

Inspectors' Matters, Issues and Questions – 3 August 2022

Matter 7: Neighbourhood Policies and Healthy Places

Issue (i): Are the Plan's neighbourhood policies justified, effective, and consistent with national policy?

Q1. Are the boundaries of neighbourhoods included in the Plan justified?

Council response:

- 7.1 Yes, the boundaries of neighbourhoods included in the Local Plan are justified. These are based on Merton's Borough Character Study ([Submitted Document 12D1](#)) which describes the physical form of the borough, its history, social and environmental fabric, places, streets and buildings. This analysis helps illustrate the distinctiveness across the borough and draw out the identity of each neighbourhood.
- 7.2 The neighbourhood boundaries have also been informed by views received in public consultations, both for Merton's Borough Character Study (which was produced as a supplementary planning document and adopted in 2021) and for the Local Plan. Each neighbourhood chapter of Merton's Local Plan starts with a summary of the public consultation that informed neighbourhood boundaries.

Q2. Is the site allocation relevant to South Wimbledon Station (Wi8) included in the correct section of the Plan?

Council response:

- 7.3 The South Wimbledon neighbourhood is new to this Local Plan and is proposed here for the first time. Site Wi8 was included in the Wimbledon neighbourhood as, at the time of the first Regulation 18 (Stage 2) consultation, we did not know whether the proposed new South Wimbledon neighbourhood would be included in the final plan.
- 7.4 For formatting the final Local Plan we can move Site Wi8 to the South Wimbledon neighbourhood or retain Site Wi8 in the Wimbledon chapter. It is proposed to retain the same site allocation number for consistency.

Q3. Are the Plan's neighbourhood policies justified, effective and consistent with national policy?

Council response:

- 7.5 Yes, the Plan's neighbourhood policies, incorporating modifications, are justified, effective and consistent with national policy.

- 7.6 The Plan's neighbourhood policies are consistent with national policy, including [NPPF](#) paragraph 28 which states *Non-strategic policies should be used by local planning authorities and communities to set out more detailed policies for specific areas, neighbourhoods or types of development. This can include allocating sites, the provision of infrastructure and community facilities at a local level, establishing design principles, conserving and enhancing the natural and historic environment and setting out other development management policies.*
- 7.7 The six neighbourhood policies (N3.1 Colliers Wood; N3.2 Mitcham; N3.3 Morden; N3.4 Raynes Park, N3.5 South Wimbledon and N3.6 Wimbledon) set out policies which add detail to the defined network of town centres, ensuring their vitality and viability (NPPF paragraph 86). They also define each of the neighbourhood centres and promote social interaction ([NPPF](#) paragraph 92).
- 7.8 The neighbourhood policies are justified and effective. They set out an appropriate strategy, taking into account reasonable alternatives and are based on proportionate evidence. The wide range of evidence submitted for examination supports the different aspects of the neighbourhood policies, including town centres, wider neighbourhoods and site allocations. This evidence includes consultee's comments received for the Local Plan (including [OD6](#) and [OD15](#), Merton's sustainability appraisals including [10D3](#), Merton's Borough Character Study ([12D1](#)); Merton's Strategic Housing Market and Needs Assessment ([11D8](#)), Merton's Infrastructure Delivery Plan ([14D4](#)); the Topic Paper on town centres and the economy, Merton's Strategic Flood Risk Assessment ([15D2 to 15D7](#)), Merton's Health and Wellbeing Strategy([10D1](#)), and other submitted evidence.
- 7.9 The neighbourhood policies are deliverable over the plan period and are based on effective joint working on cross boundary strategic matters, evidenced by both statements of common ground and representations received from the Mayor of London, including the statement of general conformity with the London Plan ([OD13i](#)).
- 7.10 Merton, other London boroughs and the Greater London Authority work closely together on strategic plan making, infrastructure provision and project delivery, particularly for transport, but also health, safety, housing, economic development and flood risk. The council has worked closely with other organisations throughout the preparation of Merton's local plan and has submitted a range of Statements of Common Ground to the examination hearings ([all available in the examination library](#)). These include statements jointly prepared with neighbouring boroughs and also with Transport for London ([OD13g](#)) the Mayor of London ([OD13i](#))(accompanied by a letter of general conformity), infrastructure providers and other statutory consultees. These statements, and submissions on Statement of Consultation and Duty to co-operate, demonstrate the effective joint working and deliverability of the proposed neighbourhood policies.

