put info on how we see CW moving away from car based travel and promoting mixed used development in the centre – supported by a CW TC strategy – GLA would be support this. More details needed

All England site

LBM gave details, ownership, and background of the site

GLA: changes to MOL boundary changes – needs to be in the plan.

Housing:

LBM gave an outline of the housing

First 3 years we will not be meeting the target –but after until 2034/35 we will meet the target.

LBM asked of the step approach that we could have regard to in the LocPlan

GLA: in the Plan we must make it clear that it is a step housing target set out in the Lco Plan – we must make it clear! Whaltham FOREST good example of a step approach. GLA looking at 2029 (cul figure is fine). Need to be clear on the plan period is it 2035 or 2036?

We should not be rolling the figure pass 2029 – LP say we should be rolling forward the SMHA, small site etc

Strongly advise against using the 2016 target as the New LP is expected to be adopted in Feb 2020.

Affordable housing-

GLA concern that it 'net' not 'gross' (significant issue) - GLA needs to compare market against afford across LND. GLA 'this has been tested- no movement on this.

Thresholds LBM setting 35% private owned land – LP should work for LBM. Mayor will be reviewing that threshold later this year (it could go up) 50% on Ind were there will be a loss of capacity

Basing on units instead of habitable rooms etc –differs from GLA. The GLA figure in the Loc Plan it's to compare against the market. This could be a conformity issues if not change unless there is evidence

GLA advised- looking at the GLA EIP answers it explains why habitable rooms instead of units etc.

Advice – members that the 35% is a threshold (point for viability) the affordable housing is 50%.

Town Centre

LBM wishes to protect our SIL – GLA says it does not have much bearing the changes by Gov. E4a set out a range of use in those areas – we cannot excluded storage units we need to be less restrictive – no huge concern of our policy.

London Office review – GLA happy Wimbledon is marked for that.

Generally happy with policy

Climate Change policy must have regard to LP DF1 - GLA express the priority for all schemes for affordable housing and transport in the case of viability.

MOL – If LA's plan to make changes it must be set out in the LOCPLAN to go through the EIP process

Meeting Notes - GLA / LBM Duty to Co-op Meeting on 25/3/21 on Housing Policy Matters

VM

Valerie Mowah

Fri 26/03/2021 12:29

To: Hassan Ahmed

; Jorn Peters

Cc: Tara Butler; Katharine Fox



Dear Hassan and Jorn,

Thankyou for the useful dialogue and advice given at yesterday's meeting. Below are meeting notes taken. Please do respond if there are any issues or anything to add to them and / or confirm that they are agreed.

GLA advice is at officer level, particularly given in pre-election period.

- GLA happy with Merton's proposed stepped approach to setting a Local Plan housing target over 15 years, based on detailed analysis of future development in Merton
- Merton has confirmed we can meet 10 year London Plan housing target to 2028/29
- GLA happy with LBM approach for setting housing targets beyond 10 years of considering SHLAA 2017 findings for large sites and rolling forward small sites target
- GLA advise the proposed policy wording provides greater clarity on affordable housing policy around 35% /50% threshold for fast tracked schemes. The GLA advised that the attraction to developers of the fast tracked route is that it does not attract a late stage viability review. The GLA advised that monitoring indicates an increased take up by developers of the fast track route.
- GLA recommend putting a footnote into draft policy that threshold level is due to be reviewed in 2021 so we should reflect this.
- GLA to clarify:
 - Whether monitoring of the 50% strategic affordable housing target should be in hab rooms, homes, hab floorspace or all three?
 - When / if LDD will be updated to require all boroughs to monitor planning applications in affordable housing hab rooms / hab floorspace
 - How delivering / monitoring planning permissions based on a percentage of affordable housing by hab rooms enables the borough to meet the London Plan 2021 policy H4, which states "The strategic target is for 50 per cent of all new homes delivered across London to be genuinely affordable" (as a borough could meet 50% affordable hab rooms / floorspace in every development but it could still only yield, say, 38% in terms of affordable homes)
- GLA not in a position to advise on / support affordable homes for sites below 10 homes. However the GLA confirmed support for added referencing to a ring-fenced pot to pool cash in lieu and published monitoring information on how this funding will be spent.
- GLA advise to soften student housing policy and make local case as to student housing demand.
- Gypsies and travellers – as Merton has undertaken an assessment since 2008 (Merton's published in 2013) and are also updating this, this will apply rather than the GLA 2008 details.
- GLA to respond to Merton on Build to Rent Policy with specific track changed suggestions where appropriate.

