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Merton Council

Planning Applications Committee

Membership

Councillors

Linda Kirby (Chair)
Najeeb Latif (Vice-Chair)
David Dean
Russell Makin
Simon McGrath
Peter Southgate
Billy Christie
Rebecca Lanning
Joan Henry
Dave Ward

Substitute Members:

David Chung
Edward Foley
Stephen Crowe
Daniel Holden
Carl Quilliam
John Dehaney

A meeting of the Planning Applications Committee will be held on:

Date: 13 February 2020

Time: 7.15 pm

Venue: Council chamber - Merton Civic Centre, London Road, Morden SM4 5DX

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Planning Applications Committee

13 February 2020

- 1 Apologies for absence
- 2 Declarations of Pecuniary Interest
- 3 Minutes of the previous meeting 1 - 8
- 4 Town Planning Applications
The Chair will announce the order of Items at the beginning of the Meeting.
A Supplementary Agenda with any modifications will be published on the day of the meeting.
Note: there is no written report for this item
- 5 177-187 Arthur Road, Wimbledon, SW19 8EA 9 - 18
Application Number: 19/P4084 Ward:
Wimbledon Park

Officer Recommendation: GRANT Planning Permission subject to completion of a S.106 Agreement and Conditions
- 6 8 Blenheim Road, Raynes Park, London, SW20 9BB 19 - 42
Application Number: 19/P1794 Ward: West
Barnes

Officer Recommendation: Grant Planning Permission subject to Conditions
- 7 Tesco Site, 265 Burlington Road, New Malden, KT3 4NE 43 - 122
Application Number: 19/P2387 Ward: West
Barnes

Officer Recommendation: Grant Planning Permission subject to any direction from the Mayor of London, completion of a S.106 legal agreement a S.278 agreement and conditions.
- 8 579-589 Kingston Road, Raynes Park, SW20 8SD 123 - 162
(Scheme A)
Application Number: 19/P1676 Ward:
Dundonald

Officer Recommendation: Grant Permission subject to conditions and S106 legal agreement
- 9 579-589 Kingston Road, SW20 8SD (Scheme B) 163 - 204
Application Number: 19/P1675 Ward:
Dundonald

	Officer Recommendation: Grant Permission subject to conditions and S106 legal agreement	
10	Flat 1, 29 Merton Hall Road, Wimbledon Chase Application Number: 19/P3985 Ward: Dundonald	205 - 212
	Officer Recommendation: Grant Variation of Condition	
11	Land Adj to 2 Park Avenue, Mitcham, CR4 2EL Application Number: 19/P2127 Ward: Graveney	213 - 232
	Officer Recommendation: Grant Planning Permission subject to Section 106 Obligation and Conditions	
12	51 Princes Road, Wimbledon, SW19 8RA Application Number: 19/P4326 Ward: Trinity	233 - 256
	Officer Recommendation: Grant Planning Permission subject to S106 agreements and conditions	
13	7 Rural Way, Streatham SW 16 6PF Application Number: 19/P3893 Ward: Graveney	257 - 272
	Officer Recommendation: Grant Planning Permission subject to relevant conditions	
14	Planning Appeal Decisions	273 - 274
15	Planning Enforcement - Summary of Current Cases	275 - 278

Declarations of Pecuniary Interests

Members are reminded of the need to have regard to the items published with this agenda and, where necessary to declare at this meeting any Disclosable Pecuniary Interest (as defined in the The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012) in any matter to be considered at the meeting. If a pecuniary interest is declared they should withdraw from the meeting room during the whole of the consideration of that matter and must not participate in any vote on that matter. If members consider they should not participate because of a non pecuniary interest which may give rise to a perception of bias, they should declare this, withdraw and not participate in consideration of the item. For further advice please speak with the Council's Assistant Director of Corporate Governance.

Declarations of Pecuniary Interests – Members of the Design and Review Panel (DRP)

Members of the Planning Applications Committee (PAC), who are also members of the DRP, are advised that they should not participate in an item which has previously been to DRP where they have voted or associated themselves with a conclusion reached or recommendation made. Any member of the PAC who has also sat on DRP in relation to items on this PAC agenda must indicate whether or not they voted in such a matter. If the member has so voted they should withdraw from the meeting.

Human Rights Implications:

The applications in this Agenda have been considered in the light of the Human Rights Act 1998 and in particular, the First Protocol of Article 1 (Protection of Property); Article 6 (Rights to a Fair Trial) and Article 8 (Private and Family Life).

Consideration has been given to the impact of each application on the people living and working in the vicinity of that particular application site and to the impact of the proposals on the persons who have made written representations on the planning merits of the case. A full assessment of material planning considerations has been included in each Committee report.

Third party representations and details of the application proposals are summarised in each Committee report. It may be that the policies and proposals contained within the Development Plan and/or other material planning considerations will outweigh the views of third parties and/or those of the applicant.

Order of items: Applications on this agenda are ordered alphabetically. At the meeting the Chair may change this order to bring forward items with the greatest number of public speakers. The new order will be announced by the Chair at the start of the meeting.

Speaking at Planning Committee: All public speaking at Planning Committee is at the discretion of the Chair. The following people may register to speak:

Members of the Public who have submitted a written representation objecting to an application. A maximum of 6 minutes is allowed for objectors. If only one person registers they will get 3 minutes to speak, a second person will also get 3 minutes. If further people want to speak then the 6 minutes may be shared between them

Agents/Applicants will be able to speak but only if members of the public have registered to speak in opposition to the application. Applicants/agents will get an equal amount of time. If an application is brought to Committee with an Officer recommendation for Refusal then the Applicant/Agent will get 3 minutes to speak.

All Speakers MUST register in advance, by contacting The Planning Department no later than 12 noon on the day before the meeting.

PHONE: 020-8545-3445/3448

e-mail: planning@merton.gov.uk)

Ward Councillors/Other Councillors who are not members of the Planning Committee may also register to speak and will be allocated 3 minutes each. Please register with Development Control Administration or Democratic Services no later than 12 noon on the day before the meeting

Submission of additional information before the meeting: Any additional information relating to an item on this Agenda should be sent to the Planning Department before 12 noon on the day before the meeting (using email above).

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Agenda Item 3

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PLANNING APPLICATIONS COMMITTEE

16 JANUARY 2020

(7.15 pm - 8.45 pm)

PRESENT Councillors Councillor Linda Kirby (in the Chair),
Councillor Najeeb Latif, Councillor Russell Makin,
Councillor Simon McGrath, Councillor Peter Southgate,
Councillor Billy Christie, Councillor Rebecca Lanning,
Councillor Joan Henry and Councillor Dave Ward

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies for absence were received from Councillor David Dean.

Councillor Stephen Crowe attended as substitute

2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

There were no declarations of pecuniary interest.

3 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

RESOLVED: That the minutes of the meeting held on 14 November 2019 are agreed as an accurate record.

4 TOWN PLANNING APPLICATIONS (Agenda Item 4)

Supplementary Agenda: Amendments and modifications to the Officer's report were published in a Supplementary Agenda. This applied to items 7 and 9.

Order of the meeting – The Chair announced that the items would be taken in Agenda Order

5 36 ASTON ROAD, RAYNES PARK, SW20 8BE (Agenda Item 5)

Proposal: Conversion of dwellinghouse into 2 flats, including rear roof extension with two roof lights, erection of garden outbuilding and single storey rear extension.

The Committee noted the officers report and presentation. The Chair reminded the Committee that this item was deferred from the Committee on 16 October 2019 so that legal advice from 2006 could be investigated. This advice was found to not be relevant.

The Ward Councillor, Anthony Fairclough spoke on behalf of the Apostles Estate Residents' Association and made points including:

- This application is part of an incremental attack on the Apostles area

- This is one small house being split into two tiny flats, the standard of accommodation provided needs to be considered
- Is there a need for more one bedroomed flats?
- The upstairs flat has no amenity space, and both flats are only just policy compliant for space
- How will two flats share one refuse bin located on the outside space of the ground floor flat?

Members made comments including:

- I don't like to see the conversion of a house into flats, but this application is difficult to refuse
- I understand that this application is so sub-scale that the guidance doesn't apply. The proposed flats will be too small and one does not have any amenity space, and there is a lack of space for bins. This accommodation is inappropriate.
- There is a need for all types of accommodation in the borough including small 1 bedroom flats. From my experience there will not be a problem with bins The Committee didn't have grounds to refuse in October, it deferred to check legal advice, and there are no grounds now.

A motion to Refuse was proposed and seconded for the following reason:

The house is already very small and the proposed conversion to two flats would result on sub-standard accommodation that is inappropriate, too small and does not have adequate amenity space.

This motion was not carried by the vote, and the Committee then voted on the Officer Recommendation.

RESOLVED

The Committee voted to GRANT Planning Permission subject to conditions and S106 agreement

6 TRANSMITTER MAST, BLENHEIM CLOSE, RAYNES PARK (Agenda Item 6)

Proposal: Replacement of existing equipment cabinets and monopole with a 20 metre high pole with 12 x antenna apertures and new equipment cabinets

The Committee noted the officers report and presentation.

The Committee received verbal presentations from two objectors and from the applicant.

The Objectors made points including:

- The mast will be a visual intrusion, although we accept that the mast is needed to enable 5G, it shouldn't affect the lives of local residents
- The current mast is only 11m and is disguised, it was allowed by the Planning Inspector. The proposal is 20m high and new homes have been built since the current mast was installed
- There are other more suitable locations for this mast, away from housing
- This mast is unprecedented in Merton, a similar one in Edge Hill was refused
- It is accepted that such masts should not be sited near schools, and yet this mast is near the homes of 3 children and a tennis club that coaches children
- As it double the height of the current mast its emissions would reach further and it will be a danger to bats and insects

The Applicant made points including:

- We are upgrading to 5G and increasing coverage
- The NPPF 2019 seeks to encourage the delivery of improved communications infrastructure, including 5G
- 5G will encourage people to work from home
- Relevant Health Standards have been adhered to
- The other sites mentioned are not suitable and would result in gaps in coverage. The network of masts is strategically organised.
- A tree design mast was not suggested for this location as it would need to be over 25m tall. The Officers report confirms that the proposed mast will not detract from visual amenity.

In reply to Member's questions, the Planning Team Leader South made comments including:

- It is not appropriate to speculate on any future use of the land
- This application breaches the width element of Permitted development dimensions, but not the height
- Public Health England has shown that the risk from this equipment is unlikely. The operators have fulfilled their requirements.

Members commented that there was a lot of scaremongering regarding this type of equipment, but we have been presented with expert evidence, and I hope that the Committee will take this into account.

RESOLVED

The Committee voted to GRANT Planning Permission subject to conditions

7 252-254 HAYDON'S ROAD, SOUTH WIMBLEDON, SW19 8TT (Agenda Item 7)

Proposal: Partial demolition of the existing building and garages, increasing the height of the existing retained building by 400mm, redevelopment of the rear part of the site to provide eight residential units (4 x 2 bedroom, 2 x 2 bedroom and 2 x 3

bedroom flats) within a two storey building with accommodation within the roof space of the new building and within the retained building at 252-254 Haydon's Road.

The Committee noted the officers report and presentation and additional information, including additional conditions, in the Supplementary agenda – modifications

The committee received verbal representations from an objector to the application and from the Agent to the application.

The Objectors made points including:

- The daylight and sunlight studies were carried out in August, the levels will be very different in the winter
- There is a sense of encroachment, this is a major extension
- The report is incorrect regarding the number of windows that will be overlooked, my windows are not considered

The Agent made points including:

- This is a redevelopment of the site and will provide new homes including one 3 bedroomed unit
- The Daylight and Sunlight studies were carried out to BRE recommended standard and show that there will be no adverse impact from the proposal

The Chair asked a question regarding the 3 Bedroomed flat. From the plans it is unclear if this is for 4,5 or 6 people. The Building and Development Control Manager answered that if it is for 6 people the floorspace does not meet London Plan standards, but if it is for 5 or 4 people than it does comply standards. However there has been confusion regarding the information submitted by the applicant and he could not be sure if the flat was for 4 or 5 people. He offered to find out this information and either bring back to the Committee if members wanted to defer, or, if the Committee were minded to approve the answer could be put to the Chair and Vice Chair for their final approval.

In reply to Members' questions, Officers made points including:

- Officers are happy for the development to be permit free, although the ptal rating appears low it is a sustainable location for public transport.
- Proposal does include refurbishment of the whole building, including new windows, formal and soft landscaping. So the frontage will be improved.
- Members were advised to vote on the plan before them, which included a 3 bedroomed, 4 person flat.

RESOLVED

The Committee voted unanimously to GRANT Planning Permission subject to conditions and S106 agreement and the additional conditions in the Supplementary Agenda.

8 74 HAZELWOOD AVENUE, MORDEN. SM4 5PR (Agenda Item 8)

Proposal: Demolition of existing detached garage and erection of a 2 storey (with roof level) end of terrace 3 bed dwellinghouse.

The Committee noted the officers report and presentation. The Planning Team leader North explained that the proposal was actually for a 4 bedroom dwelling, as stated within the Officers report, but that there was an error in the original proposal.

Members asked officers about parking provision and noted that once the new hardstanding was created there would be 4 parking spaces and that Hardstandings and dropped curbs were characteristic of the street.

RESOLVED

The Committee voted unanimously to GRANT Planning Permission subject to conditions

9 34 LINGFIELD ROAD, WIMBLEDON SW19 4PZ (Agenda Item 9)

Proposal: Demolition of existing garage and erection of a three-bedroom dwelling house involving extension to existing basement.

The Committee noted the officers report and presentation and additional information and conditions in the Supplementary agenda - modifications

The Committee received verbal representation from two objectors to the application, who made points including:

- The proposal is of a contemporary design that is incongruous in the streetscene, and is at odds with the rest of the road and the Conservations area.
- The two oversized windows do not fit the character of the street and will overlook property across the road
- The proposal is the height of the existing garage and will cause a loss of light to the houses across the road
- The basement and the 9m³ rain water harvesting tank will impact on the trees, and there is concern about felling trees in a conservation area. The trees can be seen from the road.
- The loss of the garage will impact on off street parking and the new build will block existing parking spaces.
- There are inaccuracies in the Officers Report, there are currently 5 flats in number 34

In reply to these objections the Planning Team Leader North made points including:

- The oversized windows have been reduced in size, although modern they do reflect features in the road

- The Tree Officer has approved the plans for trees, and an additional condition has been added
- There is an acceptable distance across the street to prevent overlooking
- Daylight and sunlight studies show only an impact on two windows in number 35, the development meets BRE standards

In reply to Members Questions the Planning Team Leader North made points including:

- It is Officers view that the distance between the proposed house and houses across the road are acceptable and not harmful.
- The trees shown on the CGIs are an artistic impression but are based on the tree survey
- Flat 2 does have a right to park, under its lease, but this is not an issue for Planning permission

RESOLVED

The Committee voted to GRANT Planning Permission subject to conditions, including the additional conditions in the Supplementary Agenda.

10 TPO LEEWARD GARDENS, WIMBLEDON, SW19 (Agenda Item 10)

The Committee noted the Officer's report and presentation.

Neil Milligan explained that there was an ongoing legal debate about ownership of the land the tree stood in, however in planning terms this debate is not an issue.

The Committee received a verbal representation to the TPO and a representation from Councillor Daniel Holden, ward Councillor.

The Objector made points including:

- There are Legal and procedural issues yet to be resolved that involve other areas of the Council
- There are questions of ownership and maintenance of the land that are not yet resolved, and ask that a decision on this TPO is deferred until these issues are clarified
- It is incorrect for Planning Officers to dismiss these issues with other departments, the TPO would risk prejudicing this process

Councillor Daniel Holden made points including:

- Would not normally oppose a TPO but this situation is unusual.
- Asking for this TPO to be deferred or refused until the ownership of the land is resolved
- It is unfair to place the burden of a TPO on the potential owners of the lands as they do not live near or benefit from the tree
- Crucially, there is no current risk to the tree, Highway Trees do not have TPOs, the Council are being unfair.

In answer to Members Questions, The Building a Development Control Manager replied:

- If Committee defers the TPO the tree is at risk
- The Tree has been assessed by the Tree Officer, and is considered worth protecting
- If the TPO is approved then the felling of the tree can be appealed
- Maintenance of the tree is relevant to whoever owns the site, whether or not there is a TPO
- The TPO requires the owner of the land to apply and pay if the Tree needs maintenance

RESOLVED

That the Merton (No.743) Tree Preservation Order 2019 is confirmed without Modification

11 PLANNING APPEAL DECISIONS (Agenda Item 11)

The Committee noted the report on recent Planning Appeal Decisions

12 PLANNING ENFORCEMENT - SUMMARY OF CURRENT CASES (Agenda Item 12)

The Committee noted the report on current enforcement cases, and congratulated officers on recent progress.

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PLANNING APPLICATIONS COMMITTEE 13 FEBRUARY 2020

<u>APPLICATION NO.</u>	<u>DATE VALID</u>
19/P4084	18/11/2019
Address/Site	Third Floor, The Glass House, 177-187 Arthur Road, Wimbledon SW19 8AE
Ward	Wimbledon Park
Proposal:	Erection of a part third and part fourth floor extension to provide 1 x 1 bedroom and 1 x 2 bedroom flats
Drawing Nos	PA1005-MB-00-Site, PA1005-MB-04-101,102, 103 and Design and Access Statement and Planning Statement and Daylight and Sunlight Report
Contact Officer:	Richard Allen (020 8545 3621)

RECOMMENDATION

GRANT Planning Permission subject to completion of a S.106 Agreement and conditions

CHECKLIST INFORMATION

- Heads of agreement: Yes
- Is a screening opinion required: No
- Is an Environmental Impact Statement required: No
- Has an Environmental Impact Assessment been submitted: No
- Press notice- No
- Site notice: Yes
- Design Review Panel consulted: No
- Number neighbours consulted: 88
- External consultants: None
- Density: n/a
- Number of jobs created: Yes
- Archaeology Priority Zone: No
- Conservation Area: No

1. INTRODUCTION

- 1.1 This application has been brought to the Planning Applications Committee at the request of Councillor Moulton and due to the number of objections received.