Issue (ii): Does the plan aim to achieve healthy places which enable and support healthy lifestyles in a justified and effective way?

Q1. How has the strategic direction outlined in Policy HW10.1 informed the Plan's spatial strategy, and its detailed policies on neighbourhoods, green and blue infrastructure, design, transport, public realm, and other relevant issues?

Council response:

7.11 The strategic direction set out in Policy HW10.1 is woven throughout the Plan in accordance with the [NPPF](#) social objective para 8 (b) and Chapter 8 *Promoting healthy and safe communities*. The policy direction seeks to support strong, safe, vibrant, accessible and healthy neighbourhoods. This includes:

- tackling environment issues, for example air quality,
- ensuring that development proposals improve and promote an active and healthier lifestyle,
- promote healthier, greener and safer environments,
- tackle Merton's identified health issues and inequalities, and
- contributing to the COVID recovery.

7.12 Some examples of this are set out below.

7.13 **Healthy Streets Approach** – The Plan throughout has adopted TfL's healthy streets approach, which puts people's health at the centre of how streets and public spaces are designed, managed and used. This can be seen in the Plan's Neighbourhood policies (for example Colliers Wood: Policy N3.1, Morden: Policy N5.1 and Wimbledon: Policy N9.1). Developments will be expected to demonstrate how their proposals will deliver improvements that support the ten Healthy Streets Indicators in line with Transport for London guidance.

7.14 **Promoting 20 minutes neighbourhoods** – The Plan promotes the economic, environmental, health and social benefits of 20-minute neighbourhoods. This seeks to ensure we are creating attractive, interesting, safe, walkable environments and neighbourhoods for all ages, encouraging active travel for short distances from home. This approach can be found in the neighbourhood policies (for example Colliers Wood: Policy N3.1, Mitcham: Policy N4.1 and Raynes Park: Policy N6.1).

7.15 **Chapter 01b. Good growth** – The Plan contributes to the London Plan Good Growth Objectives. This chapter acknowledges that growth will need to positively contribute to Merton's COVID-19 recovery. It acknowledges that our health inequality gap is growing and the pandemic has increased the gap, especially our deprived wards mainly in the east.

7.16 **Neighbourhood policies** - Colliers Wood: Policy N3.1, Mitcham: Policy N4.1 Raynes Park: Policy N6.1, Morden: Policy N5.1, Raynes Park: Policy N6.1 and Wimbledon: Policy N9.1 all seek to deliver that 20-minute neighbourhoods are planned and designed well, that they improve air quality and reduce public exposure to poor air quality, and minimise inequalities in levels of exposure to air pollution.

