Dear Tara Butler,

Merton Council Local Development Framework: Proposed submission of Sites and Policies Plan and Policy Maps

Statement of general conformity with the London Plan (Planning and Compulsory Act 2004, Section 24 (4) a)

Thank you for your letter of 15 July 2013 consulting the Mayor on the above documents and requesting an opinion on general conformity.

The Mayor has delegated his planning powers to me in relation to this matter and on 28 August 2013 I considered a report on this matter, reference PDU/LDF24/LDDO4/04. This report constitutes my formal representations to the proposed submission consultation. Please note that this includes representations relating to general conformity with the London Plan as well as other representations to clarify or improve policy.

As you will be aware, all development plan documents must be in general conformity with the London Plan under section 24 (1) (b) of the Planning and Compulsory Purchase Act 2004. However, it is my opinion that the Sites and Policies Plan proposed submission document is not in general conformity with the London Plan in respect to the Council's position on affordable housing, and specifically Policy DM.H3 which proposes to cap affordable rent levels at 65% of market rent. Further discussion would be welcomed in relation to this point and the issues raised in respect of student housing, the allocated use of Wimbledon Greyhound Stadium and transport in order to bring a document forward that is in line with national guidance and the London Plan.
If you would like to discuss any of my representations in more detail, please contact Jonathan Finch (020 7983 4799) who will be happy to discuss and arrange further meetings.

Yours sincerely

Sir Edward Lister
Deputy Mayor and Chief of Staff

cc Richard Tracey, Merton London Assembly Constituency Member
Nicky Gavron, Chair of London Assembly Planning and Housing Committee
Planning Casework (London), DCLG
Colin Lovell, TfL
Appendix 7  planning report D&P/LDF24/LDD04/04  
28 August 2008 

Merton Submission Draft Sites and Policies Plan and Draft Proposals Map, Development Plan Document

Merton Council Local Development Framework

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<thead>
<tr>
<th>Consultation on Pre-Submission Document</th>
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<th>Strategic issues</th>
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<td>The Development Management Policies Document is still not in general conformity with the London Plan in relation to its affordable housing policy. The report also raises issues with regards to student housing, transport and the site allocations.</td>
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<th>Recommendation</th>
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<td>That the Mayor agrees to submit the comments set out in this report to Merton Council as the formal response to the Pre-Submission consultation, and that Merton Council be advised that the Proposed Submission documents are not in general conformity with the London Plan in relation to the above strategic issues.</td>
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<th>Context</th>
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<td>1. On 15 July 2013 Merton Council consulted the Mayor of London on the above document. This report sets out information for the Mayor’s use in deciding what comments to make. The consultation period ends on 30 August 2013.</td>
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</table>

2. The Local Development Framework together with the Mayor’s Spatial Development Strategy ("London Plan") and the National Planning Policy Framework ("NPPF") provides the essential framework for planning at the borough level. The “development plan” in London for the purposes of section 38(6) of the Act is:

- The London Plan (2011); and
- Development plan documents produced by the borough councils (and saved unitary development plan policies in transitional period); and
- Neighbourhood Plans as appropriate.

3. There are three types of Local Development Documents ("LDDs"): Development Plan Documents (DPDs); Supplementary Planning Documents ("SPDs"); and Statements of Community Involvement. All of the documents now being consulted on are DPDs with development plan status, which will be subject to an examination to test the ‘soundness’ of the plan.
4. The NPPF states that a plan is “sound” where it is positively prepared, justified, effective and consistent with national policy.

The Mayor’s role

5. All DPDs must be in general conformity with the London Plan, in accordance with Section 24(1)(b) of the PCPA. Section 24(4) of the PCPA requires boroughs prior to submitting it to the Secretary of State to request the opinion in writing of the Mayor of London as to the general conformity of a DPD with the London Plan and advises that they may request the opinion in writing of the Mayor as to the general conformity of any other LDD. The Mayor issues this opinion on DPD general conformity in accordance with Section 24(5) of the PCPA. Further to this Regulation 18 requires general consultation at the pre-submission stage. By virtue of Regulation 21(2) of the Regulations the Mayor has 6 weeks from the date of the request to provide his opinion on whether the DPD is in general conformity with the London Plan.