2. **SITE AND SURROUNDINGS**

- 2.1 The application site comprises a part three, part four storey building (known as the Glass House) situated on the north side of Arthur Road between Farquhar Road and Strathmore Road. Part of the site (173-175 Arthur Road) falls within a core shopping frontage. On the ground floor of the building is retail use with residential use above (the former offices being converted into residential use under prior approval). Vehicular access is from Strathmore Road and the application site within a Controlled Parking Zone (CPZ P1). The site is not within a conservation area

3. **CURRENT PROPOSAL**

- 3.1 The current application involves the erection of an additional floors of accommodation at third and part fourth floor level to provide 2 x self-contained flats (1x 1 bedroom and 1 x 2 bedroom units).
- 3.2 The proposed extension would increase the height of the building by 2.6 metres and would be 12.6 metres in width, with the extended building having an overall height of 16.5 metres. The extension would be erected across part of the existing flat roof at the Strathmore Road end of the building. The extension would be partly constructed on the main roof and partly on a lower section of roof facing towards 1 Strathmore Road.
- 3.3 Internally, the extension would provide two flats (1 x 1 bedroom and 1 x 2 bedroom units) a total of 134m² additional floor space. Internally, flat 1 would comprise a one bedroom (2 person) unit with a GFI of 52m² and flat 2 would be a two bedroom (4 person) unit with a GFI of 82m². In terms of amenity space flat 1 would have a balcony to the Strathmore Road frontage (11.3m²) and flat 2 would have a 'wrap around' balcony to the Arthur Road frontage (38m²).
- 3.4 The extension would be constructed in facing materials to match the existing elevations of the building.
- 3.5 The existing car parking arrangement at the rear of the building would be retained, but no additional car parking would be provided for the development.

4. **PLANNING HISTORY**

- 4.1 In June 2001 planning permission was granted under delegated powers for the installation of a generator flue to the rear elevation (LBM Ref.01/P0869).
- 4.2 In September 2003 planning permission was granted under delegated powers for alterations and extensions to the building to provide additional office space including an extension at third floor level and first and second floor level extensions to both sides of the building (LBM Ref.03/P1955).
- 4.3 In November 2006 planning permission was granted under delegated powers for the refurbishment and extension to increase the commercial (Class B1)

floor space and change of use of part ground floor to create retail (Class A1) use (LBM Ref.06/P2206).

- 4.4 In August 2007 planning permission was granted under delegated powers for the refurbishment and extension to increase the commercial (Class B1) Floor space and change use to create class A1 (Shops), class A2 (Financial and Professional Services), class A3 (Restaurant) and A5 (Take Away) use (Amendment to 06/P2206 approved 22/11/2006).
- 4.5 In August 201 a pre-application meeting was held in respect of the erection of a three storey side extension to allow for development of 4 x flats (LBM Ref.12/P2591/NEW).
- 4.6 In November 2014 planning permission was granted for the erection of a three storey side extension to allow for development of 4 x flats (LBM Ref.P0426).
- 4.7 In April 2015 Prior Approval for change of use of first floor office space to residential use (7 x flats) (LBM Ref.15/P0633).
- 4.8 In January 2016 Prior Approval for a change of use of second floor from offices to residential use (7 x flats) (LBM Ref.15/P3541).
- 4.9 In September 2016 Prior Approval for change of use from offices on third floor of building to residential use (LBM Ref.16/P2667).
- 4.10 In December 2016 planning permission was refused for the erection of an additional floor (4th floor) to provide 426m² of B1 Office floor space (LBM Ref.16/P3618). Planning permission was refused on the grounds that: -
- ‘The proposed fourth floor would, by virtue of its size, height and design result in an unacceptable increase in height of the building that would be detrimental to the Arthur Road street scene and would also be visually intrusive and detrimental to the amenities of occupiers of residential properties in Farquar Road and Strathmore road contrary to policy CS14 (Design) of the Adopted Merton Core Planning Strategy (2011) and policies DM D2 (Design Considerations in all Developments) and DM D3 (Alterations and Extensions to Existing Buildings) of the Adopted Merton sites and Polices Plan (2014)’.
- 4.11 In April 2017 planning permission was refused for the erection of an additional floor (4th floor) to create 2 x self-contained flats (LBM Ref.17/P0914). Planning permission was refused on the grounds that: -
- ‘The proposed fourth floor extension to provide 2 x two bedroom residential units would, by virtue of its size, height and design result in an unacceptable increase in height of the building that would be detrimental to the Arthur Road street scene and would also be visually intrusive and detrimental to the amenities of occupiers of residential properties in Farquar Road and Strathmore Road contrary to policy CS14 (Design) of the adopted Merton Core Planning Strategy (2011) and polices DM D2 (Design Considerations in

all Developments) and DM D3 (Alterations and Extensions to Existing Buildings) of the Adopted Merton Sites and Policies Plan (2014).

- 4.12 The applicant subsequently Appealed against the Council's refusal of planning permission (Appeal Ref. APP/T5720/W/17/3186895) and the Appeal was dismissed on 22 February 2018. The Inspector considered that the increase in height of the building by the creation of an additional storey would dominate this section of Arthur Road and appear out of scale with surrounding buildings and cause harm to neighbouring amenity.
- 4.13 November 2018 planning permission was refused for the erection of third and fourth floor extensions to provide 1 additional three-bedroom apartment (LBM Ref.18/P3585). Planning permission was refused on the grounds that: -

'The proposed third and fourth floor extensions to provide a self-contained flat by virtue of its scale, form, design and proximity to the boundary, would result in material harm to the occupiers of the residential properties in Strathmore road and Farquhar Road in terms of loss of daylight, overbearing form and loss of privacy contrary to Policy CS14 of the Council's Adopted Core Planning Strategy 2011 and Policies DM D2 and DM d3 of the Council's Adopted Sites and Polices plan 2014

The proposed third and fourth floor extensions to provide a self-contained flat, by virtue of their height, scale form and design would result in an incongours form of development which would cause material harm to the character of the area and the appearance of the Arthur Road and Strathmore Road street scenes contrary to Policy CS14 of the Council's Adopted Core Planning Strategy 2011 and Polices DM D2 and DM D3 of the Council's Adopted Sites and Polices Plan 2014.

The proposed development would result in one additional residential unit, the site is located in a controlled parking zone has reasonable access to public transport and there is no legal agreement in place for the unit to be permit free., contrary to the requirements of policy CS20 of the Adopted Merton Core Planning Strategy 2001 and policy DM T2 of the Adopted Merton Sites and Polices plan 2014'.

5. **CONSULTATION**

- 5.1 The application has been advertised by site notice procedure and letters of notification to occupiers of neighbouring properties. In response 12 letters of objection have been received. The grounds of objection are set out below: -

-The existing building is dramatically out of scale and the existing top floor overlooks gardens of properties in Strathmore Road. The current proposal would be even more intrusive.

-The existing building backs onto traditional terraced housing fronting onto both Farquhar road and Strathmore Road. The existing building is already imposing when viewed from gardens of these properties. The new proposal

would further increase the height of the building which would dominate rear gardens.

-If the current application were allowed further applications to increase the height of the building would follow.

-The scale and character of Arthur Road and Farquhar Road will be visually impaired.

-The design does not respect local character.

-Proposal similar to previously refused applications.

-Would result in increased parking problems in the area.

-Result in an increase in waste and refuse which is already a problem in the area.

5.2 The Wimbledon Society

The Wimbledon Society state that a number of previous applications (16/P3618, 17/P0914 and 18/P3585) have been made to extend this large building and have been refused on grounds of harm to the character and street scene of the area, and impact on residential in nearby roads. The society do not believe that these issues have been adequately addressed. This building already has an imposing presence, and the proposal would represent an intrusive and overbearing addition not in compliance with policy DM D2 (a) (i) which requires developments to relate positively and appropriately to the siting, rhythm, scale, density and massing of surrounding buildings. It would also be contrary to policy DM D3 (Alterations and Extensions to Existing Buildings) of the Adopted Merton Sites and Policies Plan. While the reduction in height at the rear of the building is an improvement on 18/P3585, the impact in Strathmore and Farquhar Roads is still very significant and should not be permitted.

5.3 Transport Planning

No objections subject to the additional residential units being designated 'permit free'.

6. **POLICY CONTEXT**

6.1 Adopted Merton Core Strategy (2011)

CS8 (Housing Choice), CS9 (Housing Provision), CS14 (Design), CS15 (Climate Change) and CS20 (Parking, Servicing and Deliveries).

6.2 Sites and Policies Plan (2014)

DM H2 (Housing Mix), DM D2 (Design Considerations in all Developments), DM D3 (Alterations and Extensions to Existing Buildings), DM D3 (Alterations and Extensions to Existing Buildings), DM F2 (Sustainable Urban drainage systems (SuDS) and Wastewater and Water Infrastructure), DM T1 (Support for Sustainable and Active Travel), DM T2 (Transport Impacts of Development) and DM T3 (Car Parking and Servicing Standards).

6.3 The London Plan (2016)

3.3 (Increasing Housing Supply), 3.4 (Optimising Housing Potential), 3.5 (Quality and Design of Housing), 3.8 (Housing Choice), 5.1 (Climate Change

Mitigation), 5.12 (Flood Risk management), 5.13 (Sustainable Drainage), 6.9 (Cycling), 6.13 (Parking), 7.4 (Local Character) and 7.6 (Architecture).

6.4 NPPF (2019)

6.5 Draft London Plan 2018.

6.6 Draft Local Plan 2020.

7. **PLANNING CONSIDERATIONS**

7.1 The main planning considerations concern the design, visual impact, standard of accommodation, neighbour amenity, parking and sustainability issues.

7.2 Design

The extensions to the existing building have been reduced in scale since the refusal of application 17/P0914 which proposed an entire additional floor of accommodation. The previously refused scheme was of greater height and bulk than the current proposal for a more modest form of extension. Unlike the previous scheme, the current proposal limits the extension to the Arthur Road/Strathmore Road corner of the building and the extension would be 'set back' from the rear elevation of the building by 1.3 metres and a 1.8 metre high privacy screen would prevent overlooking of gardens of properties at the rear of the site in Strathmore Road. This more modest form of extension, that is set back from both the Arthur Road and Strathmore Road elevations is now considered to be an acceptable addition to the building and is of appropriate design and complies with policies CS14 (Design), DM D2 (Design Considerations in all Developments), DM D3 (Alterations and Extensions to Existing Buildings) and DM D4 (Managing Heritage Assets).

7.3 Standard of Accommodation

Details of the floor area of each of the new units and amenity space provision is set out below.

Flat 1 – 1 Bedroom/2-person unit – 52m² plus 11.3m² Amenity Space

Flat 2 – 2 Bedroom/4-person unit – 82m² plus 38m² Amenity Space

Both of the proposed flats exceed the minimum floor area requirements as set out in the London Plan.

7.4 Neighbour Amenity

Policy DM D2 (Design Considerations in all Developments) states that new development should achieve high quality design and protection of amenity. The current application proposes a more modest form of extension to that previously refused permission and dismissed on Appeal (LBM Ref.17/P0914). The extensions to part of the third and fourth floor levels have been set back from both the Arthur Road and Strathmore Road frontages and balcony screening, 1.8 metres in height provided to restrict potential overlooking and/or loss of privacy. The applicant has submitted a Daylight and Sunlight

Report which demonstrates that the proposed extension to the existing building would not affect daylight and/or sunlight to neighbouring residential properties. The proposal is therefore considered to be acceptable and would not cause harm to neighbour amenity and is considered to be acceptable in terms of policy DM D2 (Design Considerations in all Developments).

7.5 Parking

The application site is within a Controlled Parking Zone (Zone P1) and has a PTAL rating of 3. Given that the application site is within a Controlled Parking Zone a 'permit free' designation secured through a S.106 Agreement is considered to be appropriate in this instance.

7.6 Sustainability

Planning policy CS15 (climate Change) of Merton's adopted Core Planning Strategy (2011) seeks to tackle climate change, reduce pollution, develop low carbon economy, consume fewer resources and use them more effectively.

7.7 Planning Policy 5.2 of the London Plan (2016) states that development proposals should make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:

1. Be lean: use less energy
2. Be clean: supply energy efficiently
3. Be Green: use renewable energy

7.8. The applicant has not submitted an energy statement. However, the development would be subject to approval under the building regulations and the Council would expect the development to exceed the requirements of Part L of the Building Regulations in terms of energy efficiency. A condition is recommended to secure this this instance.

8. **SUSTAINABILITY AND ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS**

8.1 The proposal does not constitute Schedule 1 or Schedule 2 development. Accordingly, there is no requirement for an EIA submission.

9. **CONCLUSION**

9.1 The current proposal is of more modest proportions than the previously refused scheme (LBM Ref.17/P0914) which was subsequently dismissed on Appeal and (LBM Ref.18/P3585) which was also refused. The current proposal has reduced the height and bulk of the extension and reduced the visual impact of the proposal upon residential properties in Strathmore Road. It is considered that the current proposal has addressed the Planning Inspectors concerns and the proposal would not result in a harmful impact on neighbour amenity as to warrant refusal of the application. Accordingly, it is recommended that planning permission be granted subject to completion of a S.106 Agreement that the development be designated 'permit free' and appropriate planning conditions.

RECOMMENDATION

GRANT PLANNING PERMISSION

Subject to completion of a S.106 Agreement covering the following heads of terms: -

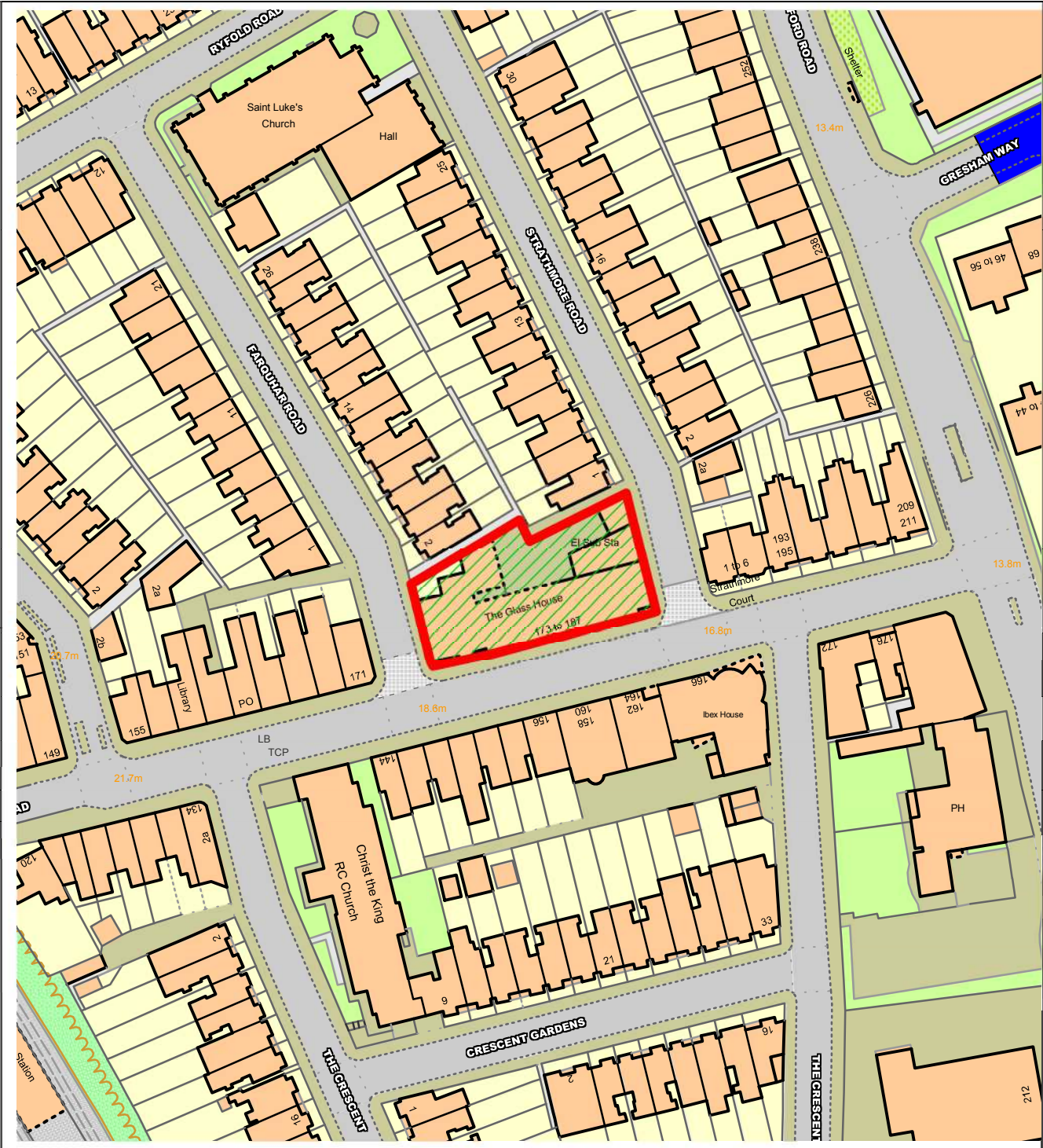
1. That the development be designated 'permit free'.
2. That the developer pay the Council's legal and professional costs in drafting, completing and monitoring the agreement.

And subject to the following conditions: -

1. A.1 (Commencement of Development)
2. A.7 (Approved Drawings)
3. B.1 (Approval of Facing Materials)
4. C.2 (No Permitted Development –Door and Windows)
5. C.4 (Obscure Glazing-Side Elevation as Shown on Drawing Number PA1005-MB-04-102)
6. C.8 (No Use of Flat Roof other than Authorised Balcony/Terrace Areas)
7. C.9 (Balcony/Terrace Screening)
8. D.11 (Hours of Construction)
9. Prior to commencement of development a Construction Method statement shall be submitted to and be approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.
Reason for condition: In the interest of neighbour amenity and to comply with Policy DM D2 (Design Considerations in all Developments).
10. No part of the development hereby approved shall be occupied until evidence has been submitted to, and approved in writing by, the Local Planning Authority confirming that the development has achieved CO2 reductions of not less than a 19% improvement on Part L regulations 2013, and internal water consumption rates of no greater than 105 litres per person per day".
Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply with the following Development Plan policies for Merton: Policy 5.2 of the London Plan 2015 and Policy CS15 of Merton's Core Planning Strategy 2011.

[Click Here](#) for full plans and documents related to this application

NORTHGATE SE GIS Print Template



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PLANNING APPLICATIONS COMMITTEE

13 February 2020

APPLICATION NO.

19/P1794

DATE VALID

18/07/2019

Address/Site: 8 Blenheim Road, Raynes Park, London, SW20 9BB

Ward: West Barnes

Proposal: Conversion of existing property from 3 to 8 flats involving the erection of single storey side extensions and a two storey rear extension (with basement level) with associated landscaping, off-street car parking, cycle parking and refuse storage.

Drawing No.'s: Site location plan, 19008-A-02-00, 19008-A-03-LG, 19008-A-03-01, 19008-A-03-02, 19008-A-03-03, 19008-A-04-01, 19008-A-05-02, 19008-A-05-03 all Revision 1.