Kind regards



Valerie Mowah

Principal Spatial Planner



[Reply](#)

[Reply all](#)

[Forward](#)

Notes by LBC officers

Duty to Cooperate Meeting: Merton and Croydon -

18.10.2021

Attendees

Julia Dawe, Tara Butler, Valerie Mowah, Ann Maria Clarke

Note taker – Lakshmi Sasikumar

- CLP18 adopted in Feb 2018, following this it was expected we would do an immediate review
- Reg 18 consultation commenced in Winter 2019. When processing of the consultation data began, Covid struck and the Council went bankrupt, this meant the Local Plan was put on pause and unable to begin working on it again until the financial year 2021.
- Due to pause on Local Plan we were unable to meet October cabinet, therefore will be going to cabinet in December and consultation in January

JD presented the **Croydon Local Plan Update:**

Key points of the presentation

- Local Plan review to respond to the New London Plan, climate emergency declared by the Council, changes in the NPPF and also to reflect the Reg18 consultation responses.
- Three new transformation chapters – North End Quarter, Purley Way transformation area and Brighton Mainline Transformation Corridor.
- Homes- To achieve the housing target set out by the London Plan. Align the affordable housing policy with the London Plan. New Co-living policy is drafted in the review.
- Employment and Retail – New affordable workspace policy included in the review. Gave the opportunity to build up more evidence following adoption of London Plan and allowed Croydon to an ELR and viability testing. Croydon is not renewing the Article 4 direction due to lack of resources.
- Croydon has enough sites for Gypsy and traveller sites.
- Urban Design – Intensification policies – New moderate areas of intensification introduced in the review
- **Action- JD to check whether the Gypsy and Traveller site provision complies with the 2005 pan London study on the subject.**

Merton Local Plan

- The Reg. 19 consultation of the draft Merton Local Plan ended in September 2021. The draft plan would be submitted for examination by the end of October. The local plan work started in 2017 and been through a lot of consultations. Merton and Croydon collaborated to produce a flood risk assessment in 2018 and the South London Waste Plan.
- First homes - A new paragraph is added to the plan about the first homes. 70% of homes are in low cost rent and 30% intermediate. The first homes would form part of the 30% intermediate housing.

- The co-living schemes are not much in demand in Merton. There are some co living schemes considered in some of the sites but nothing is delivered yet.
- No affordable workspace policy as Merton has more of small sites.
- Merton conducted a Gypsy and Traveller site study in 2019 carried out by GL Hearn. A need for additional pitches were not identified as the future need could be met by re-letting the existing sites. In connection with the transit provision, an injunction order was dismissed in Nov. 2020. However, Merton is challenging the decision along with some other boroughs.

Duty to Cooperate issues:

- Merton and Croydon already cooperate on flooding, waste management and on the London Plan. No much changes are expected to the current Statement of Common Grounds between Merton and Croydon.
- It is noted that Mitcham is the closest town centre to Croydon and Norbury is the closest to Merton. People travel across for jobs and for other activities. It is just a geographical relationship and therefore no DtC issues identified.
- No DtC issues identified in connection with community facilities
- No DtC issues raised in connection with Transport as there are no strategic crossings between the boroughs other than existing tram and no changes are proposed to the tramline in that stretch.

Actions:

- Reference to new transit provisions for gypsy and travellers sites across the sub region to be included in the SCG although it is dealt within the respective borough boundaries.
- Exchange the statements at the earliest as Merton is going for their local plan submission. Merton to send the draft of SCG to JD and Harpriya to start drafting the SCG.