6. Mayor of London’s comments will be made available on the GLA website www.london.gov.uk.

Previous representations

11. The Mayor made representations on the previous stage 3 consultation stage of the plan preparation process on 27 February 2013 (planning report PDU/LDF24/LDD04/03) and representations were made by officers under delegated authority to the “Issues and Options” consultation stage on 23 March 2012. A number of the issues that were raised at these stages have been satisfactorily addressed; however, the following issues remain unresolved.

Proposed representations

12. The Merton Local Development Framework will replace the adopted 2003 Unitary Development Plan. It will set the Council’s approach to the planning of the borough up to 2023 and will consist of the Core Strategy, Proposals Map, Development Control Policies and Site Specific Allocations Documents and a number of supplementary planning documents. Some of the UDP policies have already been superseded by Merton’s Core Planning Strategy 2011, the South London Waste Plan and the London Plan 2011. The remaining policies will eventually be superseded by the final version of the Sites and Policies DPD and Proposals Map.

Strategic Issues

Affordable Housing

13. The document’s approach to affordable housing is not in general conformity with the London Plan and is not a basis for informing sites and policies on affordable housing. It is disappointing to see that the Council has not addressed the strategic issues raised by the GLA at the previous stage 3 consultation in respect to limiting average rent levels on the affordable rent product. As stated in our previous responses, setting rent caps on affordable rent (including re-let conversions) at 65% of market rent could constrain delivery and prevent the maximisation of affordable housing delivery.

14. The London Plan Revised Early Minor Alterations (REMA) and the revised London Housing Strategy emphasise that the priority for affordable housing is maximising supply and increasing delivery, having regard to the availability of resources. The Secretary of State’s letter of 13 August 2013 which supports the publication of REMA also states that “imposing rent controls through local planning policies would inter this objective and risk letting Londoners down by limiting the supply of
affordable housing, and reducing the choice for tenants.” The nationally set definition of the affordable rent product as set out in the National Planning Policy Framework makes clear that affordable rent is up to 80% of market rent.

15. Merton Council’s Policy DM.H3 ‘Support for affordable housing’ and justification text which seek to impose local, lower rent ceilings through the planning system would compromise the flexibility necessary for the product to deliver affordable housing in different circumstances and in turn will not be compliant with national guidance and would not be in general conformity with the London Plan (Policies 3.11 & 3.12).

16. Officers would welcome further discussion regarding this non-conformity issue with the Council prior to its Examination in Public.

Student Accommodation

17. The amendments to the Policy DM.HF Student Housing are still considered unsatisfactory to address the issue raised in previous representations. The borough should not restrict student housing provision to meet the needs of particular boroughs but should meet strategic needs as well as local ones in line with London Plan Policy 3.8 Housing Choice. It is therefore suggested that the reference to specific south London boroughs in paragraph (vii) be removed and replaced by “caters for recognised educational establishments within a reasonable travelling distance.”

Wimbledon Greyhound Stadium

18. The GLA’s previous issues concerning the potential loss of an active greyhound stadium use at the site remain and would raise strategic policy concerns regarding the protection of London’s cultural heritage. The intensification of the site for uses that would support the continuation of the greyhound stadium would be supported, however, the provision of a substantial out of centre retail store as an enabling development at this site, would not be in conformity with London Plan policy.

Transport

19. Transport for London (TfL) generally supports the Site and Policies Plan DPD, but is disappointed that some important transport issues have not been addressed in the changes made to the document between the Issues and Options and Pre-submission stage, and as such the document is considered contrary to London Plan Policy 6.2 and the Land for Industry and Transport SPG (September 2012). The following comments set out those issues with regards to each site:

Site 01 - “P3” Hartfield Road Car Park, Wimbledon

20. TfL still has concerns over the proposal for the above site as the Sir Cyril Black Way Bus Stand is located within its boundary. As per TfL’s previous representations, this is a very important asset and must be protected from any potential development if bus services in the area are to be adequately provided for. TfL requires the site proposal be amended to safeguard the bus interchange, unless or until a suitable alternative is identified which results in no overall loss of capacity or operational convenience. Until the policy is amended to include this safeguarding, TfL object to this site allocation which is contrary to London Plan Policy 6.2 and the Land for Industry and Transport SPG (September 2012).

