

Committee: Borough Plan Advisory Committee

Date: 8 March 2017

Wards: all

Subject: Adoption of chapter 9: *basement and subterranean development planning guidance* and chapter 8: *Shop fronts* of the Design Supplementary Planning document (SPD)

Lead officer: Director of Environment and Regeneration, Chris Lee

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

Contact officer: Future Merton strategic planner: Ann Maria Clarke

Recommendations:

- A. That The Borough Plan Advisory Committee recommends that Cabinet adopts chapter 9: *basement and subterranean development planning guidance* and chapter 8: *Shop fronts* of the Design Supplementary Planning document (SPD)
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1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. During December 2016 and January 2017 a draft basement and subterranean development planning guidance and shop front guidance was published for consultation, following the Borough Plan Advisory Committee feedback on the draft guidance in late 2016.
- 1.2. Following feedback, some amendments have been recommended to the two chapters and the Borough Plan Advisory Committee is asked to consider these and recommend the chapters to Cabinet for adoption as part of Merton's Design Supplementary Planning Guidance.
- 1.3. The consultation feedback and final planning guidance is attached as Appendix A and B to this report.

2 DETAILS

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

Basement and subterranean planning guidance

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

The Shop front planning guidance

2.4. The shop front guidance is designed to be a useful guide for shop owners, developer and building owners wanting to undertake work to shop fronts and signs. It also gives guidance for new built retail units.

2.5. Consultation

2.6. Consultation on the two chapters of the SPD took place between 1st December 2016 and 27 January 2017.

2.7. During the consultation the council used different methods of public engagement to maximise public involvement and raise public awareness of the consultation.

- A survey was conducted using Survey Monkey, the reason being it is a user friendly, recognisable and trusted. As well as Survey Monkey other consultation methods used for the consultation were:
 - Paper copies of the planning guidance and its supporting documents were made available at Merton's reference libraries
 - Posters displayed at Merton's at libraries
 - Dedicated webpage with copies of the guidance and supporting documents
 - Consultation details tweeted on Merton's Twitter account and information on the council's Facebook page by Merton's Communication team
 - Consultation information was placed on the council's website home page
 - Formal written consultation letters and emails sent to local residents, businesses, residential groups/organisations, environmental stake holders e.g. Environment Agency and other interested parties
 - Reminder emails and letters- informing local community that there was still time to take part in the consultation.
 - Specific discussions took place with shopkeepers around the borough on the Shopfronts chapter

2.8. 17 responses were received on the basement and subterranean development chapter. These comments are set out in Appendix C to this report. Summary of some of the received comments:

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

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

- To provide clarity
- Moving parts of Appendix B to the main part of the document under the heading Outline Construction Method Statement (CMS) and

Appendix B: will become Detailed Construction Method Statement (CMS)

- 2.10. 12 comments were received on the shop fronts chapter. These comments are set out in Appendix D to this report. Summary of some of the received comments:
- Well produced high quality document
 - Confusion regarding the target audience for the document
 - Issues about the level of detail and accuracy of information relating to planning consents
 - Need to address shop conversions to residential uses
- 2.11. The amendments proposed to the shop front chapter can be summarised as follows
- Expansion of introduction to clarify layout and identify clearly the target audience and status of the document. References to relevant planning documents and policies made.
 - Addition of planning consent table on page 45 to clarify the types of planning permission required.
 - Addition of section 8.5 Conversions to residential which provides design guidance on the conversion of shop front to residential use.

3 ALTERNATIVE OPTIONS

- 3.1. The alternative option would be to not adopt one or both chapters as part of Merton's Design Supplementary Planning Guidance. This alternative option is not recommended.

4 CONSULTATION UNDERTAKEN OR PROPOSED

- 4.1. Basement and subterranean: As set out in appendix C: Statement of Consultation
- 4.2. Shop front: As set out in appendix D: Statement of Consultation

5 TIMETABLE

- 5.1. The guidance will be considered by Cabinet on 20th March 2017 for adoption:
- Chapter 9: Basement and subterranean development planning guidance
 - Chapter 8: Shop front guidance
- 5.2. Both are chapters to the Design Supplementary Planning Guidance (SPD) which is being produced a chapter at a time.

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 6.1. Both chapters of the Design Supplementary Planning Document interpret existing planning policies and apply to relevant planning applications in Merton.

7 LEGAL AND STATUTORY IMPLICATIONS

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

8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 8.1. No implication. Both of the guidance has also been subject to a Strategic Environment Assessment (SEA) screening. The council is statutory required to consult with three government advisor bodies namely the Environment Agency, Historic England and Natural England. All of the fore mentioned bodies supported the findings of the SEA screening.

9 CRIME AND DISORDER IMPLICATIONS

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

10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

- 10.1. None

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

- Appendix C: Statement of Consultation for the basement and subterranean planning guidance
- Appendix D: Statement of Consultation for the shop front guidance

12 BACKGROUND PAPERS

- 12.1. NPPF 2012
- 12.2. Merton's Sites and Policies Plan 2014
- 12.3. Merton's Core Planning Strategy 2011