- 7.17 **Strategic Policy D12.1 Delivering well designed and resilient neighbourhoods** – Part c encourages and enables sustainable and healthy lifestyle choices through effective public realm that facilitates active modes of transport. In addition this policy seeks to create places that are safe, inclusive and accessible and which promote health and wellbeing, with a high standard of amenity for existing and future users.
- 7.18 **Policy IN14.2 Social and community infrastructure** – Part f supports the provision of new or improved healthcare facilities in the borough, working in partnership with NHS England and health bodies to meet the needs of Merton's projected population growth. This policy also seeks to improve access to primary health care facilities.
- 7.19 **Policy IN14.3 Sport and Recreation** – This policy acknowledges the importance of parks, play areas, leisure, recreation and cultural facilities in encouraging healthier, more active lifestyles and improving mental well-being and social interaction for all.
- 7.20 **Strategic Policy O15.1 Open Space, Green Infrastructure and Nature Conservation** – This policy recognises that access to open spaces and green infrastructure plays an important role in the physical and mental health and wellbeing of all people. **(Part b)** seeks to protect and make improvements to walking and cycling routes to and through Merton's green spaces. **(Part h)** promotes healthy lifestyles by encouraging physical education and well-being through the use of Merton's leisure centres, schools, open spaces, playing pitches and recreational spaces.
- 7.21 **Policy O15.2 Open Space and Green Infrastructure** – This policy acknowledges the contribution of open spaces to the health (including mental health) and wellbeing of residents. Furthermore, it identifies the value of Merton's open spaces and the need to protect and enhance open spaces for active and passive leisure activities. The use of open spaces positively impacts on health and wellbeing, for example, providing opportunities for social cohesion between members of Merton's diverse communities, providing safe pedestrian and cycle routes, providing areas for nature within urban areas and providing areas for flood mitigation measures. This policy also expects all development to incorporate elements of green infrastructure on site, to enhance biodiversity and contribute to the health and wellbeing of all residents.
- 7.22 **Policy O15.2 Open Space and Green Infrastructure (Part f)** - This policy safeguards existing allotments and encourages and supports opportunities for community run and managed food growing spaces in new developments. It understands that local food growing and allotments can help to create healthier food environments, improve food security, promote healthy and active lifestyles and help to improve social and community cohesion.
- 7.23 **Policy O15.5 Urban Greening** – This policy ensures that new development incorporates green infrastructure, to help create healthier places, enhance biodiversity and address the urban heat island effect.
- 7.24 **Strategic Policy T16.1 Sustainable Travel** – This policy applies Transport for

London (TfL) Healthy Streets Approach to create accessible streets and public areas where it is safe and convenient to socialise, walk, cycle and use public transport.

- 7.25 **Policy T16.2 Prioritising active travel choices (part c)** - This policy seeks to protect and enhance any existing publicly accessible cycle and pedestrian routes that cross development sites and maximise opportunities to improve public accessibility by providing new connections through sites. It seeks to increase more active travel like walking and cycling which would contribute to improve the physical health of residents. The policy also reflects the Mayor's Transport Strategy target for all Londoners to do at least the 20 minutes of active travel they need to stay healthy each day by 2041.

Q2. Is it clear how and whether the input of the Alzheimer's Society and Merton Dementia Hub (10.1.31) would be incorporated into any design review arrangements?

Council response:

- 7.26 Paragraph 10.1.31 recommends that developers consider all available guidance produced by the architectural, urban design and health organisations that provide best practise and approaches on creating dementia friendly homes and environments, as well as, seeking advice from Alzheimer's Society and Merton's Dementia Hub at an early stage.

- 7.27 The Main Modification below is proposed to clarify this.

Proposed modifications:

[New paragraph after 10.1.31]:

Developers will be expected to demonstrate how they have incorporated dementia-friendly approaches in submitted planning applications and, where relevant, when presenting schemes to the Design Review Panel.

Q3. Is it clear how development proposals are expected to contribute to health priorities of Merton Health and Wellbeing Board (per Policy HW10.2) and is the plan justified in this regard?

Council response:

- 7.28 The council is proposing a Main Modification to Policy HW10.2 and its supporting text to improve clarity. The proposed modification clarifies that the

health and wellbeing priorities are found in the Merton's Health and Wellbeing Strategy and that development proposals are expected to contribute to the priorities found in Merton's this strategy, and not the Board.

Proposed modifications:

Policy HW10.2: Delivering healthy places.

We require development proposals to improve and promote strong, vibrant and healthy communities.

- a. We will require development proposals to:
 - i. Contribute towards the health priorities of Merton Health and Wellbeing ~~Strategy~~ ~~Board and partners~~ to help reduce inequalities, including health, across Merton.