Site 65 – Kenley Road Car Park, Morden

21. TfL previously identified this site as a potential location to provide additional bus standing space as required to meet additional demand in the area. Following these comments the Council has published a draft Morden Station Planning Brief. Within the wider Morden Station site, bus stops and
standing must be protected unless a suitable alternative site within the town centre can be found which does not result in a loss of capacity or convenience for bus passengers. TfL maintains that the sites should be allocated for this purpose.

Site 69—Sibthorp Road, Mitcham

22. This site includes London buses driver facilities and toilets and any redevelopment of this site must maintain or replace these facilities. TfL requests that the policy wording includes safeguarding of these facilities in accordance with London Plan Policy 6.2 and the Land for Industry and Transport SPG.

General comments

23. In Chapter 9, Transport, Policy, point A, the ‘Community Plan Infrastructure Levy’ is mentioned. It is assumed that this is referring to the Community Infrastructure Levy, however, this should be clarified.

24. It should be noted that for any applications located within 50 metres of London Underground tunnels and infrastructure London Underground Infrastructure Protection must be consulted. This would appear to be relevant for sites 5, 8, 12, 16, 57, 58, 59, 61, 65.

Legal considerations

25. All LDDs must be in general conformity with the London Plan in accordance with Section 24(1)(b) of the Act. This is a key test of the soundness of plans. The Mayor’s representations made at this stage will go forward to the examination in public and must include an opinion regarding general conformity with the London Plan.

26. The fact that a development plan document is inconsistent with one or more policies in the London Plan, either directly or through the omission of a policy or proposal, does not, by itself, mean that the document is not in general conformity. Rather, the test is how significant the inconsistency is from the point of view of delivery of the London Plan.

27. Any expression of opinion from the Mayor that the Draft Sites and Policies Plan and Draft Policies Map DPD is not in general conformity will be treated as a representation to be dealt with by the Inspector at the examination. The Planning Inspectorate has stated that the view of the Mayor’s opinion “will be given considerable weight” and that a lack of general conformity with the London Plan will need to be fully justified on the basis of local circumstances, based on relevant evidence.

28. The Mayor must also state why the policy is not in general conformity and his reasoning behind that opinion. The Inspector will determine whether he or she supports the opinion and recommend accordingly. The Mayor should provide the Inspector conducting the examination with any necessary additional information as appropriate, either through a representative or in writing according to the requirements of the Inspector. At the time of writing the date of the examination is not known.

Conclusion

1 Development Plans Examination – A Guide to the Process of Assessing the Soundness of Development Plan Documents (The Planning Inspectorate, 2005), paragraph 1.2.6
29. The Development Management Policies document submission version contains many positive aspects. The document however, remains to be not in general conformity with the London Plan in relation to the Council's position on affordable housing, and specifically the new policy DM.H3, which proposes to cap affordable rent levels at 65% of market rent. Further discussion would be welcomed in relation to this point and those issues raised in respect of student housing, transport and the allocated use for the Wimbledon Greyhound Stadium site in order to bring a document forward that is in line with national guidance and the London Plan.

For further information, contact Development & Projects:
Stewart Murray, Assistant Director – Planning
020 7983 4721 email stewart.murray@london.gov.uk
Jonathan Finch, Case Officer
020 7983 4799 email jonathan.finch@london.gov.uk
Dear Jonathan,

Merton Sites and Policies Plan and Policies Map – GLA response to Merton on statement of general conformity with the London Plan

1. Thank you for the GLA’s correspondence to our pre-submission consultation on Merton’s Sites and Policies Plan and Policies Map, which we received on 30 August 2013.