Contact Officer: Tony Smith (020 8545 3144)

RECOMMENDATION

Grant planning permission subject to conditions

CHECKLIST INFORMATION

- S106: No
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Statement been submitted: No
- Press notice: No
- Site notice: Yes
- Design Review Panel consulted: No
- Number of neighbours consulted: 36
- External consultations: 1
- Conservation area: No
- Listed building: Yes - Locally Listed
- Archaeological priority zone: No
- Tree protection orders: Yes, some of the trees are protected to the rear
- Controlled Parking Zone: No
- Flood Zone: 1
- Designated Open Space: No

1. INTRODUCTION

- 1.1 This application is being brought to the Planning Applications Committee for determination due to the number of objections received.

2. SITE AND SURROUNDINGS

- 2.1 The application site is located on the south side of Blenheim Road and on the junction with Blenheim Close, Raynes Park. It is occupied by a detached two storey property with a single storey garage to the east and a single storey side extension to the west. The site features gabled roofs to the main dwelling, with part flat, part pitched roofs to the side extensions and detailing features to the front gable ends. Small dormer windows feature in the side roof slopes of the main roof. The property is set on a spacious plot, with hardstanding to the front for off-street vehicle parking and a large garden to the rear.
- 2.2 The application site had previously been converted into three self-contained flats set over three storeys, consisting of two full storeys and space within an expansive gable roof. It is set well back from Blenheim Road and the frontage is given over almost entirely to a driveway and car parking, which is enclosed by a low brick to the west and timber fencing to the front and east with openings with openings onto vehicle crossovers for access to the site.
- 2.3 The area has a residential character but contains properties which vary considerably in terms of age and style. Large Edwardian villas on the southern side of the road contrast with smaller scale 1930s semi-detached housing at the western end and a Neo-Georgian terrace at the eastern end. The older villas and cottages set amongst the later development, together with the grass verges and mature street trees, give the area an established, mature feel.
- 2.4 There are substantial trees to the rear of the garden, two are protected by way of Tree Preservation order (TPO) MER389.
- 2.5 The site is not located within a conservation area, however, the building forms part of a group of 4 Locally Listed buildings between nos. 2 – 8 Blenheim Road. Blenheim Road and Blenheim Close are not located within a controlled parking zone and the site has a PTAL of 1b.
- 2.6 Whilst not forming part of the application, it is noted that the previously existing trees to the front boundary line have been removed. However, no permission is required for the removal of these trees.

3. CURRENT PROPOSAL

- 3.1 This application seeks planning permission for conversion of existing property from 3 to 8 flats involving the erection of single storey side extensions and a two storey rear extension (with basement level) with associated landscaping, off-street car parking, cycle parking and refuse storage.
- 3.2 The existing single storey side extensions would be demolished and replaced with new single storey extensions with flat roofs, retaining the set-backs from the front facades and the porch canopy for the main entrance to the north-east. A timber balustrade and front balcony would be reintroduced to the front façade adjacent to the front bay to match the other properties within the local group listing. A staggered two storey rear extension would be constructed which would utilise gabled roofs and the central element would extend the form of the lower gable rearwards, with a smaller element being set lower and set-back

from the side boundary with Blenheim Close. A number of small gabled dormer windows would be erected to the side roof slopes of the main roof and rear extension. Whilst appearing as two storeys externally, the rear extension would also include a lower ground floor and excavated area to the rear to provide amenity space.

- 3.3 Internally, the building would provide for 8 self-contained flats set over lower ground, ground, first, and loft levels which would have access through the original main entrance to the front (shown in the table below). It should be noted that flat 6, which currently is set over part of the first floor and loft level would remain unchanged. Three of the ground/lower ground flats would have access to private amenity spaces, whilst the remaining units would have access to a large shared amenity space to the rear approximately 320m² in size.

Unit	Type	GIA	Private Amenity
Flat 1	2 Bed / 4 Person	84m ²	17m ²
Flat 2	1 Bed / 1 Person	40m ²	0m ²
Flat 3	2 Bed / 4 Person	84m ²	18m ²
Flat 4	1 Bed / 1 Person	40m ²	15m ²
Flat 5	1 Bed / 2 Person	50m ²	0m ²
Flat 6	3 Bed / 5 Person	86m ²	0m ²
Flat 7	3 Bed / 5 Person	79m ²	0m ²
Flat 8	1 Bed / 2 Person	50m ²	0m ²

- 3.4 The front area would comprise of hardstanding to provide for 5 car parking spaces with trees and soft landscaping proposed to the front and side boundaries. Cycle parking would be provided within the rear amenity space for up to 14 cycles and refuse stores would also be located to the rear, with access to both from Blenheim Close.

- 3.5 The proposed extensions would have the followings dimensions:

- Western side extension: 9.1m length, 2.4m width, 3.6m flat roof height
- Eastern side extension: 12.5m length, 3.8m width, 3.35m flat roof height
- Rear extension: 5.6 - 7.4m length, 3.7 – 4.1m eaves height, 6.7 – 8m ridge height.

- 3.6 One of the trees protected by a TPO would be removed (T1 – Weeping Ash) due to its poor health and condition. (This tree is identified in the Tree Survey as being category U – i.e. unsuitable for retention).

- 3.6 The property would restore the original brickwork at ground floor and apply render at first floor on all elevations with extensions to match, and would restore the original plaster detailing to the front gable ends.

- 3.7 Amendments:

It should be noted that the application has been amended since submission, incorporating the following changes:

- Reduction from 6 to 5 parking spaces and the introduction of soft landscaping and tree planting to the front
- Relocation and increase in capacity of refuse stores to the rear
- Increase in cycle store capacity
- Reduction of side extensions to single storey
- Reductions in length and height of rear extension with additional central element
- Number of units reduced from 10 to 8, with change in housing mix
- Introduction of lower ground floor element
- Change to side dormer window design to match
- Retention of chimneys

4. PLANNING HISTORY

The planning history of the site is detailed below:

- 4.1 M/M5885: USE AS PRIVATE DAY SCHOOL – Granted 15/08/1950.
- 4.2 M/M5921: USE AS SCHOOL – Refused 04/01/1951.
- 4.3 M/M6343: ERECTION OF DOUBLE GARAGE. – Granted 09/09/1952.
- 4.4 M/M7727(O): OUTLINE APPLICATION FOR 12 MAISONNETTES AND GARAGES.– Refused 07/03/1958.
- 4.5 M/M7724(O): OUTLINE APPLICATION FOR 6 HOUSES AND GARAGES – Granted 11/06/1958.
- 4.6 M/M7724(D): DETAILED APPLICATION FOR 6 HOUSES AND GARAGES – Granted 13/08/1958.
- 4.7 M/M9466: CONVERSION TO FLATS – Granted 07/08/1963.

5. CONSULTATION

- 5.1 Public consultation was undertaken by way of site notice and letters sent to 36 neighbouring properties. A second round of consultation was undertaken following amendments to the scheme, the outcome of the combined consultation is summarised as follows:
- 5.2 Representations (both objections and comments) were received from 34 individuals (24 of which raised objection), which raised the following points about the development:
- Improved design of extensions following amendments
 - Parking capacity inadequate for number of flats
 - Increased parking stress from development
 - Underground river and concerns of basement
 - Overlooking/loss of privacy from side dormers
 - Scale of rear extensions not in keeping
 - Refuse collection arrangements, including insufficient refuse capacity
 - Obstruction of Blenheim Close and Blenheim Road from parking

- Requirement for detailed CMS for basement element and lack of consultation from developers on this element
- Previous subsidence issues
- Loss of light from two storey rear extension
- Loss of natural drainage
- Loss of large tree within front garden prior to submission of application
- Overdevelopment
- No access to rear amenity for cycle store
- Housing mix orientated towards smaller units
- Out of keeping with character of other local listed buildings
- Setting of precedent
- Lack of site notice
- Vehicle congestion
- Lack of affordable housing
- Impacts to sewer infrastructure
- Devaluation of properties
- Loss of chimneys
- Error in initial drawings
- Disturbance during construction

Internal consultations.

- 5.3 Climate Change Officer: No objection. The development would need achieve the relevant sustainability requirements, being a 19% improvement on Part L of the Building Regulations 2013 and an internal water usage not exceeding 105 litres per person per day; these requirements should be secured by condition and an informative should be included detailing this.
- 5.4 Transport and Highways Officers: No objection. The site is within a 'good' PTAL rating (3), is not within a CPZ and would provide 5 off-street off-street car parking spaces. The site provides adequate cycle and refuse storage, and a condition is requested for the implementation of the both. The proposal would not impact the existing highway network and a condition is requested for the provision of a demolition & construction method statement to ensure this. A condition is recommended for the retention of the vehicle parking.
- 5.5 LBM Flood Risk Engineer: No objection subject to conditions requiring further details of drainage prior to the commencement of construction.
- 5.6 LBM Basement Engineer: No objection. Requested a condition requiring a number of further details regarding the construction of the basement.
- 5.7 LBM Trees Officer: No objection. Advised a number of conditions relating to a landscaping scheme, site supervision and tree protection.

6. POLICY CONTEXT

- 6.1 National Planning Policy Framework (2019)
- 5. Delivering a sufficient supply of homes
 - 9. Promoting sustainable transport
 - 11. Making effective use of land

- 12. Achieving well-designed places
- 14. Meeting the challenge of climate change, flooding and coastal change

6.2 London Plan (2016)

Relevant policies include:

- 3.3 Increasing housing supply
- 3.5 Quality and design of housing developments
- 3.8 Housing choice
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.13 Sustainable drainage
- 5.17 Waste Capacity
- 6.9 Cycling
- 6.13 Parking
- 7.4 Local character
- 7.6 Architecture
- 7.14 Improving air quality
- 7.21 Trees and Woodland
- 8.2 Planning obligations
- 8.3 Community Infrastructure Levy

6.3 Merton Local Development Framework Core Strategy – 2011 (Core Strategy)

Relevant policies include:

- CS 8 Housing choice
- CS 9 Housing provision
- CS 13 Open space, nature conservation, leisure and culture
- CS 14 Design
- CS 15 Climate change
- CS 16 Flood risk management
- CS 17 Waste management
- CS 18 Active Transport
- CS 20 Parking servicing and delivery

6.4 Merton Sites and Policies Plan – 2014 (SPP)

Relevant policies include:

- DM D2 Design considerations
- DM D3 Alterations and extensions to existing buildings
- DM D4 Managing heritage assets
- DM EP2 Reducing and mitigating noise
- DM F2 Sustainable urban drainage systems and; wastewater and water infrastructure
- DM H2 Housing Mix
- DM T1 Support for sustainable transport
- DM T2 Transport impacts of development
- DM T3 Car parking and servicing standards
- DM T4 Transport infrastructure

- 6.5 Supplementary planning considerations
London Housing SPG – 2016
London Character and Context SPG -2014
DCLG - Technical Housing Standards 2015
Draft London Plan 2017

7. PLANNING CONSIDERATIONS

7.1 Material Considerations

The key issues in the assessment of this planning application are:

- Principle of development
- Need for additional housing
- Design and impact upon the character and appearance of the area
- Impact upon neighbouring amenity
- Standard of accommodation
- Transport, highway network, parking and sustainable travel
- Refuse storage and collection
- Trees and landscaping
- Basement construction and drainage
- Sustainable design and construction
- CIL
- Response to objections

Principle of development

- 7.2 The National Planning Policy Framework 2019 and London Plan policies 3.3 & 3.5 promote sustainable development that encourages the development of additional dwellings at locations with good public transport accessibility. Policy 3.3 of the London Plan 2016 states that development plan policies should seek to identify new sources of land for residential development including intensification of housing provision through development at higher densities. Core Strategy policies CS8 & CS9 seek to encourage proposals for well-designed and conveniently located new housing that will create socially mixed and sustainable neighbourhoods through physical regeneration and effective use of space, whilst not resulting in the loss of family sized dwellings (3 bed units).
- 7.3 The proposals would result in an additional 5 residential units whilst re-providing the existing family sized dwellings, thereby meeting NPPF and London Plan objectives by contributing towards London Plan housing targets and the redevelopment of sites at higher densities. It is also noted that application site is currently in a somewhat dilapidated state both internally and externally and the proposal seeks to restore its original heritage assets and improve the appearance and sustainability of the building.
- 7.4 Given the above, it is considered that use of the land for more intensive residential purposes could be supported, subject to compliance with the relevant London Plan policies, Merton Local Development Framework Core Strategy, Merton Sites and Policies Plan and supplementary planning documents as detailed in the relevant sections below.

Need for additional housing

- 7.5 The National Planning Policy Framework requires Councils to identify a supply of specific 'deliverable' sites sufficient to provide five years worth of housing with an additional buffer of 5% to provide choice and competition.
- 7.6 Table 3.1 of the London Plan identifies that LBM has an annual housing target of 411 units, or 4,107 over the next ten years. However, this minimum target is set to increase significantly to 918 set out in the 'London Plan Examination in Public Panel Report Appendix: Panel Recommendations October 2019', due to be adopted next year. This significant increase will require a step change in housing delivery within the LBM.
- 7.7 Policy H1 'Increasing housing supply' (Draft London Plan Policy) and Table 4.1 of the draft London Plan sets Merton a ten-year housing completion target of 13,280 units between 2019/20 and 2028/29 (increased from the existing 10-year target of 4,107 in the current London Plan). However, following the Examination in Public this figure of 13,280 has been reduced to 9,180.
- 7.8 Merton's overall housing target between 2011 and 2026 is 5,801 dwellings (Authority's Monitoring Report Draft 2017/19, p12). The latest (draft) Monitoring report confirms:
- All the main housing targets have been met for 2017/18.
 - 665 additional new homes were built during the monitoring period, 254 above Merton's target of 411 new homes per year (London Plan 2015).
 - 2013-18 provision: 2,686 net units (813 homes above target)
 - For all the home completions between 2004 and 2017, Merton always met the London Plan target apart from 2009/10. In total Merton has exceeded the target by over 2,000 homes since 2004.
- 7.9 The current housing target for the London Borough of Merton is 411 annually. Last year's published AMR figures are: "688 additional new homes were built during the monitoring period, 277 above Merton's target of 411 new homes per year (in London Plan 2015)."
- 7.10 The draft London Plan includes a significantly higher figure of 918 new homes annually. However, this is not yet adopted and full weight cannot be attributed to this figure.
- 7.11 Against this background officers consider that while new dwellings are welcomed, the delivery of new housing does not override the need for comprehensive scrutiny of the proposals to ensure compliance with the relevant London Plan policies, Merton Local Development Framework Core Strategy, Merton Sites and Policies Plan and supplementary planning documents.

Design and impact upon the character and appearance of the area

- 7.11 Section 12 of the NPPF, London Plan policies 7.4 and 7.6, Core Strategy policy CS14 and SPP Policies DM D2 and DM D3 require well designed proposals which make a positive contribution to the public realm, are of the highest quality materials and design and which are appropriate in their context, thus they must

respect the appearance, materials, scale, bulk, proportions and character of their surroundings. London Plan policy 7.8 and SPP policy DM D4 seek to ensure that alterations and extensions to properties with heritage designations conserve and enhance the character and appearance of the site and surrounding area. Paragraph 1.3.61 of the London Plan Housing SPG 2016 states that *fully optimising housing potential will necessitate high quality, innovative design to ensure new development successfully responds to challenges and opportunities presented on a particular site.*

- 7.12 The Council's schedule of locally listed buildings describes 2 to 8 as follows: A series of 4 detached houses which can be dated to around 1891. They are 2 storey, and also contain accommodation within steeply pitched roofs. The materials used in construction include brick, timber and pebbledash. The houses are built in a very ornate style, and feature fine plaster panels within the gables, as well as moulded lintels and quoins. There are also ornate wooden porches and balconies above. Despite some alterations, and in some cases a deterioration of building fabric, the buildings score highly in terms of their architectural style. The prevailing character of each of the group of locally listed buildings is that of asymmetry, being a key element in the make-up of arts and crafts buildings, others being variety of material and craftsmanship.
- 7.13 The proposals seek to refurbish the building's somewhat dilapidated state, by reintroducing original brickwork at ground floor (as opposed to the existing pale yellow render), by introducing light render at upper floors, and restoring the decorative plaster work to the front gable ends so as to restore the buildings originally detailing to be commensurate with the remaining houses in the group. The porch canopy is to be retained and the original timber balcony to the front will be re-instated. It is considered the above elements would significantly improve the buildings appearance and relationship with the street scene and other locally listed buildings.
- 7.14 Notwithstanding the refurbishment works, the proposal would be fairly prominent due to the sites location on the junction with Blenheim Close, whereby views are available from the north, south and west, and therefore the proposal must be thoughtful in its design as not to appear overbearing. The proposed side extensions would replace the existing additions to the east and west and would be single storey in height with flat roofs to match existing, albeit at a lower height. It is considered these elements of the scheme would not result in a detrimental impact to the streetscene, and would aid to improve its appearance due to the proposed materials, smaller scale and better relationship with the main building.
- 7.15 At the rear, the proposed two storey extension would utilise gabled roofs and the central element would extend the form of the existing lower gable rearwards, with a smaller element being set lower and set-back from the side boundary with Blenheim Close. A number of small gabled dormer windows would be erected to the side roof slopes of the main roof and rear extension. It is considered the use of matching gabled roofs extending naturally from the main building would complement the architectural style of the existing building and adjacent listed properties. Following amendments to the scheme, it is

considered this element would now respect the proportions of the main building, with the scale of the extensions reduced and appearing as a subordinate addition. Furthermore, given the western element's separation from the boundary with Blenheim Close and being set lower, this element would not appear overbearing in the street scene.

- 7.16 As a whole, officers consider that in context with the nature of the site and existing building, the proposal would be of an appropriate scale and bulk and would incorporate an acceptable choice of materials and architectural style. It is therefore considered that the proposal would not result in a harmful impact to the street scene or upon the group of locally listed buildings.
- 7.17 The proposal is considered to be acceptable in terms of the impact on the character of the area, in compliance with London Plan policies 7.4 and 7.6, Core Strategy policies CS13 & CS14 and SPP Policies DMD2, DMD3 and DMD4 in this regard.

Impact upon neighbouring amenity

- 7.18 London Plan policies 7.6 and 7.15 along with SPP policy DM D2 state that proposals must be designed to ensure that they would not have an undue negative impact upon the amenity of neighbouring properties in terms of light spill/pollution, loss of light (sunlight and daylight), quality of living conditions, privacy, visual intrusion and noise.
- 7.19 Given the large plot (being 30m in length) and the siting of the proposed extensions, the main neighbours to be considered in this instance are the two adjacent properties to the west at no.10 and to the east at no. 6.
- 7.20 6 Blenheim Road
The proposal includes a single storey extension along the shared boundary with this neighbour, which would extend approximately 4.1m beyond this neighbour's building line, which accommodates habitable accommodation) at a height of 3.35m. (The proposed extension would project beyond the neighbour's recessed laundry room window by 7.7m). This element would be separated from the main rear building of this neighbour by approximately 3.3m. Considering the moderate length beyond this neighbour, together with its height and orientation, it is considered this element would not result in a material harm in terms of overlooking, visual intrusion, loss of outlook, shadowing or loss of light.
- 7.21 The two storey element would be separated 7.4m from this neighbour and would extend to the same depth, before increasing in depth marginally some 14m away. Given the separation distances it is considered this element would not give rise to a materially harmful impact to this neighbour.
- 7.22 The proposal would introduce a side facing, bedroom window at first floor level (bedroom 2 of Flat 7). This window has the potential to overlook the rear garden of No.6 and, whilst not ideal in terms of the outlook for future occupiers, it is considered reasonable and necessary to impose a condition to ensure that this

window is obscurely glazed up to an internal floor to sill height of no less than 1.8m.