[New paragraph after 10.2.1]:

Merton's Health and Wellbeing Strategy

Merton's Health and Wellbeing Strategy (2019-2024) has four main themes for Merton residents to *Start Well, Live Well* and *Age Well* in a *Healthy Place*. The strategy has a number of priorities for example:

- Tackling health inequalities: especially the east/west health divide in the borough
- Health in All Policies approach: maximising the positive health impacts across all policies and challenging negative impacts.

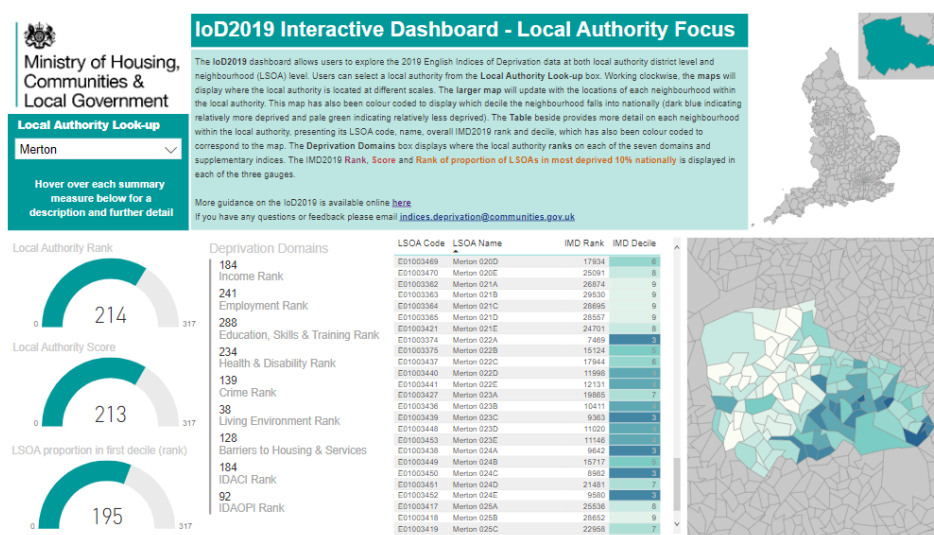
All development proposals are required to positively contribute to the council's health priorities as set out in Merton's Health and Wellbeing Strategy.

Q4. Are requirements for Health Impact Assessments in Policy HW10.2 justified, and is it clear how a neighbourhood's position on the Index of Deprivation would trigger such a requirement?

Council response:

7.29 Yes, Policy HW10.1 is justified in accordance with the NPPF paragraph 92 ([Document 0D20](#)) and in accordance with London Plan Policies GG3 Creating a healthy city and Policy E9 Retail, markets and hot food takeaways ([Document 0D32](#)) and with the aims of the [Mayor of London Health Inequalities Strategy](#) (please note the council proposes to submit the Mayor of London Health Inequalities Strategy as an Examination Document).

- 7.30 The policy is supported by the GLA as expressed in their [Regulation 19 response](#) dated 6th September 2021, which states ‘*The focus of the draft Plan is centred onhealth and wellbeing and growing inequalities and this emphasis is well aligned to the Mayor’s good growth objectives.*
- 7.31 The council has reviewed the policy wording and is proposing a Main Modification to provide clarity in regard to the Index of Deprivation and the trigger for HIA requirements. This is informed by Merton’s Joint Strategic Needs Assessment ([Submitted Document 10D2](#)) (including annual update known as the Merton Story ([Submitted Document 10D3](#)).
- 7.32 The proposed modification adds supporting text to refer to the government’s website on Indices of Deprivation and provides a specific trigger at which developments of 50 homes or more must submit a Health Impact Assessment. The geographic locations that the trigger for the Indices of Multiple Deprivation (IMD) apply to will change over the 15-year lifetime of the Plan.
- 7.33 As can be seen in the [government’s indices of multiple deprivation 2019 - interactive map](#) (extract below) the majority of the borough is less deprived (IMD6 or above). However there are pockets of deprivation (IMD 1-4) across the borough, particularly towards the east.
- 7.34 Therefore, the proposed modification clarifies that for Policy HW10.2(b)(iii) developments of 50 homes or more that are located in more deprived areas – described as in IMD decile 5 or lower – should provide a health impact assessment.