2. I am writing to clarify Merton’s position and to seek clarification from the GLA following our further discussion on the matters raised in the Mayor’s response (Merton’s proposal to cap affordable rent levels locally, and also student housing, the allocation of Wimbledon Greyhound stadium and Transport for London’s (TfL’s) responses)

Affordable housing (GLA response paragraphs 13-16)

3. As you know from our discussions, and your review of our plans, the justification of Merton’s proposed policy DM.H3 (paragraph 2.43) states:

“… Homes with a rent of up to 80% of market rent could prove unaffordable to applicants in housing need, particularly those needing family- sized homes. In dealing with individual planning applications, the council will have regard to Merton’s Housing Strategy and Merton’s Interim Policy Statement on affordable rent (07 November 2011) and the council’s draft Tenancy Strategy (November 2012) In accordance with Merton’s Housing Strategy, the council will only support new housing schemes in Merton where the average rent across all bed sizes does not exceed 65% of market rent, unless registered providers can demonstrate exceptional circumstances. Affordable rent levels for any bed size must not exceed 80% market rent or 65% for larger homes with three or more bedrooms…..”.

4. Merton’s Housing Strategy and Merton’s Interim Policy Statement on affordable rent are themselves backed by a robust evidence base, including detailed research by the Circle Group, Merton’s largest Registered Provider. Analysis of over 40,000 Circle Group properties across a variety of market areas, including Merton, concluded that affordable rents of over 65% would not be genuinely affordable to applicants and therefore would not address housing need.

5. The Planning Inspector’s report into the Revised Early Minor Alterations to the London Plan comes to a similar conclusion on affordability. The Inspector’s report deals with the main changes that are needed to make the London Plan REMA sound and legally compliant
Paragraphs 17 to 25 of the REMA sets out the Inspector’s assessment that the Mayor is not justified in restricting boroughs from setting their own affordable rent cap according to their own sound local evidence. The Inspector identifies no evidence that allowing Boroughs to set local affordable rent caps through the Development Plan process would restrict the ability of London to maximise delivery of affordable homes or that it would conflict with the National Planning Policy Framework (NPPF). The Inspector recommends the deletion of the relevant paragraphs in the REMA that prevent boroughs from setting locally supported standards for affordable rent in order to make the REMA sound.

6. We believe that the principle of Merton’s proposed policy DM. H3 in using sound local evidence to set local policy on affordable housing is further justified by the REMA Planning Inspector’s recommendations, while the specific details of Merton’s proposed policy are also justified by sound local evidence. Accordingly it is our view that Merton’s Sites and Policies Plan is in general conformity with the London Plan and the NPPF on this matter.

**Student accommodation (GLA response paragraph 17)**

7. It is the council’s view that Policy DM.H5 proposes to help meet the needs for student accommodation of a quarter of London’s boroughs meets strategic as well as local needs and is therefore in line with London Plan policy 3.8 Housing Choice. However the council also agrees with the Mayor’s proposal in paragraph 17 that travelling distance between the educational establishment and the student accommodation is a more sustainable method of planning for student accommodation. We therefore propose to take forward the modification to DM.H5 (v.ii) to replace the existing text here with “caters for recognised educational establishments within a reasonable travelling distance”.

**Wimbledon Greyhound Stadium (GLA response paragraph 18)**

8. Thank you for your response on this. We share your concern regarding significant out-of-centre retail development as the council holds a similar town-centre-first policy position.

9. You will be aware that the council’s proposed allocation for this site as “Intensification of sporting activity (D2 Use Class with supporting enabling development. Developments that facilitate more sporting activity may be enabled by more viable uses, subject to meeting planning policy, evidence and consultation This site must be delivered via a site-specific planning brief (Supplementary Planning Document) to ensure the delivery of sporting intensification and six weeks of community consultation on proposals”

10. The council’s view is that this allocation will support a broad range of sporting activities, including greyhound racing, should this be deliverable on site. The proposed allocation is sufficiently flexible to deliver different sports-related proposals for the site while reinforcing that the site must principally deliver sporting activities. We believe that this approach is in line with the spirit of the NPPF and will enable the delivery of significant new sporting facilities in south London, recognising Merton’s long sporting heritage and role as an Olympic borough.