7.23 10 Blenheim Road

This neighbour is separated from the application site by Blenheim Close, which provides an 8.9m separation distance between the buildings. As with no. 6, given the separation of the proposed extensions to this neighbour together with the depth and heights of the proposed extension, it is considered there would not be a materially harmful impact in terms of visual intrusion, loss of outlook, shadowing or loss of light.

7.24 It is recognised that there are side facing windows towards this neighbour, with two additional dormer windows in the side roof slopes. These windows have the potential to overlook the rear garden of No.10 and, whilst not ideal in terms of the outlook for future occupiers, it is considered reasonable and necessary to impose a condition to ensure that this window is obscurely glazed up to an internal floor to sill height of no less than 1.8m.

7.25 Subject to conditions, the proposal would therefore accord with London Plan policies 7.6 and 7.15 and Merton Sites and Policies Plan policy DM D2.

Standard of accommodation

7.26 Policies 3.5 and 3.8 of the London Plan 2016 state that housing developments are to be suitably accessible and should be of the highest quality internally and externally and should ensure that new development reflects the minimum internal space standards (specified as Gross Internal Areas) as set out in table 3.3 of the London Plan (amended March 2016) and the DCLG – Technical Housing Standards 2015.

7.27 Each of the proposed units would meet the minimum required GIA as set out in the Technical Housing Standards and would therefore comply with Core Strategy policies CS8 & CS9 and London Plan Policy 3.5. Furthermore, all of the units are serviced by windows and opening which are considered to offer suitable natural light, ventilation and outlook to prospective occupants in line with policy 3.5 of the London Plan (2016), policy CS.14 of the Merton Core Planning Strategy (2011) and policy DM.D2 of the Merton Sites and Policies plan (2014).

7.28 In accordance with the London Housing SPG, policy DMD2 of the Council's Sites and Policies Plan states that there should be 5sq.m of external space provided for 1 and 2 person flats with an extra square metre provided for each additional occupant. 3 of the units would be provided with private external amenity spaces in the form of a balcony for flat 4 on the ground floor and lower ground garden spaces for flats 1 and 3 split over ground and lower ground floors. The sizes of these spaces would far exceed the minimum requirements as detailed above, and have been designed so as to minimise potential privacy issues between units. It is noted that these areas would have some landscaping and a condition is recommended for further details on this.

7.29 The remaining units would have access to a large communal garden to the rear, approximately 320 sq.m in size. Whilst private amenity spaces may be preferable, it is acknowledged that it would not be practicable to provide this for each of the units due to the nature of development (being a conversion of an existing property) and without introducing detrimental impacts to the character and appearance of the development or impacts to the privacy of other units and neighbouring properties. It is considered that in this instance, the size, landscaping and layout of the proposed shared external amenity space would be acceptable.

7.30 As a whole, it is considered the proposal would offer an acceptable standard of accommodation to occupants.

Transport, highway network, parking and sustainable travel

7.31 London Plan policies 6.3 and 6.12, CS policies CS18 and CS20 and SPP policy DM T2 seek to reduce congestion of road networks, reduce conflict between walking and cycling, and other modes of transport, to increase safety and to not adversely effect on street parking or traffic management. London Plan policies 6.9, 6.10, 6.13, Core Strategy policy CS20 and SPP policies DM T1 and DM T3 seek to promote sustainable modes of transport including walking, cycling, electric charging points and to provide parking spaces on a restraint basis (maximum standards).

7.32 The LBM Transport Planner has reviewed this application and their comments are integrated into the assessment below.

7.33 Blenheim Road is rated as having 'Good' PTAL rating of 3 and the proposed development would have five off-street vehicle parking spaces with an electric vehicle charging point. The road is not subject to a Controlled Parking Zone and consequently the surrounding streets do not contain parking restrictions. The applicant has submitted a Transport Statement which includes a parking survey of the immediate area. Given the lack of parking restrictions in the area, together with the number of car parking spaces proposed and the PTAL level, it is considered the development would not have an unacceptable impact on parking pressure locally. Furthermore, the level of parking proposed would not exceed London Plan maximum standards and therefore the principle and level of vehicle parking is acceptable in this respect. It is noted that the current vehicle access from Blenheim Road would require alterations and a new crossover would need to be constructed by the Local Highway Authority. As such, a condition is recommended for requiring the applicant to submit details of this in agreement with the LHA prior to the commencement of works. A condition is also recommended for the vehicle parking to be implemented and retained thereafter.

7.34 London Plan policy 6.9 and the London Housing SPG standard 20 require that developments provide dedicated, secure and covered cycle storage, with 1 space per one bedroom units and 2 spaces for all other sized units. The proposal would provide space for up to 14 cycles in a store within the rear amenity area. It is considered this arrangement and capacity is acceptable and a condition is recommended requiring the implementation and retention of this.

- 7.35 Local residents raised concerns with the tight nature of the street and potential disruption from works. In order to ensure that construction does harmfully impact the normal operation of the highway, a condition is recommended requiring the provision of a demolition & construction method plan prior to works commencing.

Refuse storage

- 7.36 Appropriate refuse storage must be provided for developments in accordance with policy 5.17 of the London Plan and policy CS 17 of the Core Strategy.
- 7.37 LBM waste services required that waste must be presented for collection by the property edge, not more than 10m from the road where the collection vehicle is parked, and that residents should not have to transport waste further than 30m to storage areas. The proposal includes a refuse storage area to the south-west along the shared boundary with Blenheim Close. It is considered this arrangement would be acceptable given the capacity and location of the bins in relation to collection and distance to the proposed units. A condition is recommended requiring the implementation and retention of these facilities.

Trees and landscaping

- 7.38 Policy DM D2(ix) of the Sites and Policies Plan 2014 requires that developments ensure that trees and other landscape features are protected.
- 7.39 The applicant has submitted an Arboricultural Impact Assessment as part of the application and LBM Trees Officers have assessed the application with their comments integrated below.
- 7.40 It is acknowledged that a mature tree to the front of the site had been previously felled prior to the submission of this planning application. Given this tree had no formal protection this is not objectionable and does not form part of the proposals being considered. The site does, however, have two trees within the rear garden that are formally safeguarded by Tree Protection Orders. The arboricultural impact assessment outlines the works to be undertaken to these and any other trees within the rear garden, and proposes tree protection zones around them. Officers raise no objection to the landscaping works, subject to a number of conditions regarding a landscaping scheme, tree protection and site supervision.

Basement Construction and Flood risk

- 7.41 London Plan policies 5.13 & 5.13, policy CS13(e) and CS16 of Merton's Core Planning Strategy 2011 and Policies DM D2 and DMF1 and DMF2 of the Merton Sites and Policies Plan seek to ensure basement constructions are suitable in terms of drainage and structural impacts to the host and neighbouring properties.
- 7.42 The applicant has provided a Basement Construction Method Statement and a Drainage Strategy to demonstrate the proposed basement would be structurally sound and not result in drainage issues. LBM Basement Engineers have reviewed the application and are satisfied that the proposal can be built safely

without adversely affected the surrounding natural and built environment, including both neighbouring structures and the highway. Officers recommend a condition requiring further details on this element prior to the commencement of any works. The proposed basement would also require the necessary Building Control approval prior to commencement to further ensure the works would not result in a harmful impact to the surrounding area.

7.43 In regards to the drainage and flood risk impacts of the proposal, LBM Flood Risk Engineers have reviewed the application and their comments are integrated into the below assessment.

7.44 The site is not shown to be at risk of fluvial flooding or surface water flooding according to the Environment Agency flood maps. However, the impact of the basement construction must be assessed in terms of drainage. The proposed drainage strategy for the site limits surface water runoff to no more than 2l/s, which requires a min of 10m³ of attenuation storage. Geo-cellular storage is proposed as a tank in the rear garden with a vortex control device to limit flows.

The driveway, parking areas, external walkways and bin store will be formed in permeable paving with the remainder of the site. Details of the construction make up and specification for the permeable paving, attenuation tank and all drainage components will be required prior to construction, and this will be secured by way of suitably worded conditions as detailed at the end of the report.

Climate change, sustainable design and construction

7.45 London Plan policy 5.3 and CS policy CS13 & CS15 seek to ensure the highest standards of sustainability are achieved for developments which includes minimising carbon dioxide emissions, maximising recycling, sourcing materials with a low carbon footprint, ensuring urban greening and minimising the usage of resources such as water.

7.46 As per CS policy CS15, minor residential developments are required to achieve a 19% improvement on Part L of the Building Regulations 2013 and water consumption should not exceed 105 litres per person per day. Climate Change officers recommend to include a condition and informative which will require evidence to be submitted that a policy compliant scheme has been delivered prior to occupation.

Community Infrastructure Levy

7.47 The proposed development would be subject to the Community Infrastructure Levy (CIL). This would require a contribution of £115 per additional square metre of floor space to be paid to Merton Council and an additional £60 per additional square meter to be paid to the Mayor.

7.48 Responses to objections

The majority of the issues raised by objectors are addressed in the body of the report but in addition, the following response is provided:

- Impacts on infrastructure, such as sewerage would be addressed through separate legislation.
- Whilst the basement element was introduced during the application process, adequate information was forthcoming prior to it being presented at PAC
- Each application is assessed on its individual merits and it is not considered this application would set a precedent, in planning terms.
- Given the proposal is for 8 units and is not a major scheme (10 or more residential dwellings), there is no scope to require affordable units
- Devaluation of property prices is not a material consideration
- The chimneys are not to be demolished as originally shown on the drawings
- All errors in initial drawings have been amended

8. CONCLUSION

- 8.1 Officers consider the proposed development is acceptable in principle, providing a residential development at an increased density whilst not conflicting with other policy considerations within policy CS 14 of the Core Strategy 2011. The proposal, as amended, is considered to be well designed, appropriately responding to the surrounding context in terms of massing, heights, layout and materials and would not have a harmful impact on the visual amenities of the area. The proposal would not unduly impact upon neighboring amenity. The proposal would not unduly impact upon the highway network, including parking provisions. The proposal would achieve suitable refuse and cycle storage provisions, and would incorporate adequate measures to address climate change, sustainability and the protection of trees, subject to conditions.
- 8.2 The proposal is considered to accord with the relevant National, Strategic and Local Planning policies and guidance and approval could reasonably be granted in this case. It is not considered that there are any other material considerations which would warrant a refusal of the application.

RECOMMENDATION

Grant planning permission subject to conditions.

Conditions:

- 1) Standard condition [Commencement of development]: The development to which this permission relates shall be commenced not later than the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 (as amended) of the Town & Country Planning Act 1990.

- 2) Standard condition [Approved plans]: The development hereby permitted shall be carried out in accordance with the following approved plans: [Refer to the schedule on page 1 of this report].

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3) Standard condition [Materials]: The facing materials to be used for the development hereby permitted shall be those specified in the approved drawings unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance of the development and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2016, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

- 4) Standard condition [use of flat roofs]: Access to the flat roofs of the development hereby permitted shall be for maintenance or emergency purposes only, and the flat roof shall not be used as a roof garden, terrace, patio or similar amenity area.

Reason: To safeguard the amenities and privacy of the occupiers of adjoining properties and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2016, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

- 5) Standard condition [Refuse storage]: The development hereby approved shall not be occupied until the refuse and recycling storage facilities shown on the approved plans have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling material and to comply with the following Development Plan policies for Merton: policy 5.17 of the London Plan 2016, policy CS17 of Merton's Core Planning Strategy 2011 and policy DM D2 of Merton's Sites and Policies Plan 2014.

- 6) Standard condition [Cycle storage]: The development hereby permitted shall not be occupied until the cycle parking shown on the plans hereby approved has been provided and made available for use. These facilities shall be retained for the occupants of and visitors to the development at all times.

Reason: To ensure satisfactory facilities for cycle parking are provided and to comply with the following Development Plan policies for Merton: policy 6.13 of the London Plan 2016, policy CS18 of Merton's Core Planning Strategy 2011 and policy DM T1 of Merton's Sites and Policies Plan 2014.

- 7) Non-standard condition [Sustainability]: No part of the development hereby approved shall be occupied until evidence has been submitted to the Local Planning Authority confirming that the development has achieved CO2 reductions not less than a 19% improvement on Part L of the Building Regulations 2013 and internal water usage of not more than 105 litres per person per day.

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply with the following Development Plan policies for Merton: Policy 5.2 of the London Plan 2016 and Policy CS15 of Merton's Core Planning Strategy 2011.

- 8) Amended standard condition [Demolition & Construction Method Statement]: No development shall take place until a Demolition and Construction Method Statement has been submitted to, and is approved in writing, by the Local Planning Authority to accommodate:
- Parking of vehicles of site operatives and visitors
 - Loading and unloading of plant and materials
 - Storage of construction plant and materials;
 - The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - Wheel cleaning facilities
 - Measures to control the emission of dust, dirt, smell and other effluvia;
 - Measures to control the emission of noise and vibration during construction/demolition
 - Non road mobile machinery compliance
 - A scheme for recycling/disposing of waste resulting from demolition and construction works

The approved details must be implemented and complied with for the duration of the demolition and construction period.

Reason: To ensure the safety of pedestrians and vehicles and the amenities of the surrounding area, and to comply with the following Development Plan policies for Merton: policies 6.3, 6.14 & 7.15 of the London Plan 2016, policy CS20 of Merton's Core Planning Strategy 2011 and policies DM T2 & DM EP2 of Merton's Sites and Policies Plan 2014.

- 10) Standard condition [Hardstandings]: The hardstanding hereby permitted shall be made of porous materials, or provision made to direct surface water run-off to a permeable or porous area or surface within the application site before the development hereby permitted is first occupied or brought into use.

Reason: Reason: To reduce surface water run-off and to reduce pressure on the surrounding drainage system in accordance with the following Development Plan policies for Merton: policy 5.13 of the London Plan 2016, policy CS16 of Merton's Core Planning Strategy 2011 and policy DMF2 of Merton's Sites and Policies Plan 2014.

- 11) Standard condition [Timing of construction]: No demolition or construction work or ancillary activities such as deliveries shall take place before 8am or after 6pm Mondays - Fridays inclusive, before 8am or after 1pm on Saturdays or at any time on Sundays or Bank Holidays.

Reason: To safeguard the amenities of the area and the occupiers of neighbouring properties and ensure compliance with the following Development

Plan policies for Merton: policy 7.15 of the London Plan 2016 and policy DM EP2 of Merton's Sites and Policies Plan 2014.

- 12) Standard condition [Vehicle parking]: The vehicle parking area (including any garages hereby approved) shown on the approved plans shall be provided before first occupation of the flats hereby approved and shall be retained for parking purposes for occupiers and users of the development and for no other purpose.

Reason: To ensure the provision of a satisfactory level of parking and comply with the following Development Plan policies for Merton: policy 6.13 of the London Plan 2016, policy CS20 of Merton's Core Planning Strategy 2011 and policy DM T3 of Merton's Sites and Policies Plan 2014.

- 13) Standard condition [Vehicle crossover]: No development shall commence until details of the proposed vehicular accesses to serve the development have been submitted in writing for approval to the Local Planning Authority. No works that are subject of this condition shall be carried out until those details have been approved, and the development shall not be occupied until those details have been approved and completed in full.

Reason: In the interests of the safety of pedestrians and vehicles and to comply with the following Development Plan policies for Merton: policies CS18 and CS20 of Merton's Core Planning Strategy 2011 and policies DM T2, T3, T4 and T5 of Merton's Sites and Policies Plan 2014.

- 14) Non-standard condition [Basement construction]: No works shall commence on site until the below documents have been submitted to and approved in writing by the planning authority.
- a) Site specific soil investigation report along with borehole logs and to determine ground conditions onsite and to assess groundwater. A standpipe for monitoring groundwater shall be installed.
 - b) Detailed Construction Method Statement produced by the respective Contractor/s responsible for the underpinning, temporary works, excavation and construction of the basement. This shall be reviewed and agreed by the Structural Engineer designing the basement.
 - c) Detailed design calculations of the underpinning retaining wall supporting the highway and adjoining properties in the temporary and permanent phase, and temporary propping works. The design of the piled wall retaining the highway boundary shall be carried out in accordance with Eurocodes. We recommend assuming full hydrostatic pressure to ground level. The soil parameters used in the design should be informed by the soil investigation report.
 - d) Underpinning sequence produced by the appointed underpinning Contractor.
 - e) Propping and de-propping sequence of the temporary works produced by the appointed Contractor.
 - f) Construction sequence drawings produced by the appointed Contractor.
 - g) Temporary works drawings and sections of the designed basement retaining walls.

h) Movement monitoring report produced by specialist surveyors appointed to install monitoring gauges to detect any movement of the highway/neighbouring properties from start to completion of the project works. The report should include the proposed locations of the horizontal and vertical movement monitoring, frequency of monitoring, trigger levels, and the actions required for different trigger alarms.

- 15) Non-standard condition [Drainage Scheme]: No development approved by this permission shall be commenced until a final detailed scheme for the provision of surface and foul water drainage has been submitted to and approved in writing by the local planning authority. The drainage scheme will dispose of surface water by means of a sustainable drainage system (SuDS) at a restricted runoff rate (no more than 2l/s), in accordance with drainage hierarchy contained within the London Plan Policy (5.12, 5.13 and SPG) and the advice contained within the National SuDS Standards. A CCTV will inform the final design to demonstrate the routing (line and level) and condition of all existing drainage runs. The final drainage scheme will be maintained in perpetuity by the applicant unless adopted by Thames Water.

Reason: To reduce the risk of surface and foul water flooding to the proposed development and future users, and ensure surface water and foul flood risk does not increase offsite in accordance with Merton's policies CS16, DMF2 and the London Plan policy 5.13

- 16) Non-standard condition [Drainage during construction]: Prior to the commencement of development, the applicant shall submit a detailed proposal on how drainage and groundwater will be managed and mitigated during construction and post construction (permanent phase), for example through the implementation of passive drainage measures around the basement structure as recommended within the submitted BIA.