- 7.35 The final paragraph of the proposed modification adds clarity to help developers and decision makers to assess compliance with Policy HW10.2(b)(iv) on cumulative impacts by explaining where a proposed major development is within

800 metres (10 minutes' walk) of another two proposed major developments that are planned or started, a HIA must be submitted.

Proposed modifications:

Policy HW10.2 (b) We will:

- i Use the Healthy Streets Approach to priorities health and wellbeing in planning decisions.
- ii Require all developments in Merton of 100+ residential units or over 10,000m² non-residential development to carry out a Health Impact Assessment (HIA).
- iii Require a HIA for developments of ~~over~~ 50 homes ~~or more~~ in areas identified by ~~government's the Ministry of Housing, Communities and Local Government (MHCLG)~~ Indices of Deprivation or identified in Merton's Joint Strategic Needs Assessment (JSNA) as an area of health priorities.
- iv Require a HIA for the following developments:
 - Cumulative impact – the proposed major development is in an area with two or more other major developments planned or started.

[NEW PARAGRAGHS after paragraph 10.2.7]:

Indices of Multiple Deprivation

The Indices of Deprivation provide a set of relative measures of deprivation at a small local area level (Lower-layer Super Output Areas) across England, based on seven different domains, or facets, of deprivation:

- Income
- Employment
- Education, Skills and Training
- Health and Disability
- Crime
- Barriers to Housing and Services
- Living Environment

Combining information from the seven domains produces an overall relative measure of deprivation, the Index of Multiple Deprivation (IMD). The Index of Multiple Deprivation (IMD) ranks every small area in England from 1 (most deprived area) to 32,844 (least deprived area).

Merton ranks as the 214th least deprived local authority district in terms of average IMD (2019) (out of a total of 317), and the 5th least deprived borough in London (out of a total of 32 boroughs). However, there are pocket of deprivation across Merton with more in the east of the borough. Developers are expected to refer to the government's [IMD reports mapping sources](#) and demonstrate how the information has informed proposals by way of the HIA. To comply with policy HW10.2 (b)(iii) above, developments of 50 homes or more located in a IMD decile that is 5 or less must submit a Health Impact Assessment.

Cumulative impact

Proposed development within 800 metres of two or more other major developments planned or started will be required to carry out a HIA. The HIA must have regard to other development proposals planned or started and demonstrate that the cumulative impact is positive and will contribute to a healthy environment.

Q5. Are the requirements for hot food takeaways to operate in compliance with the Healthier Catering Commitment Standard justified and relevant to the development and use of land?

Council response:

- 7.36 The council believes the Policy HW10.1 is justified in accordance with the NPPF chapter *Promoting healthy and safe communities* and paragraph 92 ([Document 0D20](#)) and is in accordance with London Plan policy and the aims of the Mayor of London Health Inequalities Strategy [to be submitted as an Examination Document]. The policy is supported by the GLA as expressed in letter dated 6th September 2021 (consultation response stage 3 contained in Submitted Documents [0D6](#) and [0D7](#)). The letter states *‘The focus of the draft Plan is centred onhealth and wellbeing and growing inequalities and this emphasis is well aligned to the Mayor’s good growth objectives*
- 7.37 The council considers the requirement for Healthier Catering Commitment is justified in accordance with London Plan ([0D32](#)) Policy E9 Retail, markets and hot food takeaways (part e) it says: *Where development proposals involving A5 hot food takeaway uses are permitted, boroughs should encourage operators to comply with the Healthier Catering Commitment standards. Where justified, boroughs should ensure compliance with the Healthier Catering Commitment through use of a condition.*
- 7.38 Furthermore, the approach will assist in tackling both childhood and adult obesity in Merton; seeking to improve the health of residents. The Healthier Catering Commitment (HCC) scheme will help food businesses in the borough to provide healthier food to their customers. The HCC scheme promotes a reduction in the consumption of fat, salt and sugar, and an increase in access to fruit and vegetables. This can also help ensure there are healthier food options available for night workers and shift workers in a 24-hour city.
- 7.39 It is the belief of the council the HCC will contribute to improving food choices in Merton especially in areas of deprivation. These tend to be in the east of the borough which has higher levels of multiple inequalities and associated higher risk rates of chronic diseases, including cardiovascular disease, type 2 diabetes, cancer, liver disease and respiratory diseases.
- 7.40 The policy approach has been informed by local evidence such as Joint Strategic Needs Assessment (JSNA)([Document 10D2](#)) (including the annual update known as the Merton Story [\(10D3\)](#). The key headlines from the JSNA are as follows:

- In 2019/2020, over half (53.2%) of Merton's population were estimated to be overweight or obese.
- 26.5% (8564 people) of individuals with obesity in Merton live in the most deprived areas, compared with 12.3% (4,012 people) in the least deprived areas.
- Over 1 in 12 (8.7%) reception-aged children and 1 in five (20.1%) year 6 children were estimated to be obese in 2019/20 109. The prevalence of overweight and obesity in Merton fluctuates year on year with little overall reduction between 2007 and 2020 for both reception and year 6 aged children.
- Significant inequalities in Merton with greater levels of childhood overweight and obesity in East Merton compared to west of the borough.
- Obesity (including severe obesity) in year 6 children in the western part of the borough ranges from 9.6% in Dundonald ward to 21.3% in Lower Morden ward, while in east of the borough, this ranges from 15.4% in Abbey ward to 29.4% in Pollards Hill ward.
- The proportion of women who were obese in early pregnancy in 2018/19 was 15.6%.
- Associated links with between obesity and poor quality of life, reduced life expectancy, poorer mental health, risk factor for chronic diseases, including cardiovascular disease, type 2 diabetes, cancer, liver disease and respiratory disease.

7.41 The full impacts of the Covid-19 pandemic are still being reviewed across the UK but early indications are that the health and socio-economic gap has widened in areas of deprivation.

Q6. Is the approach in Policy TC13.8 consistent with national policy and justified? Is the Policy and Supporting Text sufficiently clear (e.g., 'over concentration', 'Adequate noise containment measures'), so it is evident how a decision maker should react to development proposals?

Council response:

7.42 Yes, the approach in Policy TC13.8, with modifications incorporated, is consistent with national policy and justified.

7.43 The council has proposed a main modification to paragraph 13.8.1 to reference the NPPF 2021 ([Document 0D20](#)). The policy is relevant to creating vital and vibrant town centres (NPPF 2021 chapter 7) and also promoting healthy lifestyles (NPPF 2021 para 92c and other paragraphs in chapter 8) and protecting local amenity.

7.44 The approach to protect local amenity and support healthy lifestyles is justified by the [NPPF](#), [NPPG](#) (particularly Paragraph: 004 Reference ID:53-004-20190722) and the London Plan ([Document 0D32](#)) including policy E9 *Retail, Markets and Hot Food Takeaways* which states:

C Development Plans and Development proposals should...

7) manage clusters of retail and associated uses having regard to their positive

and negative impacts on the objectives, policies and priorities of the London Plan including:

- a) town centre vitality, viability and diversity*
- b) sustainability and accessibility*
- c) place-making or local identity*
- d) community safety or security*
- e) mental and physical health and wellbeing.*

D Development proposals containing A5 hot food takeaway uses should not be permitted where these are within 400 metres walking distance from the entrances and exits of an existing or proposed primary or secondary school. Boroughs that wish to set a locally-determined boundary from schools must ensure this is sufficiently justified. Boroughs should also carefully manage the over-concentration of A5 hot food takeaway uses within town centres and other areas through the use of locally-defined thresholds in Development Plans.