11. We note your support for the intensification of uses that would support the continuation of a greyhound stadium (bar a substantial out of centre retail store). We would like to clarify whether Mayor intends to consider an objection in principle (at this stage in the Development Plan process or at planning application stage) to sporting intensification proposals that would involve a stadium for any other sporting activity, for example football, rugby, Gaelic Athletics Association (GAA) and other sporting activities such as squash and fitness.
Transport (GLA response paragraphs 19-22)

12. As mentioned in our further discussions on the GLA’s response, there are a number of issues that are raised in these paragraphs that we would appreciate a swift response on to correct any potential errors or misunderstandings.

Site 01 “P3” Hartfield Road Car Park, Wimbledon (GLA response paragraph 20)

13. The location plan for Site 01 shown on page 333 of Merton’s Sites and Policies Plan, Stage 4 clearly shows that the Sir Cyril Black Way bus stand area is outside the site boundary, contrary to the TfL response that it is inside the boundary.

14. In addition Merton’s Transport Policy T4 (a) Transport Infrastructure sets out criteria for safeguarding or protecting transport services and facilities.

15. The council has also held initial discussions with TfL Property regarding the possibility of entering into a lease agreement with the council for the bus stand area (currently in abeyance). Opportunity exists for TfL to resume these discussions.

16. In view of the above the council believes both its general approach and site allocation is in accordance with London Plan policy 6.2.

Site 65 – Kenley Road Car Park, Morden (GLA response paragraph 21)

17. Merton Council has been working as a joint council / TfL project team on the preparation of the draft Morden Station planning brief as much of the land involved is owned by TfL.

18. A significant amount of work has gone into this project, all of which TfL has been closely involved with. Contrary to TfL’s proposal in paragraph 21 to allocate Site 65 Kenley Road car park as a bus stand, the council is not aware of any discussions or proposals for this site to facilitate additional bus stand capacity and would like to see evidence to the contrary.

19. In the council’s opinion the Kenley Road Car Park is poorly sited for bus operations, located about half a kilometre from the current bus stand capacity outside Morden station. TfL’s proposed allocation of this site would result in a considerable amount of empty running of services and un-necessary mileage and fuel costs, which is consistently raised by London Buses as a core concern in previous discussions on relocating bus services in Morden. When coupled with poor access arrangements and overlooking by residential properties this site not considered appropriate.

20. In terms of operating performance, efficiency and broader running costs, if additional bus standing capacity was needed then the more centrally placed TfL-owned sites adjacent to Morden Station (Sites 57 and Site 61 in Merton’s sites and policies plan) would clearly be more appropriate in the first instance. Site 61 Morden Station car park, Kenley Road in particular is owned by TfL, located much closer to the existing bus stand and is also accessible from Kenley Road. It could be that TfL’s response may have intended to refer to this site as an allocation, not Site 65. Please could this issue be clarified as a matter of urgency in order to progress allocation on Site 65 and Site 61.

Site 69 – Sibthorp Road, Mitcham) Paragraph 23 - Chapter 9, Transport Policy, Point A (GLA response paragraph 22)

21. We agree with the amendments you propose and we are now proposing a minor modification referencing toilet facilities added to Site 69 and correcting the typing error.
22. As mentioned in our discussion, the council proposes to submit Merton’s Sites and Policies Plan and Policies Map to the Secretary of State on 27 September 2013. The Planning Inspectorate state that it will be for the appointed inspector to set the dates for any public hearing, but that these are normally 11 weeks after submission. We will be requesting a public hearing in early December, which is 11 weeks after submission. I will keep you informed as soon as we hear of any dates.

23. Given the tight timescales, I would really appreciate a quick response on the issues raised in this letter, particularly for Wimbledon Greyhound Stadium and the Transport for London issues raised for Site 01 and Site 65 (between paragraphs 13 and 20 of this letter.) In matters relating to the draft Morden Planning brief (and therefore Sites 61 and 65), our principle TfL Property contact has been Ruth Cunningham. As before, I am attaching the TfL Property response to this letter.

Finally I would like to thank you for your quick response in taking forward further discussions on the matters raised in your letter.

Please don’t hesitate to contact me if you have any further questions or comments.