Reason: To reduce the risk of surface and foul water flooding to the proposed development and future users, and ensure surface water and foul flood risk does not increase offsite in accordance with Merton's policies CS16, DMF2 and the London Plan policy 5.13.

- 17) Amended standard condition [Tree protection]: The details and measures for the protection of the existing trees as specified in the approved document 'Arboricultural Impact Assessment' dated '7 June 2019' reference 'EAS-010.01' shall be complied with. The methods for the protection of the existing trees shall fully accord with all of the measures specified in the report and shall be installed prior to the commencement of any site works and shall remain in place until the conclusion of all site works.

Reason: To protect and safeguard the existing trees in accordance with the following Development Plan policies for Merton: policy 7.21 of the London Plan 2016, policy CS13 of Merton's Core Planning Strategy 2011 and policies DM D2 and 02 of Merton's Sites and Policies Plan 2014.

- 18) Standard condition [Site supervision]: The details of the Arboricultural Method Statement and Tree Protection Plan shall include the retention of an arboricultural expert to supervise, monitor and report to the LPA not less than monthly the status of all tree works and tree protection measures throughout the course of the construction period. At the conclusion of the construction period the arboricultural expert shall submit to the LPA a satisfactory completion statement to demonstrate compliance with the approved protection measures.

Reason: To protect and safeguard the existing retained trees in accordance with the following Development Plan policies for Merton: policy 7.21 of the London Plan 2016, policy CS13 of Merton's Core Planning Strategy 2011 and policy DMO2 of Merton's Sites and Policies Plan 2014.

- 19) Standard condition [Landscaping]: Full details of a landscaping scheme shall be submitted to and approved in writing by the LPA and these works shall be carried out in the first available planting season following the completion of the development or prior to the occupation of any part of the development, whichever is the sooner. The details shall include on a plan, the size, species, spacing, quantities and location of the plants, such details shall include the replacement TPO tree. Any trees which die within a period of 5 years from the completion of the development, are removed or become seriously damaged or diseased or are dying, shall be replaced in the next planting season with others of the same approved specification, unless the LPA gives written consent to any variation.

Reason: To enhance the appearance of the development in the interest of the amenities of the area, to ensure the provision sustainable drainage surfaces and to comply with the following Development Plan policies for Merton: policies 5.1, 7.5 and 7.21 of the London Plan 2016, policies CS13 and CS16 of Merton's Core Planning Strategy 2011 and policies DM D2, DM F2 and DM O2 of Merton's Sites and Policies Plan 2014.

- 20) Prior to the first occupation of the dwellings hereby permitted, the window to bedroom 2 of Flat 7, the side facing living room/kitchen window of Flat 7 and the side facing bedroom window of Flat 8, shall be obscurely glazed up to an internal floor to sill height of no less than 1.7m and shall be retained as such thereafter.

Reason: To safeguard the amenities of the area and the occupiers of neighbouring properties and ensure compliance with the following Development Plan policies for Merton: policy 7.15 of the London Plan 2016 and policy DM D2 of Merton's Sites and Policies Plan 2014.

- 21) The development hereby approved shall not be occupied until scaled drawings at a scale of 1:50 showing the means of enclosure and access to the bin store (i.e. the form of any access gate and bin enclosure) have been submitted to and approved in writing by the LPA. The approved means of enclosure shall be implemented prior to the first occupation of the dwellings hereby approved and shall be retained thereafter.

Reason: To ensure a satisfactory appearance of the development and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2016, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

Informatives:

1) **INFORMATIVE**

In accordance with paragraphs 38 and 39 of the National Planning Policy Framework 2019, The London Borough of Merton takes a positive and proactive approach to development proposals focused on solutions. The London Borough of Merton works with applicants or agents in a positive and proactive manner by suggesting solutions to secure a successful outcome; and updating applicants or agents of any issues that may arise in the processing of their application. In this instance, the application has been amended following concerns from Officers and the Planning Committee considered the application where the applicant or agent had the opportunity to speak to the committee and promote the application.

2) **INFORMATIVE**

Carbon emissions evidence requirements for Post Construction stage assessments must provide:

- Detailed documentary evidence confirming the Target Emission Rate (TER), Dwelling Emission Rate (DER) and percentage improvement of DER over TER based on 'As Built' SAP outputs (i.e. dated outputs with accredited energy assessor name and registration number, assessment status, plot number and development address); **OR**, where applicable:
- A copy of revised/final calculations as detailed in the assessment methodology based on 'As Built' SAP outputs; **AND**
- Confirmation of Fabric Energy Efficiency (FEE) performance where SAP section 16 allowances (i.e. CO2 emissions associated with appliances and cooking, and site-wide electricity generation technologies) have been included in the calculation

3) **INFORMATIVE**

Water efficiency evidence requirements for Post Construction Stage assessments must provide:

- Detailed documentary evidence representing the dwellings 'As Built'; showing:
 - The location, details and type of appliances/ fittings that use water in the dwelling (including any specific water reduction equipment with the capacity / flow rate of equipment); and
 - The location, size and details of any rainwater and grey-water collection systems provided for use in the dwelling; along with one of the following:
 - Water Efficiency Calculator for New Dwellings; **or**
 - Written confirmation from the developer that the appliances/fittings have been installed, as specified in the design stage detailed documentary evidence; **or**

- Where different from design stage, provide revised Water Efficiency Calculator for New Dwellings and detailed documentary evidence (as listed above) representing the dwellings 'As Built'

4) INFORMATIVE

No surface water runoff should discharge onto the public highway including the public footway or highway. When it is proposed to connect to a public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required (contact no. 0845 850 2777).

- 5) No waste material, including concrete, mortar, grout, plaster, fats, oils and chemicals shall be washed down on the highway or disposed of into the highway drainage system.

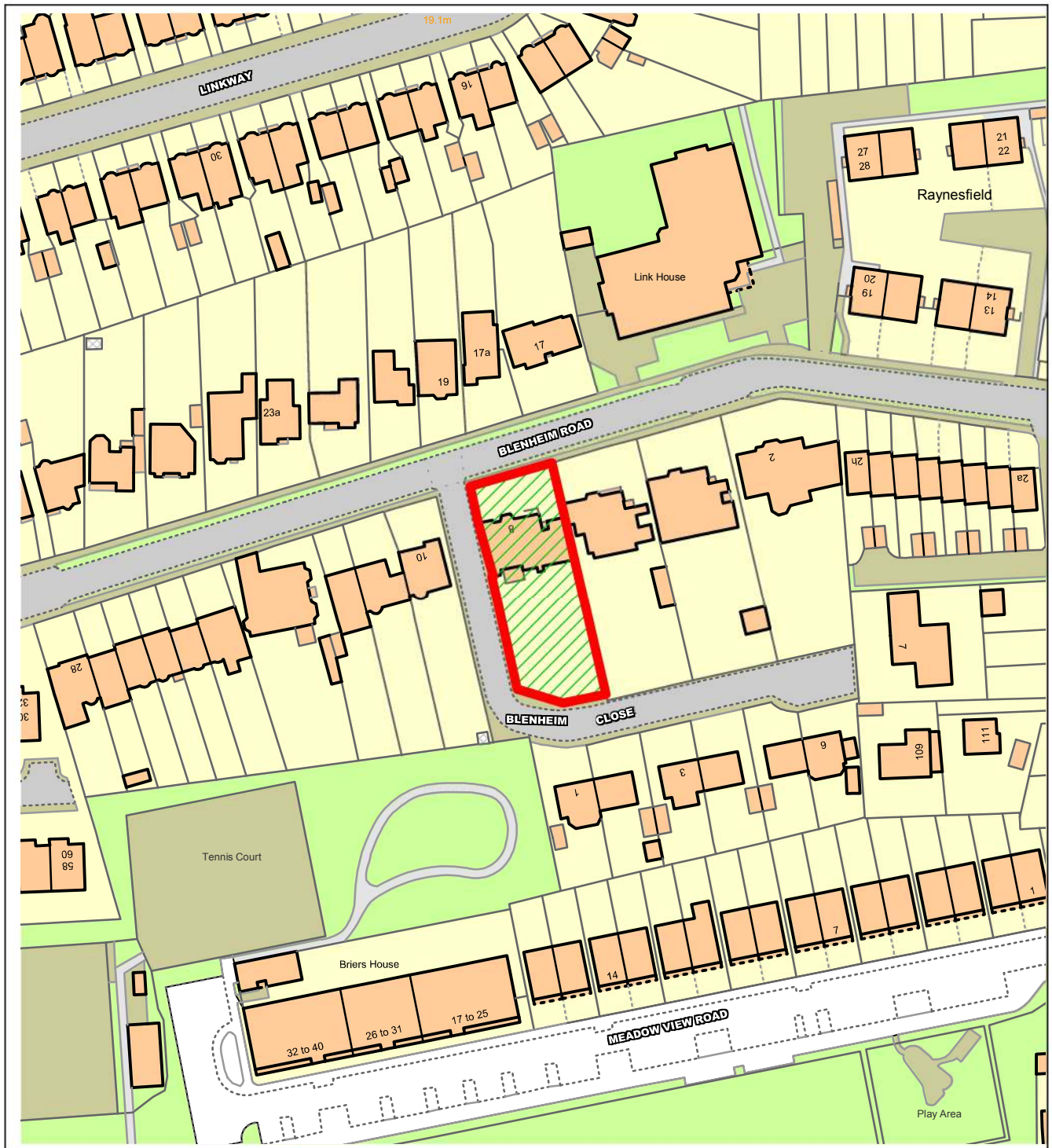
6) INFORMATIVE

This permission creates one or more new units which will require a correct postal address. Please contact the Street Naming & Numbering Officer at the London Borough of Merton:

Street Naming and Numbering (Business Improvement Division)
Corporate Services
7th Floor, Merton Civic Centre
London Road
Morden
SM4 5DX
Email: street.naming@merton.gov.uk

[Click Here](#) for full plans and documents related to this application

NORTHGATE SE GIS Print Template



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PLANNING APPLICATIONS COMMITTEE

13 February 2019

APPLICATION NO. **DATE VALID**
19/P2387 12/07/2019

Address/Site Tesco Site, 265 Burlington Road and 300 Beverley Way,
New Malden, Surrey, KT3 4NE

Ward West Barnes

Proposal: DEMOLITION OF THE EXISTING BUILDINGS AT 265 BURLINGTON ROAD AND 300 BEVERLEY WAY AND ERECTION OF TWO BLOCKS OF DEVELOPMENT RANGING IN HEIGHT BETWEEN SEVEN AND 15 STOREYS AND COMPRISING 456 NEW HOMES, OF WHICH 114 WILL BE ONE BEDS, 290 WILL BE TWO BEDS AND 52 WILL BE THREE BEDS. 499SQM OF B1(A) OFFICE SPACE WILL BE ACCOMMODATED AT GROUND FLOOR LEVEL ALONG WITH 220 CAR PARKING SPACES, 830 CYCLE PARKING SPACES, A REALIGNED JUNCTION ONTO BURLINGTON ROAD, HARD AND SOFT LANDSCAPING AND ASSOCIATED RESIDENTIAL FACILITIES. THE APPLICATION ALSO INCLUDES MINOR CHANGES TO THE LAYOUT AND CONFIGURATION OF THE RETAINED TESCO CAR PARK

Drawing Nos and documents:

ExA_1852_100 D, ExA_1852_110 D, D1100 P2, D1101 P2, D1102 P1, D1106 P1, D1107 P1, D1108 P1, D1109 P1, D1110 P1, D1111 P1, D1112 P1, D1113 P1, D1114 P1, D1115 P1, D1200 P2, D1201 P2, D1202 P2, D1203 P2, D1204 P2, D1205 P2, D1206 P2, D1300 P2, D1301 P2, D1302 P2, D1303 P2, D1304 P2, D1305 P2, D1306 P2, D1307 P2, D2100 P3, D2101 P3, D2102 P2, D2106 P2, D2107 P2, D2108 P2, D2109 P2, D2110 P2, D2111 P2, D2112 P2, D2113 P2, D2114 P2, D2115 P2, D2202 P2, D2203 P2, D2204 P2, D2205 P2, D2300 P2, D2301 P2, D2302 P2, D2303 P2, D2304 P2, D2305 P2, D3100 P2, D3101 P2, D3102 P2, D3103 P2, D3104 P2, D3105 P2, D6000 P2, D6001 P2, D6002 P2, D6003 P2, D6100 P2, D6101 P2, D6102 P2, D6103 P2, D6107 P2, D6108 P2, D6109 P2, D6110 P2, D6111 P2, D6112 P2, D6113 P2, D6114 P2, D6115 P2, D6200 P2, D6201 P2, D6202 P2, D6203 P2, D6300 P2, D6301 P2, D6302 P2, D6303 P2, D6304 P2, D7010 P2, D7100 P2, D7102 P2, D7103 P2, D7104 P2, D7105 P2, D7106 P2 and D8000 P2.

For a full schedule of relevant documents and those referenced in the recommended conditions refer to Appendix A.

RECOMMENDATION

Grant Planning Permission subject to any direction from the Mayor of London, completion of a S.106 legal agreement a S.278 agreement and conditions.

CHECKLIST INFORMATION

- Heads of S106/S278 Agreements: Yes:
- On-site provision of 40% affordable housing,
- £150K to improve pedestrian and cycle infrastructure in the surrounding area,
- £100K towards pedestrian crossing facility and junction improvement at Burlington Road/Claremont Avenue junction, Travel Plan with £2K monitoring contribution.
- Three years car club membership.
- £450K contribution towards an additional bus journey in each peak period.
- Carbon shortfall contribution of £651,060.
- Play space contribution of £24,600.
- Financial contribution towards Air Quality Impact (£31,000)
- Bus stop improvements to 3 bus stops in the locality, the cost to be met by the applicant.
- Payment of cost to Council of all work in drafting the legal agreements and monitoring the obligations.
- Is a screening opinion required: Yes
- Is an Environmental Statement required: No
- Has an Environmental Statement been submitted: No
- Press notice: Yes (major application)
- Site notice: Yes (major application)
- Design Review Panel consulted: Yes (red on pre-application scheme). Current scheme has not been to DRP.
- Number of neighbours consulted: 937
- External consultations: Yes
- Conservation area: No
- Listed building: No
- Tree protection orders: No
- Controlled Parking Zone: No
- Green corridor – Yes (bordering the site to the north)
- Site of importance for nature conservation (SINC) – Yes (bordering the site to the north)
- Flood Zones 2/3
- Archaeological Priority Zone
- PTAL: 3

1. INTRODUCTION

- 1.1 This application is being brought to the Planning Applications Committee for determination due to the nature and scale of development and the number and scope of objections.
- 1.2 This application is one of three concurrent and interlinked applications, including applications, 19/P3085 (Change of use of land from business and warehousing to provide remodelled car park for retail unit) and application 19/P2578 (provision of temporary construction access).
- 1.3 Application 19/P3085 is currently under assessment by officers and technical issues relating to the proposed site access are currently subject to on-going discussions between LBM Transport Planners and TfL and, as such, these applications are not sufficiently advanced to be presented to the committee at this time.

2. SITE AND SURROUNDINGS

- 2.1 The site comprises two parcels of land including land within the car park of the Tesco Extra store. The larger parcel of land comprises the eastern part of the car park and accommodates a two-storey office building and warehouse distribution warehouse with surface car parking for 102 cars to serve the office use. In addition, this part of the site accommodates 342 car parking spaces (plus 13 parking spaces for Tesco vehicles) serving the Tesco store. This parcel of land has an area of 2.29Ha. The smaller parcel of land comprises a bank of parking bays within the Tesco car park to the west of the main site. This part of the site accommodates 42 parking spaces and has an area of 0.05Ha.
- 2.2 265 Burlington Road is a vacant 1980's two storey office building with ancillary warehouse building (total 3,737sq.m. GIA).
- 2.3 The site is bound to the east by Burlington Road, commercial properties to the south, a Tesco Extra store to the west and Raynes Park High School to the north. The Sacred Heart Roman Catholic Primary School is located to the southwest of the site. The closest section of the Transport for London Road Network (TLRN) is the A3 Kingston Bypass which runs west of the Tesco store in a north-south direction. The A298 Bushey Road which forms part of the Strategic Road Network (SRN) is located north of Raynes Park High School and runs in an east-west direction.
- 2.4 Motspur Park rail station is located approximately 750m south of the application site. The site is located 1.2km south-west of Raynes Park rail station and 1.5km east of New Malden rail station. There are 4 bus routes within an acceptable walk distance. Based on TfL's Webcat toolkit the application site has a public transport accessibility level (PTAL) range of 2 to 3, on a scale of 0 to 6b where 6b is the most accessible.
- 2.5 The site is currently occupied by a vacant office building and car parking spaces associated with the adjacent Tesco store.

- 2.6 The site is bounded to the north by Pyl Brook, (a tributary of Beverley Brook) and is heavily treed and vegetated on both banks. This part of the site is designated as a Site of Importance for Nature Conservation (SINC). There is currently no public access to Pyl brook in the vicinity of the site.
- 2.7 In terms of surrounding built form, to the west are large distribution and retail warehouses along with the A3 flyover. To the east and south, buildings are at a lower level, with an appearance of low-rise suburbia. A shopping parade and light industrial uses continue along Burlington Road to the south. The maximum height of any building in the locality is 5 storeys (Northrop Grumman building to the west of the A3), other than the B&Q advertising column which is around 30m to the top of the totem and 37m to the top of the lattice above the totem (equivalent to approximately 16 storeys).
- 2.8 Buildings in the immediate vicinity of the site along Burlington Road range in height from two-storey to four storeys in height. There is a five storey building under construction to the immediate southeast of the site on Burlington Road (Albany House).
- 2.9 There is a finer grain of buildings to the east and south of the site compared to the warehouse development to the west. The area is characterised by predominantly 2-3 storey Victorian terraces and semi-detached housing blocks as well as some 4 and 5 storey housing blocks like 'Malden Court' just north of the Site and 'Albany House' to the east.
- 2.10 The site has no local or strategic policy designations, it does not lie within a conservation area and does not contain any listed buildings. At a local level the site forms part of allocated site RP3 within the emerging Merton Local Plan 2015-2030 (second consultation), and is identified as suitable for comprehensive redevelopment to retain the supermarket with the same floor space within a new purpose-built unit and to optimise the remainder of the site for new homes, landscaping and access.
- 2.11 The site is served by four bus routes, with the nearest bus stop location on Burlington Road approximately 100 metres from the site.
- 2.12 There is a level crossing to the east of the site over the Raynes Park to Motspur Park railway line. Officers acknowledge that the operation of the level crossing is the source of localised traffic congestion, particularly at peak traffic periods.
- 2.13 Vehicular access into the site is via the existing Tesco car park from the A3 sliproad. Vehicular access to the office building is possible from Burlington Road and egress from the Tesco car park or the office car park on to Burlington Road is possible but vehicle access into the Tesco car park from Burlington Road is restricted.