E Where development proposals involving A5 hot food takeaway uses are permitted, boroughs should encourage operators to comply with the Healthier Catering Commitment standards. Where justified, boroughs should ensure compliance with the Healthier Catering Commitment through use of a condition.

- 7.45 In September 2020 the Government amended the Use Class Order to put pubs, bars and other drinking establishments and hot food takeaways into their own “sui generis” use classes. Unlike the new Use Class E “commercial, business and service” which supports change between other food and drink uses without the need for planning permission, sui generis uses require planning permission to open or change use.
- 7.46 The approach for hot food takeaways is also monitored and justified in Chapter 5 of Merton’s Authority Monitoring Report (Document [0D28](#)) which monitors the number and location of hot food takeaways in Merton. As of 2019 / 2020 6% of Merton’s retail premises were hot food takeaways.
- 7.47 The approach to public houses is justified by London Plan 2021 ([Document 0D32](#)) Policy HC7 *Protection of public houses*, which sets out that Development Plan Documents can protect public houses which have a local social, economic or cultural value or which contribute to wider town centre or night time economy objectives.
- 7.48 London Plan policy HC7 para 7.7.2 cites that London has lost nearly 1,200 pubs in the 15 years to 2017 and Merton has also experienced the redevelopment of public houses to other uses, previously via permitted development and more recently via the planning system. Table 1 below lists planning applications for public houses in Merton between 2018 and 2022 (note, this list is not exhaustive).

Table 1 – summary of planning decisions relating to public houses 2018-2022

Planning reference number	Public House address	Postcode	Effect on public house	New development
18/P2207	641 Kingston Road Raynes Park	SW20 8SA	Loss	Retail ground floor,

				Residential above
17/P4187	The Woodman Hotel 222 Durnsford Road Wimbledon Park	SW19 8DR	Extension / refurb	Residential added
17/P0253	The Queens Head, Mitcham	CR4 4LA	Loss	Residential
21/P0080	The Goat Inn, Carshalton Road, Mitcham	CR4 4HJ	Extension	-
20/P3807	The Wite Hart, 350 London Road, Mitcham	CR4 3ND	Loss	Residential
20/P3478	The Prince of Wales, 98 Morden Road South Wimbledon	SW19 3BP	Loss of function room	Residential
20/P2579 and 19/P0328	Kings Arms Public House 260 London Road Mitcham	CR4 3HD	Loss of upper floors	HMO
17/P3255	Dog and Fox, 26 High Street Wimbledon Village	SW19 5DX	Extensions and alterations to create additional dining space and hotel rooms	-
17/P4410	Hand in Hand, 4-11 Crooked Billet, Wimbledon	SW19 4RQ	Refurbishment of public house	-
16/P0474	Pub, 60-62 High Street, Colliers Wood	SW19 2BY	Loss	Retail ground floor, residential upper floors

7.49 Yes, the Policy TC13.8 and Supporting Text is sufficiently clear so it is evident how a decision maker should react to development proposals. For example, the policy at (f) under the heading “hot food takeaways” states *Proposals which result in an over-concentration of hot food takeaways will not be permitted as this would detract from the ability to adopt healthy lifestyles.*

7.50 The associated Supporting Text then helps the decision-maker determine how to define an over-concentration, for example at paragraph 3.8.12 “... *Generally, an ‘over-concentration’ of hot food takeaways would be the development of more than three hot food takeaways in a shopping parade of 10 consecutive shops* and paragraph 13.8.15 “*When considering proposals for change of use to hot food takeaways, the first unit in each parade of shops (where possible) should be used as the starting point to ascertain if the proposal meets policy. A ‘unit’ refers to individual shops.*”