Yours sincerely

Tara Butler
Future Merton Strategic Policy and Research manager
tara.butler@merton.gov.uk

Enc. Transport for London Property response to Merton Council’s Sites and Policies Plan (August 2013)
Hi Tara,

Please see comments below from my TfL colleague addressing the transport issues raised in the Deputy Mayor’s response to the Pre-submission consultation on the Sites and Polices Plan document and Merton Council’s subsequent response:

**Site 01**
After reviewing the boundary line for this Site 01, Hartfield Road Car Park, Wimbledon, TfL is in agreement with Merton Council that the Sir Cyril Black Way bus stand area is now not within the boundary.

Merton’s Transport Policy for safeguarding and protecting transport infrastructure is welcomed and any discussions should continue between Merton Council and TfL Property regarding the lease agreement for the above site.

**Site 65**
TfL have reviewed Site 65, Kenley Road Car Park, Morden, and following this wish to withdraw the previous comments made on 30 August 2013 relating to the bus standing space.

**Site 69**
TfL welcomes Merton’s agreement to the minor alteration for Site 69, Sibthorp Road, Mitcham.

With regards to the issues raised with Wimbledon Greyhound Stadium, we are still in the process of getting a final steer from the Mayor. I will endeavour to get a response to you on this matter ASAP.

Kind regards

Jonathan

Jonathan Finch
Strategic Planner – Development & Projects
GREATER LONDON AUTHORITY, City Hall, The Queen’s Walk, London, SE1 2AA
T: 020 7983 4799 I jonthan.finch@london.gov.uk I www.london.gov.uk
To: Jonathan Finch
Subject: RE: Merton - sites and policies plan

Hi Jonathan,

Many thanks for the further discussions on the issues raised in the GLA’s response. Please find attached a letter outlining some queries we have and how we propose to take issues forward.

I’m also attaching the response we received from TfL Property – as we discussed there are some factual errors in the TfL (GLA) response and I think there may be a simple mistake in a site reference around Kenley Road.

I’d really appreciate a quick reply on the Greyhound and TfL issues in time for us heading for submission in three weeks.

Thanks very much

Tara

Tara Butler
Future Merton
020 8545 4855
Dear Jonathan,

Merton Sites and Policies Plan and Policies Map – GLA response to Merton on statement of general conformity with the London Plan

1. Thank you for the GLA’s correspondence to our pre-submission consultation on Merton’s Sites and Policies Plan and Policies Map, which we received on 17 September 2013.

2. I am writing to update Merton’s position in relation to affordable housing, which you raise as Merton’s only issue of general conformity with the London Plan. After very careful consideration, the council is proposing to revise its policy

Affordable housing (GLA response paragraphs 13-16)

3. After very careful consideration, the council is proposing to revise its planning policy position on affordable rent, as set out in Policy DM. H3. Accordingly, we are proposing an amendment to the justification of Merton’s proposed policy DM.H3 (paragraph 2.43) to state:

There is a wide variation in market rents in Merton. Homes with a rent of up to 80% of market rent could prove unaffordable to applicants in housing need, particularly those needing family-sized homes. In dealing with individual planning applications the council will have regard to a number of considerations including Merton’s Housing Strategy, and Merton’s Interim Policy Statement on Affordable Rent (07 November 2011) and the Council’s Merton’s draft Tenancy Strategy (November 2012). In accordance with Merton’s Housing Strategy, the council will only support new housing schemes in Merton where average rent levels across all bed sizes do not exceed 65% of market rent, unless registered providers can demonstrate exceptional circumstances. Affordable rent levels for any bed size must not exceed 80% market rent or 65% for larger homes with three or more bedrooms. Affordable rent for all re-let conversions should not exceed 65% of market rent.

4. For additional clarity, I have included the full text of Policy DM H3 Support for affordable housing with all proposed changes made, to the end of this letter.

5. Please could you advise whether or not you believe that this proposed change addresses the issue of general conformity of Merton’s Sites and Policies Plan with the London Plan?
6. I would be extremely grateful if you could, once again, provide a quick reply on this. We are proposing to submit Merton’s plans to the Secretary of State next Friday (27 September 2013) and would appreciate your views on our current proposed changes before then.

Please don’t hesitate to contact me if you have any further questions or comments.