- 2.14 Whilst the site falls outside the limits of Crossrail 2 Safeguarding, as set out in the 2015 Crossrail 2 Safeguarding Directions, part of the application site has been identified by Crossrail 2 and TfL as a proposed worksite for the future delivery of the Crossrail 2 scheme.
- 2.15 The site at 265 Burlington Road includes a vacant two-storey office building with a single storey interconnecting warehouse. The existing buildings were constructed in the 1980's under planning permission MER416/84. Following this, planning permission was granted in 1990 for the use of the existing buildings as offices (Class B1). Whilst planning permission was also granted 1991 for the demolition of the existing buildings and erection of a three-storey office building, this permission has not been implemented.
- 2.16 In terms of trees, the site is largely laid to hardstanding. However, there are belts of trees along Burlington Road to the eastern part of the site and lining both sides of the Pyl Brook.
- 2.17 The site is not within a Controlled Parking Zone (CPZ) and there are no current plans to create a new CPZ.
- 2.18 The site is within Flood Zones 2 and 3. The part of the site that is Flood Zone 3 is mainly to the southern part of the site, but also, a small area of Flood Zone 3 around Pyl Brook.

3. PROPOSAL

3.1 Proposal Summary:

In summary, the proposals will deliver:

- 7 to 15 storeys of residential accommodation at ground and podium level.
- 456 residential apartments in a courtyard arrangement with communal landscaping above a residential parking level.
- Concierge for the residential accommodation.
- 220 undercroft car parking spaces, including 14 spaces for disabled motorists serving the residential accommodation (subject to condition).
- 5 on-street parking spaces (in lay-bys on the access road, within the development site), including two dedicated Car Club spaces.
- 830 cycle parking spaces.
- Secure private vehicle parking for residents accessed from Burlington Road.
- 499m² of B1 commercial space within five separate units ranging in size between 57sqm and 125sqm, with frontages onto Burlington Road and within the new access road created on the development site.
- 103sqm office/ meeting space, dedicated for use by residents only.

- Landscaping and private pedestrian route along Pyl Brook.
- 577 Tesco customer parking spaces would be retained. 40% affordable housing, of which 60% are affordable rent and 40% shared ownership, equating to 171 affordable housing units.

- 3.2 This application includes the demolition of the existing two-storey office and warehouse building on site and the erection of two blocks ranging in height from 7 storeys to 15 storeys to provide 456 residential homes along with associated parking and 499sqm of commercial space at ground floor level.
- 3.3 The commercial space would be within five separate units ranging in size between 57sqm and 125sqm.
- 3.4 The proposed development would be laid out in perimeter blocks, with soft landscaped amenity areas within the blocks. Car parking would be located at ground floor level beneath the podium level of each of the two blocks. The landscaped amenity space would be at first floor level, on a podium above the ground floor level parking.
- 3.5 The scheme is focused around two residential blocks with internal courtyards at podium level above ground floor car parking. The two blocks (Block A to the north and Block B to the south) are split by the realigned access road that provides egress for Tesco customers from the store car park onto Burlington Road. It will also provide access and egress to the residential car parks beneath the undercroft of both blocks.
- 3.6 The main vehicular access to the site is via Burlington Road located to the east of the development site. This access will be retained with some minor alterations. A secondary access is from the B282 Beverley Way, west of the site, which runs parallel to the A3 Kingston Bypass. This access links to the Burlington Road access through the Tesco car park, but only allows vehicles to egress the Tesco car park via Burlington Road. It is proposed to retain this link between the two accesses as part of the development proposals.
- 3.7 Both supermarket visitors egress and residents access is via the realigned access road, splitting left or right to enter respective residential car parking areas beneath either Block A or B. The main entrance to the supermarket for both customers and service vehicles is retained from Beverley Way with direct access to the customer car park. Residents access their apartments via the ground floor lobbied entrance foyers which provides both lift and stair access. Post boxes sit within these lobby spaces.
- 3.8 The access road provides two service lay-bys, one to the north side and one to the south side together with 5 residential parking spaces, two of which are dedicated to a car club. Access to the perimeter of the blocks for emergency services and maintenance is also via the realigned access road with limited access to the

supermarkets service road to the western boundary of the development.

- 3.9 The ground floor of the proposed development is mostly comprised of the undercroft car parking and commercial units facing Burlington Road.
- 3.10 The northern block (Block A) has four residential cores serving buildings A, B, C and D while the southern block (Block B) has three residential cores serving buildings E, F and G. These cores run from ground floor to the top storey of each respective building.
- 3.11 Within Block A at ground floor level there is an undercroft car park with space for 149 cars. Five of these spaces are wheelchair accessible. The entrance to the car park is from the newly aligned road linking the Tesco store car park to Burlington Road.
- 3.12 Four commercial units ranging in size run along the east elevation along Burlington Road, turning the corners on the north and south elevations. Refuse, plant and cycle stores are provided at various locations around the perimeter of Block A, including the energy centre in the northwest corner adjacent to the service yard.
- 3.13 Block B, located on the southern portion of the Site. It is a triangular shape in plan with the southern part narrowing towards a point. Three residential buildings form an internal courtyard, with buildings E and F forming a linear building to the west and building G, a linear building to the east following the orientation of Burlington Road.
- 3.14 Block B provides car parking within an undercroft, for 71 spaces. Four of these spaces are suitable for wheelchair users.
- 3.15 Each of the residential buildings are accessed from ground floor level with a degree of active street frontage. At ground floor beneath the podium, commercial frontage faces Burlington Road, with residential car park, refuse and cycle storage forming the remainder.
- 3.16 The scheme would involve a new streetscape at Burlington Road with a wide pavement created with street planting and street furniture. The proposals do not envisage this being dedicated as highway.
- 3.17 A planted, biodiverse walkway would be created adjacent to Pyl Brook. This would be restricted to use by residents only with the intention that it could become a through route if and when the wider Tesco site is redeveloped.
- 3.18 The west elevation, abutting the Tesco Extra car park, would be landscaped with a green walls installed.
- 3.19 The scheme would result in the loss of 21 category B trees, 17 Class C trees and 4 tree/shrub groups and 4 category U trees. 9

trees to be lost are located around the Pyl Brook. 61 replacement trees would be planted as part of the proposals.

- 3.20 The scheme proposes 456 units, of which 114 (25%) are one beds, 289 (63%) are two beds and 53 (12%) are three beds:

Unit Type	Percentage of units
1 Bed	25
2 Bed	63
3 bed	12

- 3.21 In terms of affordable housing, the scheme offers 40% on-site provision by habitable room (following amendments to the scheme); 60% are affordable rent and 40% shared ownership, equating to 171 affordable housing units.
- 3.22 11% of the proposed homes would be wheelchair adaptable.
- 3.23 The scheme has the following density: Habitable rooms per hectare – 570 (based on site area of 2.29Ha, the larger of the two parcels of land) and 199 dwellings per hectare.
- 3.24 In terms of parking, the development proposes 830 cycle parking spaces (798 residential spaces, 12 residential visitor spaces, 6 long term spaces for commercial units and 14 short term spaces for the commercial units), 220 undercroft car parking spaces, including nine wheelchair accessible spaces (N.B. officers advise that 14 wheelchair accessible spaces be secured by condition); five on street parking spaces, including two dedicated Car Club spaces.
- 3.25 In terms of combating the impacts of climate change, the proposal is accompanied by an Energy Statement which sets out that the proposed development is to target a reduction in CO₂ emissions of 35% beyond a determined Part L 2013 baseline case on site. This is equivalent to 40% reduction against a 2010 baseline as discussed in Merton's CS15 Energy policy. For the purposes of this Energy Statement the SAP10 carbon factors are to be utilised.
- 3.26 The remaining carbon emissions of 361.7 TCO₂ every year for 30 years are required to be offset. This would require a cash in lieu contribution to off-set the outstanding carbon savings.
- 3.27 Whilst not part of this application, the associated application, 19/P3085, deals with alterations to the retained Tesco Extra car park. The revised layout factors in the implementation of the application the subject of this report. Application 19/P3085 deals with the following associated development within the Tesco Extra car park:
- 3.28 Application 19/P2578 proposes the demolition of No.248 Burlington Road, a two-storey office building, fronting Burlington Road and the construction of a single width vehicular access, intended to provide access for construction vehicles in relation to the proposed mixed-use redevelopment, for a temporary period of two years.

- 3.29 It is noted that the redevelopment of the site will also result in the loss of 98 Tesco Extra car parking spaces but 577 customer spaces would remain overall.
- 3.30 The Tesco Extra store and associated car park to the west of the Site would continue to operate throughout the construction process, in the event that planning permission is granted.
- 3.31 The application is accompanied by the following supporting documents:
- Air Quality Assessment – May 2019
 - Affordable Housing Grant Funding Model
 - Arboricultural Impact Assessment, Arboricultural Method Statement and Arboricultural Survey – May 2019
 - Cultural Heritage Desk Based Assessment – April 2018
 - Daylight and Sunlight Assessment – May 2019
 - Addendum to Daylight and Sunlight Analysis dated 4th December 2019
 - Design and Access Statement – May 2019
 - Design and Access Statement: Landscape – May 2019
 - Desk Study/Preliminary Risk Assessment Report – August 2018
 - Dynamic Overheating Assessment – May 2019
 - Energy Statement (amended) – 16th October 2019
 - Flood Risk Assessment – May 2019
 - Noise and Vibration Assessment – May 2019
 - Preliminary Ecological Appraisal – October 2018
 - Residential Travel Plan – May 2019
 - Statement of Community Involvement – May 2019
 - Surface Water Drainage Strategy dated May 2019
 - Sustainability Statement – May 2019
 - Town Planning Statement and Health Impact Assessment – May 2019
 - Townscape and Visual Appraisal (undated)
 - Transport Assessment – May 2019

4. PLANNING HISTORY

- 4.1 Relevant planning history is summarised as follows:
- 4.2 MER419/84 - Erection of new industrial building with offices formation of new access roads off Burlington Road, car parking and demolition of existing buildings with new access from Kingston-by-pass slip road. Grant Permission 09/08/84
- 4.3 MER800/84 – OUTLINE APPLICATION FOR REDEVELOPMENT OF SITE TO PROVIDE RETAIL STORE WITH UNLOADING FACILITIES CAR PARK PETROL FILLING STATION AND LANDSCAPING AND VEHICULAR ACCESSES. Grant Permission 15/07/1985.

- 4.4 MER1069/85 - APPROVAL OF DETAILED PLANS FOR ERECTION OF A NEW RETAIL SUPERSTORE AND PETROL FILLING STATION INCLUDING PARKING AREAS SERVICE YARD AND ACCESS ROAD. Application Granted 13-02-1986.
- 4.5 90/P0445 - Demolition of existing single storey buildings and erection of three storey building for office (B1) use comprising 3,756sqm of floor space with associated car parking and landscaping. Allowed on appeal 04/11/1991.
- 4.6 19/P3085 – MINOR ALTERATIONS TO CAR PARK LAYOUT. Pending decision.
- 4.7 Associated applications:
- 4.8 19/P2578 – 247 Burlington Road – DEMOLITION OF BUILDING AND FORMATION OF TEMPORARY ROAD FOR THE TESCO CAR PARK (2 YEAR PERIOD), PROVIDING PEDESTRIAN AND BICYCLE ACCESS PLUS VEHICULAR EGRESS, WITH ASSOCIATED WORKS INCLUDING THE RELOCATION OF BUS STOP. Pending decision.
- 4.9 19/P3085 - PARTIAL DEMOLITION OF B1 OFFICE BUILDING AND CHANGE OF USE OF PART OF OFFICE BUILDING CAR PARK TO FACILITATE THE RECONFIGURATION OF SUPERMARKET CAR PARK TO PROVIDE A TOTAL OF 684 CAR PARKING SPACES (A LOSS OF 19 CAR PARKING SPACES), TO PROVIDE TROLLEY PARKING SHELTERS, CHANGES TO WHITE LINE MARKING AND PROVISION OF A NEW SERVICING AREA AND ALTERATIONS TO OFFICE CAR PARK WITH A LOSS OF 29 CAR PARKING SPACES. THE ALTERATIONS TO THE SUPERMARKET CAR PARK LAYOUT AND ASSOCIATED WORKS HAVE BEEN SUBMITTED IN CONNECTION WITH THE CONCURRENT PLANNING APPLICATION 19/P2387 FOR THE ERECTION OF A MIXED USE DEVELOPMENT COMPRISING 456 FLATS AND 499 SQ.M OF B1 FLOOR SPACE

Separate report on application on this agenda.

5. CONSULTATION

- 5.1 Press Notice, Standard 21-day site notice procedure and individual letters to neighbouring occupiers. **425** representations have been received, raising objection/commenting on the following grounds:

Visual Impact:

- Height is excessive.
- Height should be significantly reduced.
- The scheme is contrary to the Councils Tall Building Paper
- Inappropriate location for Tall Buildings
- A recent refusal in Kingston Town Centre demonstrates that this scheme should also be refused.

- The refusal at Claremont Avenue indicates that this scheme should also be refused.
- Precedent would be set for inappropriately tall buildings.
- The existing tatty buildings along Burlington Road should be redeveloped if this scheme is intended to improve the character of the area.

Highway impacts:

- Increased traffic and congestion.
- Adverse impact on the junction at the entrance to the site on Burlington Road.
- Concerns regarding highway safety, in particular walking children in the vicinity.
- Lack of parking for the development.
- Loss of parking to Tesco will result in displacement parking.
- Suggestion that a CPZ is introduced (but not at existing residents' expense)
- Cumulative impact of this scheme with other recent developments.
- Tesco car park is used as a rat run from the A3, this application will worsen that.
- Vehicles exiting the site will block the junction near the Level Crossing.
- Vehicular access should be further from the Level Crossing.
- Concern that lorries will turn right into the site from Burlington Road.
- Safe and secure cycle parking is provided but if it is not provided at the local stations and shops, cycling will not be a viable option.
- New residents will park in the Tesco car park resulting in displacement parking.
- Adverse impact on traffic leaving AW Champion Timber – new filter lane along Burlington Road suggested.
- A previous planning condition restricted access from Burlington Road to Tesco, will this be maintained?
- The poor road surface on West Barnes Lane and Seaforth Avenue would be worsened.

Public transport:

- Motspur Park Station and Raynes Park Station are already at capacity – what measures are proposed to tackle this.
- Step free access should be provided to the local train stations, more 'tap in' machines and widen the footbridge at the station.
- Pressure on bus capacity.
- Crossrail implications – which could include closing the Level Crossing, worsening the existing congestion.

Neighbouring amenity:

- Overlooking to neighbouring houses, gardens and schools.
- Loss of light and overshadowing.

Flooding:

- The site is adjacent to Pyl Brook which regularly floods.
- Concerns that foundations would displace flood water to neighbouring properties.

Infrastructure:

- Pressure on local schools, GPs, doctors, medical centres, dentists, water, sewage, electricity, gas etc. Suggestion that this should be provided within the development, in addition to a community centre or youth centre.
- Increased pressure on local job market.
- The existing local infrastructure is from the 1920s/30s and cannot cope with this additional burden.

Air Quality:

- More cars and congestion would worsen air quality, which will be particularly harmful for children.
- The Tall Buildings will create a canyon whereby air quality at ground level would be worsened.
- Cumulative impact of this scheme with other recent developments.

Other:

- More green space should be provided.
- Playground and park area should be available to the public also.
- Concerns over loss of trees.
- Suggest more open space and more trees to be planted.
- Redrow have incorrectly stated that the local schools have no objection to the proposals.
- Disruption throughout construction process.
- Query what the £7 million paid to the Council for accepting the application will be spent on?
- Adverse impact on property prices
- The proposal is purely profit driven under the guise of providing affordable housing.
- Tall Buildings will create a wind tunnel effect.
- Query whether air flows have been modelled?
- Light pollution.
- Concern that this is a forerunner to a much larger Master Plan.
- Impact on groundwater.
- More family housing needed.
- More affordable housing needed.
- Cumulative impact of this scheme with other recent developments.
- High rise living is not suitable for families and creates isolated communities.
- Concerns over high rise building safety.
- Query whether the units would really be affordable for all in society.

- More sustainable credentials are required if climate change is to be taken seriously.
- Increased crime.
- Increased rubbish and littering.
- Contrary to planning policies.
- The proposal should be put on hold until after Brexit due to the current political uncertainties.
- There has been no consultation with Kingston Borough.
- Suggestion that an Environmental Impact Assessment be carried out.
- Suggestion that a leisure centre be built on the site.
- Sustainability credentials are insufficient.

5.2 Three letters have been received expressing support for the following reasons:

- The scale is appropriate given the site's proximity to public transport and nearby developments.
- The scheme will be an asset to the local community.
- Suggestion that more car club bays be provided, cycle access in the area be improved, CPZ be introduced, bus services be improved, resurfacing of Claremont Avenue and West Barnes Lane.

5.3 In addition, a petition with 21 signatories expressing support has been received.

5.4 Following amendments to the scheme made on 06/12/2019, a further 67 representations have been received (an overall total of **492** objections), objecting on the following new grounds:

- Changes do not address the problem with this proposal. The proposal remains far too high and out of keeping with the area.
- Lack of local job creation.
- Proposal is being put forward around the New London Plan which is not adopted and ignores Merton's Housing Targets.
- Housing mix does not provide much needed family housing.
- Amendments have been made at a time of year when it is difficult for people to respond – query whether this is intentional.

5.5 Sacred Heart Catholic Primary School:

- Significant concerns regarding the scale of the development and the knock on effect of transport and logistics issues such as crossing Burlington Road, increased pollution for our school and parking, congestion and highway safety.
- Support the development of family homes, but not the building of up to 15 storeys in an area where 5 storeys is the norm.

- Do not support the developer's clear stance regarding single person occupancy.
- Concerns regarding knock on effects of flooding on the school.
- Existing bus routes and the pedestrian crossing directly in front of the school are important to the community and should not be affected.

5.6 Stephen Hammond MP comments:

I am writing to oppose planning application 19/P2387 which would see 456 new homes built at 265 Burlington Road.

This application is inappropriate for the site and the local area and would overwhelm public services nearby.

With over 80% of these new homes being of two or three bedrooms, it is clear to see how this number of new homes, without any corresponding increase in the number of school places and resources at GP and dentist surgeries, is detrimental to the local area and those living within it.

Furthermore, I am concerned about the impact this development will have on traffic flows. The development proposes 220 car parking spaces, which will presumably add a minimum of 220 additional cars to the already congested roads in the area. The effect of the level crossing on West Barnes Lane must also be considered, with the existing traffic backlogs and the resulting air pollution from cars idling, only going to worsen.

Finally, I would like to draw attention to the height of the development. The buildings are proposed to range up to 15 storeys in height, 11 storeys higher than the current highest buildings in the area. This is both further evidence of how the development is inappropriate for the local area and leads to concerns of overlooking and loss of light and privacy.

5.7 Stephen Hammond MP further comments (following submission of amended plans on 06/12/2019):

- The revised application merely changes the height of the buildings and does nothing to address the concerns. (Inappropriate for the site and would overwhelm public services).
- There is no corresponding increase in school places, resources at local GPs or dentist surgeries.
- Concern regarding impact on traffic flows.
- Urge the Council to extend the deadline for comments over the festive period.

5.8 Councillors Bailey, Bokhari and Quilliam comments:

Summary

A number of concerns have been raised about the application that we feel should be addressed before any approval is given: the height of the proposed blocks, the affordable housing element, parking, transport and road access, flooding concerns, and the use of any s 106 agreement or CIL contribution.

Need for housing

Fundamentally, it might be preferable for the Council to adopt a formal planning brief relating to the development of this site/the remainder of this site, and this could include a needs analysis on the capability of local schools, GP surgeries and other services to cater for the increase in population that results from significant further residential development.

Heights/massing/closeness to existing properties

The proposed development would, by reason of its design, building heights, bulk and massing be out of scale and character with nearby properties and would be a visually intrusive form of development, detrimental to the character and appearance of this area and therefore contrary to policy DM D2 and paragraph 127 of the NPPF.

Affordable Housing

Whilst it is pleasing that this development currently has 35% affordable housing proposed, it would only take 25 more units to bring this to 40%. The developer raises both viability issues and unit mix – rather than space or design issues. As such, we hope that Merton will examine this in detail, given the scale of the development, and insist on sticking to CS8.

Parking, transport & road access

Burlington road is already extremely congested, especially when the level crossing is down. The additional residents who will naturally have cars will only exacerbate this. The parking provision is 0.7 spaces per home with the idea that people will not have cars. However we have concerns people will still have cars, and the parking will spill into neighbouring roads. For example, in Linkway and D Avenue where residents already have difficulty parking. Related to this there are also significant concerns about guest parking for the new development, it would only take a very small number of visitors to create significant parking issues in the surrounding area at any one time.

Flood risk

Residents have raised concerns about the risk of flooding in the area for the proposed site.

The Pyl Brook (a tributary of Beverley Brook, open at this point but going into a culvert under the railway and the next part of West Barnes Lane) divides the Tesco site from Raynes Park High School.

In 2016, Tesco car park was deeply flooded. According to the London Borough of Merton, Policy N3.4, Raynes Park Local Plan (undated but a map is captioned 2018):
<https://www.merton.gov.uk/assets/Documents/Raynes%20Park%20-%20Merton%20stage%20%20local%20plan.pdf>

As such, we are concerned that the consideration of flood risk has not been assessed in full.

Section 106 agreement/CIL contribution

We believe that any such agreements negotiated or monies contributed should be used to ensure local school, early years/nursery and GP provision within the vicinity are expanded to help mitigate the impact of the development on the surrounding area. Feedback from residents is that they are very concerned that services locally are stretched. Any money not used for these purposes should be invested in further local transport infrastructure, including in ways to promote sustainable forms of transport.

5.9 Internal consultees:

5.9.1 LBM Environmental Health Officer (Air Quality):

- From an air quality perspective a reduction in car park spaces is recommended to support the move away from the dominance of private car ownership.
- Greater incentives should be given to new residents to encourage the uptake of car club membership to encourage the move from private car ownership.
- The number of electric charging points should be increased, to include both active and passive electric vehicle charging facilities consistent with the draft London Plan.
- Section 106 funding should be requested to increase planting on the Burlington Road boundary and at the neighbouring schools, Sacred Heart Primary and Raynes Park High and West Wimbledon Primary to improve air quality.
- Controls/conditions required to regulate use of any emergency generators.

Conditions recommended relating to a Construction Environmental Management Plan / Dust Management Plan, controls over the operation of Non-Road Mobile Machinery (NRMM) and the operation of Combustion Plant (emergency/standby generator)

Request for Section 106 contribution towards air quality mitigation measures.

5.9.2 LBM Transport Planning:

Burlington Road Access

No objection in relation to the layout of this access.

Car Parking

Tesco has confirmed the reduction in parking spaces by 98 will not have an impact upon the operation of their store (leaving 577 spaces on the adjacent site for Tesco use).

It is proposed to provide 220 car parking spaces for the proposed 456 residential dwellings which equates to a car parking ratio of 0.5 spaces per unit which would accord with the London Plan and draft London Plan standards.

The disabled person parking provision needs to be increased by 5 spaces and this should be secured by condition along with a Car Parking Management Plan (CPMP) which will need to be updated to detail how this is monitored.

Electric Vehicle Charging Points (EVCP)

20% of new parking bays should have access to electric vehicle charging points while a further 20% will have passive provision for future charging points.

For the development of 220 car parking bays, 22 bays should have access to electric charging points while further 22 spaces have passive provision for future charging points.

Car Club

It is recommended that three years free car club membership is secured for all new residents.

Cycle Parking

The development proposes 798 long stay cycle parking spaces and 12 short stay cycle spaces which satisfies the London Plan Standards, however, further consideration is required concerning the layout of the long-stay cycle parking, which can be secured by way of condition.

It is recommended that shower and locker facilities are also provided for the office uses for those members of staff wishing to cycle to work.

Parking Survey

Parking surveys undertaken in the vicinity of the site identified that the observed parking demand is between 78.4% and 81.1% which is below the 90% 'parking stress' threshold and therefore indicates that there is spare on-street parking capacity available in the vicinity of the site. The proposed level of parking for the development is intended to be able to cater for the demand associated with the residents of the new homes and the parking survey data has therefore been presented only for information.

Trip Generation

The trip generation analysis presented indicates that the proposed residential dwellings will be expected to generate 79 (AM) and 65 (PM) vehicle trips, with the proposed commercial uses generating a further four vehicle trips, per peak hour.

The existing office use would be expected to generate in the order of 27 and 30 vehicular trips in the AM and PM peak hours respectively, should the permitted use of the site be brought back into operation.

The net trip generation of the proposals would therefore be 56 (AM) and 39 (PM) vehicles respectively, which equates to less than one additional vehicular trip being generated per minute in either peak hour.

The trip generation assessment for the existing and proposed uses has been undertaken using the industry standard TRICS database. Census data has been used to determine the mode share and LBM Transport Planners are satisfied that the trip generation is robust.

Burlington Road/Claremont Avenue Junction improvement

The anticipated distribution of traffic associated with the site is expected to give rise to a change in performance of the Claremont Avenue junction with Burlington Road.

The developer to provide financial contribution towards pedestrian crossing facility and junction improvement at this junction secured through Sec.106 Agreement.

Recommendation

Although the proposal is unlikely to generate a significant negative impact on the performance and safety of the surrounding highway network or its users, it is considered essential that key improvements are considered to minimize any impact. Therefore the Council is seeking the following:

- 1) The Council to secure a financial contribution for the sum of £150K to improve pedestrian and cycle infrastructure in the surrounding area secured via Sec.106 agreement.
- 2) The Council to secure a financial contribution for the sum of £100K towards pedestrian crossing facility and junction improvement at Burlington Road/Claremont Avenue junction secured via Sec. 106 agreement.
- 3) Full Travel Plan should be developed and details of the Travel Plan should be subject to detailed agreement and monitoring over a five year period. A sum of £2,000 is sought to meet the costs of monitoring the travel plan over five years, secured via Section 106 process.
- 4) The disabled person parking provision needs to be increased by 5 spaces and this should be secured on developer's site.
- 5) EVCP should be provided in accordance with draft London Plan standards and secured by condition.
- 6) Car Parking Management Plan to be secured by condition.
- 7) 3 years car club membership should be secured for all residents.
- 8) Cycle parking as shown maintained.

- 9) Further consideration is required concerning the layout of the long-stay cycle parking.
- 10) Shower and locker facilities should be provided for those members of the staff of the commercial units wishing to cycle to work.
- 11) A Delivery and Servicing Plan to be secured by condition.
- 12) Demolition/Construction Logistic Plan (including a Construction Management plan in accordance with TfL guidance) should be submitted to LPA for approval before commencement of work.

5.9.3 LBM Tree and Landscape Officer:

No objection. Replacement trees and landscaping to be secured by way of condition.

5.9.4 LBM Green Spaces:

No response received.

5.9.5 LBM Climate Change Officer:

- Major residential developments will be expected to achieve a **minimum** on-site emissions reduction target of a 35% improvement against Part L 2013, with the remaining emissions (up to 100% improvement against Part L 2013) to be offset through cash in lieu contribution.
The cash in lieu contribution will be collected according to the methodology outlined in the Mayor's Sustainable Design and Construction SPG. This will require each tonne of CO2 shortfall from the target saving to be offset at a cost of £60 per tonne for a period of 30 years (i.e. £1800 per tonne CO2).
- A S.106 agreement for the carbon offset cash in lieu contribution will need to be finalised prior to planning approval. The Energy Strategy sets out the following carbon offset contributions:
Carbon shortfall (tonnes of CO2e) X £60 per Tonne CO2e X 30 years = Offset Payment
366.2 tCO2 X £60 Per Tonne CO2e X 30 years = £659,236
This will need to be reassessed once the applicant has addressed my comments above and provided all additional clarifications and evidence required.
- The internal water consumption calculations submitted as part of the Sustainability Statement (dated May 2019) for the development indicate that internal water consumption should be less than 105 litres per person per day.

Recommended Conditions:

- Secure additional energy efficiency measures for the commercial space in order to achieve the GLA's target of 15% improvement on Building Regulations from energy efficiency measures.

- Internal water consumption to be no more than 105 litres per person per day.
- Evidence to demonstrate whether the development will need to be future-proofed for connection to any future district heating networks.
- Secure 35% CO reductions through on site improvement against Building Regulations.

5.9.6 LBM Climate Change Officer: (Additional comments received 18/12/2019):

The carbon offset amount currently stands at £651,060

5.9.7 LBM Children, Schools and Families Department:

- Concerns relating to density and height, which will result in overlooking from balconies.
- The application does not seem to have considered the proximity of the proposed buildings to the school.
- Concern regarding the safety of children accessing the school at the Burlington Road highway and in relation to safe walking routes to schools.
- Concern that the likely loss of light is not covered by the developers' Daylight and Sunlight Assessment document.
- Concern regarding potential flooding due to proximity of Pyl Brook.
- Concern relating to impact on safety, noise and disruption throughout the construction process.

5.9.8 LBM Children, Schools and Families Department (additional comments received 24/12/2019):

Concerns relating to the impact on the school have not been overcome by the minor amendments to the scheme.

Suggestion that the narrow pavement in front of the school be improved as part of a developer's contribution.

5.9.9 LBM Social and Green Infrastructure:

The site is directly adjacent to the following environmental designations, therefore the policies below are relevant:

- Beverley Brook in Merton SINC MeBII05 to the north of the site (CS13, DM02)
- Raynes Park High School Green Corridor GC15 (CS13, DM02)

The site is in close proximity to:

- Raynes Park Railsides to Motspur Park Green Corridor GC17 (CS13, DM02)

Biodiversity

The applicant has provided a Preliminary Ecological Appraisal (PEA) report, dated October 2018, the methodology and findings of which are considered appropriate.

External Amenity Space

The proposed accommodation schedule indicates that the residential units have private amenity space through the provision of balconies (between 5-9sqm) and terraces (between 5-35sqm), in addition to some communal space, which would meet policy requirements.

Access to Nature and Open Space

The landscape masterplan shows that the proposed communal open space will be provided on the podium level and this is for the use of residents only. Please note that the site is more than 400m from the nearest public open space (Prince Georges Playing Fields and Raynes Park Sports Ground – both 1km walking distance from the site) and is therefore in an area identified as being deficient in access to Local Parks and Open Spaces (London Plan Table 7.2). The provision of resident-only communal space does not seek to improve the access to Local Parks and Open Spaces through the provision of new open spaces and there is an opportunity for this to be explored through the design.

I would also point out that the landscape masterplan indicates that the area alongside Pyl Brook known as “The Brookside” will be gated and only accessible to restricted residents of certain buildings (see extract below). This does not improve the access to open space or nature conservation, as required by CS13(b)

5.9.10

LBM Flood Risk and Drainage Officer:

No objection provided measures in the flood Risk Assessment are adhered to.

Development is proposed in close proximity to Pyl Brook and EA Flood Risk Activity permits would be required for any works within 8m.

The restricting flow rate of 3X Greenfield runoff rate is proposed for this development. This outflow is currently shown to be routed to the Pyl Brook in accordance with LB Merton requirements. The specified rate will be limited to no more than 18.3l/s for the 1 in 100 year plus 40% climate change scenario.

Permeable paving is proposed for all new external hardstanding areas (within the redline boundary excluding bin store area to avoid the risk of contamination).

Recommended conditions:

- Detailed scheme for the provision of surface and foul water drainage.

- Detailed design and specification for the permeable paving and green roofs.
- Informatives in relation to surface water runoff, waste material, approval from EA for works within 8m of Pyl Brook.

5.9.11 Design Review Panel Comments (in relation to pre-application scheme 18/P2998 – not the currently submitted scheme):

The Panel were clear in their view that there was development potential for the land in Tesco ownership. However, because the application site and remainder of Tesco land was so large, it was felt it needed to sit within a clear wider framework. This included a stronger and wider contextual analysis, and a stronger rationale for the design, layout and heights proposed. Currently there seemed to be none of this wider analysis, and most of the attention had gone into elements of the design details.

This lack of wider analysis led to other problems. The Panel were clear that the site did have a context, and that was a low-rise, low-density suburban one. Therefore, the interface between the site and this context needed to be acknowledged and designed appropriately. It also meant there was no proper rationale for the chosen storey heights, whether they be the proposed 7-14 storeys or any other range. It was felt that high buildings might be appropriate in some places, but this was more likely to be in the centre of the larger Tesco-owned wider site.

The Panel were concerned also by the general typology of the development that used a podium with ground floor parking and entrances to the flats. This led to a very poor interface with the street, dead frontage, places for concealment and lots of different building lines. This was exacerbated by the numerous service entrances etc. and made for a poor quality public realm. This was particularly evident with the retained access road to the supermarket and the heavily overshadowed and effectively dead frontage facing the Pyl Brook. This was the route to the block of affordable housing and the lack of a proper public space beside the brook was a particular missed opportunity.

Linked to this there was concern that the access into the site, notably for pedestrians and cyclists, was limited to one entrance on the east and one on the west. It was felt that there needed to be a much more permeable urban grain with multiple entrances in to the site and a proper street network. This was being hampered by the rigid form and layout that had been chosen. Having a podium was not necessarily seen as bad, but it did create the problems identified. It was also suggested that flats could be accessed via the podium to create a greater vitality and activity in the courtyards.

It was felt that the river was a positive asset that was not being taken advantage of, and that there was a worrying lack of a sense of place to the whole development. For such a large wider development it was felt that a more genuine mixed use development was justified, which would improve activity, surveillance and vitality.

It was noted that the density was at the high end of the former London Plan density matrix for more accessible and urban locations, and more appropriate to Vauxhall/Nine Elms developments. In this context, a better understanding of what constituted 'good growth' as outlined in the London Plan was needed. Therefore, whilst there was clear scope here for intensification, the context was significantly different.

Specifically regarding heights, there was no townscape or contextual justification for the heights chosen, and if this was considered acceptable, would the wider site then be able to justify even taller buildings? The most obvious local context was Burlington Road and this justified a lowering of the building heights fronting this street.

It was felt that the form and typology of the development was a long way from good practice and significantly out of date in terms of high quality, permeable and safe development and a far finer urban grain was needed. The need for parking was understood but this needed to be secure and adaptable to future uses. It was suggested that one podium could be at grade, with parking underground, rather than forcing the creation of a podium. This would make it easier to address the dead frontage issues.

The Panel were also not convinced by the applicant's description of dual and single aspect dwellings as many units stated as dual aspect did not achieve the benefits of dual aspect units. An effective 35% single aspect units was seen as an indicator that the development was too dense. The low level of 10% family units was also questioned in terms of whether it met council housing policy.

VERDICT: RED

Officer response:

Officers note that the currently submitted scheme has not gone before the DRP. However, members should note the following changes to the current scheme and supporting comments of the applicant since the DRP meeting:

Context:

DAS includes the wider contextual analysis and design rationale. Townscape and Visual Appraisal (TVIA) prepared by Lichfield to accompany the planning submission documents.

Height:

Density/height of the development has been developed to its current form which includes:

- Potential future masterplan
- Unconstrained Site with opportunity for increased density
- Increase in density of recent residential development locally and changing street scape
- Quantum of affordable accommodation required by LB. Merton

Created more varied heights across the development, forming a seven storey lower shoulder height to Burlington Road with taller buildings to the west edge of the site, while introducing a vertical variation in the massing to break up the overall scale.

Massing:

Introduced a varied roof design to the taller buildings creating a more dynamic roof scape from both short and distant views

Density:

The London Plan density matrix states that the range should not be applied mechanistically and account needs to be taken of specific circumstances and context. The density proposed is considered acceptable by the GLA and the LB. Merton Planning officers. And the 448 homes proposed will go some way towards meeting the housing target of 1,328 units per year proposed by the draft London Plan for the Borough.

Podium Typology:

Developed layout to optimise active frontages and integration of new public realm in line with pre-application comments to achieve:

- 76% active frontage to Burlington Road
- 51% active frontage to Access Road Underground parking is not a financially viable option for a residential development in this location

Architectural Treatment Improved the ground and first floor articulation to create a distinct plinth level, which introduces a clear hierarchy between the street level expression, and residential levels above.

Housing mix:

Arguments set out in the submitted planning statement.

Dual frontage:

Dual Aspect The building footplate and cores were amended to create higher proportion of dual aspect apartments.

Active Façades Increase the active frontages to the Burlington Road and the Access Road, creating more animated façades at street level, whilst balancing the requirements for Residential entrances, cycle and refuse storage.

We have added two dual aspect live/work units to the north elevation of the northern podium, opposite the Pyl Brook. The two storeys of accommodation create an active frontage along this northern elevation, providing a safer and more pleasant

access to the Building A residential entrance, while retaining the natural ventilation to the car park behind.

Permeability:

In order to maximise the potential of the Site redevelopment and taking into consideration the Site constraints and accommodation requirements, utilising the existing access into the Site and potential for access along Pyl Brook, was the appropriate level of permeability.