Yours sincerely

Tara Butler
Future Merton Strategic Policy and Research manager
020 8545 4855
tara.butler@merton.gov.uk
DM H3 Support for affordable housing
Links to Core Planning Strategy policy CS 8 Housing Choice

Policy aim

To clarify the application of Merton’s Core Planning Strategy Policy CS8 Housing Choice particularly in the light of central government’s new “affordable rent” product and the proposed Revised Early Minor Alterations to the London Plan (June 2012), particularly Policy 3.10: definition of affordable housing and Policy 3.11 affordable housing targets.

Policy

Where affordable housing is to be provided in accordance with the Mayor’s London Plan and Merton’s Core Planning Strategy Policy CS.8 Housing choice, 60% of the affordable housing provision should be for social and affordable rent and 40% for intermediate rent or sale.

SA / SEA implications

2.39. This policy meets a number of sustainability objectives including affordable housing, and poverty and social inclusion.

Justification

2.40. Social rented, affordable rented, intermediate and market housing are defined in the National Planning Policy Framework (March 2012) and London Plan Revised Early Minor Alterations policy 3.10 (June 2012).

2.41. As set out in the London Plan Revised Early Minor Alterations policy 3.10 (June 2012), affordable rent is subject to rent controls that require a rent of no more than 80% of the local market rent (including service charges where applicable). The Mayor’s Housing Supplementary Planning Guidance (Nov 2012) states that for investment purposes, the Mayor has agreed a strategic, London-wide average rent at 65% of market rent, taking into account the need to provide family-sized housing at lower proportion of market rents.

2.42. There is a wide variation in market rents in Merton. Homes with a rent of up to 80% of market rent could prove unaffordable to applicants in housing need, particularly those needing family-sized homes. In dealing with individual planning applications the council will have regard to a number of considerations including Merton’s Housing Strategy, and Merton’s Interim Policy Statement on Affordable Rent (07 November 2011) and the Council’s Merton’s draft Tenancy Strategy (November 2012). In accordance with Merton’s Housing Strategy, the council will only support new housing schemes in Merton where average rent levels across all bed sizes do not exceed 65% of market rent, unless registered providers can demonstrate exceptional circumstances. Affordable rent levels for any bed size must not exceed 80% market rent or 65% for larger homes with three or more bedrooms. Affordable rent for all re-let conversions should not exceed 65% of market rent.

2.43. All affordable housing provided within the borough will be subject to nomination agreements with Merton’s Partner Register Providers to ensure that they are occupied by persons nominated by the council.
2.44. Affordable housing should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable provision.

**Delivery and monitoring**

2.45. The council will work with Registered Providers, developers and the Homes and Communities Agency in the delivery of affordable housing. This delivery will be monitored and kept under review as part of the LDF Annual Authorities Monitoring Report and may result in subsequent adjustments being made to it. Detail on the council’s legal requirements in relation to the delivery of this policy will be set out in Merton’s Planning Obligations SPD.
Dear Tara Butler,


Thank you for your letter of 15 July 2013 responding to the Deputy Mayor’s formal representations to the proposed submission consultation, reference PDU/LDF24/LDD04/04 and the Councils ongoing engagement with regards to the conformity issues raised by the Mayor.

Whilst it is considered that the broad thrust of the draft proposed submission version of Sites and Policies Plan and Policy Maps DPD are now in conformity with the London Plan (2011), the Mayor maintains the particular concerns raised regarding the proposed allocated use for site 37 Wimbledon Greyhound Stadium and the potential wording that could be interpreted as a diminution or loss of the greyhound stadium use in the future, despite the generic “stadium” designation proposals. The Mayor recommends that the wording is more explicit in seeking to retain a greyhound stadium use and other compatible stadia uses which do not prejudice its current functioning as a cultural and leisure offer as supported by London Plan polices on culture, sport and entertainment provision (Policy 4.6).

Yours sincerely

Stewart Murray
Assistant Director - Planning

cc Richard Tracey, Merton London Assembly Constituency Member
    Nicky Gavron, Chair of London Assembly Planning and Housing Committee
    Planning Casework (London), DCLG
    Colin Lovell, TfL