5.9.12 Raynes Park and West Barnes Residents' Association:

- The New London Plan is still in draft form and NOT an Adopted GLA Plan. Merton's housing target remains at 411 homes per annum which derives from the existing London Plan of April 2016.
- The RP3 site should be developed comprehensively. There is a clear conflict between Merton's policies and the proposal.
- The proposals submitted are for seven blocks of flats (but NO houses!)
- Proposal conflicts with the Council's Tall Buildings Paper which sets out that Tall Buildings will only be permitted in the Town centre in Colliers Wood, Morden and Wimbledon.
- There would be too high a proportion of two bed flats and not enough 'family' units
- With an influx of probably more than 1,000 people and 220 car parking spaces it is obvious that the proposals would lead to a serious increase in traffic congestion
- High density housing is not suitable within Flood Zones 2/3.
- Concerns regarding school places, GP surgery, NHS dentist, local park etc.
- Concerns regarding air quality from congestion due to the level crossing.
- The buildings would appear as huge monoliths.

5.9.13 Raynes Park Association:

Request CIL money to improve the road and pavement in front of the parade of shops between the railway bridge and Camberley Avenue.

This improvement would indeed be on the route taken by many of the residents of the proposed flats and would benefit them as indeed other people in the area.

5.9.14 Merton Green Party:

Policy CS8 in the council's core planning strategy sets a borough-wide affordable housing target of 40% for developments of 10 units or more units. The applicant's planning statement states that 145 of the 456 units will be affordable housing – around 32%. We ask the Council to require that its 40% target be met.

5.10 **External consultees:**

5.10.1 **GLA Stage 1 referral:**

- **Principle of development:** the residential-led mixed-use re-development is strongly supported in strategic planning terms, in line with London Plan and draft London Plan Policies.
- **Affordable housing:** 35% affordable housing by habitable room, comprised of 58 shared ownership units (40%) and 87 social rented units (60%), meets the Fast Track threshold. Social rented units would be offered at London Affordable Rent levels, in line with the Mayor's Affordable Housing and Viability SPG. Further information is required on the affordable rent levels, income ranges and availability of grant funding. An early stage review must be secured. A draft S106 must be shared with GLA officers prior to Stage 2 referral.
- **Urban design:** The proposed heights and massing are supported in terms of optimising housing delivery. Further consideration is required in terms of the Crossrail 2 requirements, public realm, surface level landscaping, pedestrian routes and active frontages. An inactive impermeable frontage along the western building line is not acceptable in the context of the wider site allocation.
- **Sustainable development:** The applicant has broadly followed the energy hierarchy; however, further information regarding overheating, potential connection to a nearby district heat network, the site heat network and renewable energy is required before the proposals can be considered acceptable.
- **Transport:** The design proposals must demonstrate how the site will accommodate the bridge requirement associated with the future delivery of Crossrail 2. Financial contributions are required towards the upgrade of bus stops and pedestrian and cycle infrastructure within the surrounding area. Further detail is required to assess Healthy Streets, Vision Zero and the impact on highways and public transport.

GLA further comments:

Confirmation that the scheme now meets the Mayor's Fast Track Affordable Housing criteria.

Officer response:

- *The applicant has revised their affordable housing offering to 40% on site.*
- *The GLA are now satisfied that issues relating to a non-permeable frontage to the western boundary can be dealt with through the s.106 agreement, which would require alterations to this frontage as and when a master plan scheme is developed.*
- *The applicant has submitted a Dynamic Overheating Assessment and the issues raised can be addressed by way of condition.*

- *The officer response to Crossrail 2 considerations can be found later in this agenda.*

5.10.2 Transport for London:

Crossrail 2:

Whilst the application site is outside the Limits of Safeguarding, as set out in the 2015 Crossrail 2 Safeguarding Directions, part of the application site has been identified as a proposed worksite for the future delivery the Crossrail 2 scheme and required for the works associated with the West Barnes Lane level crossing.

Crossrail 2 are therefore of the view that the proposed redevelopment of this site and the creation of new residential and commercial floorspace would, in the event that powers to deliver Crossrail 2 are approved, be prejudicial to the future delivery of the railway.

The Crossrail 2 Integrated Project Team is in discussion with the applicant and the London borough of Merton in parallel with this current application submission and is looking to jointly test options with the applicant as to how Crossrail 2 requirements may be accommodated within this site. These discussions also include a future accessible pedestrian foot bridge over the new Crossrail 2 railway to ensure future east / west permeability and to maintain a connection in this location. The design proposals for the application site will need to accommodate this future bridge requirement.

Healthy Streets

Whilst a Walking and Cycling Environmental Review has been undertaken and

Healthy Streets is considered in this audit, there is no narrative as to how the development will deliver improvements that support the ten Healthy Streets Indicators throughout the site and within the local area.

The development site itself provides little in the way of improvements for pedestrians and cyclists and still remains car dominant.

TfL would recommend that the borough secures a financial contribution to improve pedestrian and cycle infrastructure in the surrounding area.

Vision Zero

The Mayor's Vision Zero ambition is the elimination of all deaths and serious injuries from London's streets by 2041. The Vision Zero approach requires reducing the dominance of motor vehicles and creating streets safe for active travel.

The submitted analysis should identify measures which can be used to eliminate any of these accidents, particularly those on Burlington Road / West Barnes Lane, and should demonstrate

how the scheme will contribute towards the Vision Zero approach.

Car parking

It is proposed to provide 220 car parking spaces for the proposed 456 residential dwellings which equates to a car parking ratio of 0.5 spaces per unit, which would accord with the London Plan and draft London Plan standards.

It is proposed to provide 9 disabled persons bays. The draft London Plan states that disabled person parking should be provided for three per cent of dwellings (not parking provision), with up to ten per cent provided if the demand arises. This would equate to a disabled person car parking requirement of 14 spaces at the onset. The disabled person parking provision needs to be increased by 5 spaces and this should be secured by condition along with the Car Parking Management Plan (CPMP) which will need to be updated to detail how this is monitored.

TfL recommend that three years free car club membership is secured for all new residents.

Highways Impact

Highway models have been prepared by the applicant in order to assess the impacts of the development on the strategic road network. TfL require electronic copies of the models for review and will provide a more detailed response concerning the highways impact once this is complete.

Buses

The proposed development is predicted to generate 20 two-way bus trips within the AM peak hour and 17 in the PM peak hour. However, it is expected that a significant proportion of the underground/rail mode share (131 in the AM and 108 in the PM) would use the bus to access Raynes Park rail station which provides access to a greater number of services (currently 16 peak hour trains to Waterloo) and destinations than Motspur Park rail station. Bus route 131 is already near capacity in the vicinity of the site. Therefore, based on the predicted uplift in bus trips and current bus capacity, TfL are seeking a bus contribution of £450,000 (£90,000 per annum for 5 years). The £90,000 p.a. would cover the cost of an extra journey in each peak period.

A bus stop accessibility audit has been carried out at five bus stop locations on Burlington Road. Of the five stops audited, only one of these met the criteria and is fully compliant as an accessible bus stop. The applicant will be required to pay to upgrade the remaining three stops so that they are also fully compliant as an accessible bus stop:

Cycle Parking

789 long-stay cycle parking spaces are proposed for the residential element of the development. Whilst this would accord with the current London Plan, this would only accord with the long-stay parking requirement of the draft London Plan if all of the 1 bedroom units were only 1 person units. The applicant should provide clarification on the gross internal floor area of the 1 bed residential units to determine if they are 1 or 2 person units.

The ground floor Block F cycle parking and all of the cycle parking located on the first floor is only accessible via multiple doors. A proportion of short-stay visitor cycle parking is shown in the long-stay cycle stores. This raises issues of security and would not be convenient for users. Further consideration is required concerning the layout of the long-stay cycle parking.

TfL would also advise that shower and locker facilities are also provided for the office uses for those members of staff wishing to cycle to work.

Travel Plan, Servicing and Construction

A Framework Travel Plan has been provided. This document provides little in the way of initiatives to actually facilitate any meaningful mode shift. The mode shift targets are not very aspirational and given they are based on 2011 Census data, may have already been achieved. The full Travel Plan should be secured, enforced, monitored and reviewed as part of the s106

In summary, TfL requests that further information is provided before we can fully assess and be supportive of the proposed development. Specific mitigation measures and further work is summarised below:

- The application site has been identified as a proposed worksite for the future delivery of the Crossrail 2 scheme and required for the works associated with the West Barns Lane level crossing. The design proposals for the application site will need to accommodate this future bridge requirement.
- Further work required to demonstrate how the development contributes towards the 10 Healthy Streets indicators both within the site and the wider area.
- TfL would recommend that the borough secures a financial contribution to improve pedestrian and cycle infrastructure in the surrounding area.
- Accident analysis to identify measures which can be used to eliminate accidents and should demonstrate how the scheme will contribute towards the Vision Zero approach.
- The disabled person parking provision needs to be increased by 5 spaces and this should be secured.
- EVCP should be provided in accordance with draft London Plan standards and secured by condition.

- Car parking spaces to be lease not sold and this is to be reflected in the Car Parking Management Plan.
- Car Parking Management Plan to be secured by condition.
- 3 years car club membership should be secured for all residents.
- TfL require electronic copies of the highway models for review and will provide a more detailed response concerning the highways impact once this is complete. (N.B. TfL have responded on 05/02/2020 to raise no concerns with modelling and no mitigation required)
- Reassign 50% of rail/underground trips to the bus mode share. Once TfL receive the revised figures, we will be able to confirm what bus capacity enhancements are required.
- The applicant is required to pay to upgrade three bus stops to ensure they are fully accessible.
- The applicant should provide clarification on the gross internal floor area of the 1 bed residential units to determine if they are 1 or 2 person units, so that we can determine if the cycle parking provision is in accordance with the draft London Plan.
- All cycle parking is required to be designed and laid out in accordance with the guidance contained in Chapter 8 of the London Cycling Design Standards (LCDS). And this should be secured by condition.
- Further consideration is required concerning the layout of the long-stay cycle parking.
- Shower and locker facilities should be provided for those members of staff wishing to cycle to work.
- Travel Plan to be secured, monitored, reviewed, and enforced through the s106.
- A Delivery and Servicing Plan to be secured by condition.
- A Construction Management Plan (CMP) to be secured by condition.

5.10.3 TfL further comments 27/01/2020:

Crossrail 2:

Crossrail 2 are of the view that the proposed redevelopment of this site and the creation of new residential and commercial floorspace would, in the event that powers to deliver Crossrail 2 are approved, be prejudicial to the future delivery of the railway.

Healthy Streets

TfL recommends that the borough secures a financial contribution to improve pedestrian and cycle infrastructure in the surrounding area. TfL have now been advised that £150,000 has been secured towards this.

Vision Zero

Given that the redevelopment of the site will result in an overall uplift in person trips within the vicinity of the site, including vehicle, pedestrian and cycle trips, it is disappointing that the applicant is unable to identify any measures which could be used

to eliminate any of the identified accidents occurring in the future and contributing towards the Vision Zero approach.

Car Parking

The applicant has now confirmed that disabled person parking and EVCP will be provided in accordance with draft London Plan standards and the draft Car Parking Management Plan (CPMP) should be updated to reflect this. It would be useful if these could be quantified and should be secured by condition. The applicant has also agreed to provide free car club membership for all new residents and this should be secured for three years.

Cycle Parking

The applicant has now provided clarification that all of the 1 bedroom units are 2 person units. Therefore the draft London Plan cycle parking requirement is 1.5 spaces per 2 person 1 bedroom unit not 1 space per unit, which equates to 171 spaces not 114 spaces. In order to accord with the draft London Plan the total cycle parking requirement on site for both the residential and non-residential uses would be 871. Therefore the 830 spaces proposed would fall well short of these standards. The 'Intend to Publish' new draft London Plan has been submitted to Government and its worth noting that there are no changes to the residential cycle parking standards; giving further weight to the requirement to provide cycle parking in line with draft London Plan standards.

Further information has now been provided on the access routes to the cycle parking stores, and as previously highlighted the ground floor Block F cycle parking and all of the cycle parking located on the first floor is only accessible via multiple doors, which is not convenient and would not meet the good design principles detailed in Chapter 8 of the London Cycling Design Standards (LCDS) Section 8.5.3 Residential Cycle Parking. TfL would recommend that the cycle store for Block F is accessed directly from outside, to resolve this problem. A proportion of short-stay visitor cycle parking is still shown in the long-stay cycle stores. As highlighted previously, this raises issues of security and would not be convenient for users. Short stay cycle parking should be located within 15 metres of the entrance to the destination Further consideration is required concerning the layout of cycle parking.

Bus Capacity

As per TfL's recommendation, the applicant has uplifted their predicted bus trip trips to take account of rail passengers using the bus to access the rail stations. The development is now expected to generate 86 trips in the AM peak hour and a further 71 trips in the PM peak hour. Bus route 131 is already near capacity in the vicinity of the site. Therefore, based on the predicted uplift in bus trips and current bus capacity, TfL are seeking a bus contribution of £450,000 (£90,000 per annum for 5 years). The £90,000 p.a. would cover the cost of an extra journey in each peak period.

Bus Infrastructure

The bus stop accessibility audit identified 4 stops requiring an upgrade to be fully compliant as an accessible bus stop. TfL have looked at these stops in further detail and have identified that only 3 stops require improvements. It is recommended that these improvements form part of the applicants s278 works with Merton.

Highway Models

TfL are currently reviewing the highway models and will provide a more detailed response concerning modelling once this is complete.

5.10.4 Metropolitan Police – Designing out Crime Officer:

Security enhancement suggestions made.

Concerns identified regarding the location and approach residents have to make to access Core A and Core F and the height of the fence and gates in Burlington Road at the Brookside Garden entrance appears inadequately low.

Condition relating to security measures and a Secured by Design final certificate.

5.10.5 Thames Water:

Thames Water would advise that with regard to FOUL WATER sewerage network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided. The application indicates that SURFACE WATER will NOT be discharged to the public network and as such Thames Water has no objection, however approval should be sought from the Lead Local Flood Authority.

Condition recommended on:

- Water network infrastructure.
- No construction shall take place within 5m of the Thames Water Strategic water main
- No piling shall take place without a suitable piling method statement

Informative recommended due to proximity to underground water assets.

5.10.6 Environment Agency (in relation to potentially contaminated land):

No objection subject to conditions.

We have reviewed the document 'Desk Study/Preliminary Risk Assessment Report' (PRA) by Jomas (reference P1446J1410/AJH V1.0 dated 07 August 2018). The document

indicates the potential for ground contamination to be present and recommends an intrusive investigation to assess this. We consider that planning permission should only be granted to the proposed development as submitted if the following planning conditions are imposed as set out below.

Conditions recommended:

- Site investigation scheme relating to contaminated land
- Remediation strategy for unexpected contaminated land
- A verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation
- No drainage systems for the infiltration of surface water drainage into the ground are permitted
- Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority Demolition of existing buildings

Informatives relating to potentially contaminated land.

5.10.7 Environment Agency (in relation to flooding)

Flood Risk

We can confirm that we are satisfied with the approach taken by Ambiental and agree that the set finished floor levels (FFL) are appropriate.

5.10.8 Environment Agency – further comments 11.12.2019 (in relation to flooding):

Recommended condition:

Condition

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) May 2019 / N.4003 / Ambiental Technical Solutions Ltd. and the following mitigation measures detailed within the FRA:

1. Provision of compensatory storage shall be provided with the provision of an additional 25 cubic metres through level-for-level, volume for volume compensation as per paragraph 8
2. Ground floor finished floor levels are of the residential units are set no lower than 14.65m above Ordnance Datum (AOD) and the duplex units shall be located outside of the 1% AEP plus 35% climate change extent as detailed in paragraph 7.4.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

5.10.9 Network Rail:

Network Rail are concerned by the impact this and other nearby proposals will have on Network Rail's infrastructure. Motspur Park and Raynes Park stations are currently experiencing capacity issues during peak travel hours. The Transport Statement states that 456 new home proposal will result in a minimum increase of 131AM and 108PM peak rail/underground trips, therefore adding to the current issue. Network Rail do not object to this application however we are keen to meet with the Council to discuss what mitigation measures/improvements to the stations can be achieved.

6. POLICY CONTEXT

6.1 National Planning Policy Framework 2019:

2. Achieving sustainable development
5. Delivering a sufficient supply of homes
6. Building a strong, competitive economy
7. Ensuring the vitality of town centres
8. Promoting healthy and safe communities
9. Promoting sustainable transport
11. Making effective use of land
12. Achieving well-designed places
14. Meeting the challenge of climate change, flooding and coastal change

6.2 London Plan (2016) policies:

- 2.6 Outer London: Vision and strategy
- 2.8 Outer London: Transport
- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.6 Children and young people's play and informal recreation facilities
- 3.8 Housing choice
- 3.9 Mixed and balanced communities
- 3.10 Definition of affordable housing
- 3.11 Affordable housing targets
- 3.12 Negotiating affordable housing
- 3.13 Affordable housing thresholds
- 4.1 Developing London's economy
- 4.2 Offices
- 4.3 Mixed use development and offices
- 4.7 Retail and town centre development
- 4.8 Supporting a successful and diverse retail sector and related facilities and services
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.7 Renewable energy
- 5.10 Urban greening
- 5.11 Green roofs and development site environs
- 5.13 Sustainable drainage

- 5.14 Water quality and wastewater infrastructure
- 5.15 Water use and supplies
- 5.17 Waste capacity
- 5.21 Contaminated land
- 6.3 Assessing the effects of development on transport capacity
- 6.5 Funding Crossrail and other strategically important transport infrastructure
- 6.9 Cycling
- 6.11 Smoothing traffic flow and easing congestion
- 6.12 Road network capacity
- 6.13 Parking
- 7.2 An Inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.5 Public realm
- 7.6 Architecture
- 7.8 Heritage assets and archaeology
- 7.14 Improving air quality
- 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
- 7.21 Trees and woodland
- 8.2 Planning obligations
- 8.3 CIL

6.3 LDF Core Planning Strategy (July 2011)

- CS7 Centres
- CS 8 Housing choice
- CS 9 Housing provision
- CS 11 Infrastructure
- CS 12 Economic development
- CS 13 Open space, leisure and nature conservation
- CS 14 Design
- CS 15 Climate change
- CS16 Flood Risk Management
- CS 17 Waste management
- CS 18 Transport
- CS 19 Public transport
- CS 20 Parking servicing and delivery

6.4 Sites and Policies Plan (SPP) (July 2014)

- DM R1 Location and scale of development in Merton's town centres and neighbourhood parades
- DM R2 Development of town centre type uses outside town centres
- DM H2 Housing mix
- DM H3 Support for affordable housing
- DM E1 Employment areas in Merton
- DM E3 Protection of scattered employment sites
- DM E4 Local employment opportunities
- DM F1 Support for flood risk management
- DM F2 Sustainable urban drainage systems (SuDS) and; Wastewater and Water Infrastructure

- DM O2 Nature conservation, Trees, hedges and landscape features
- DM D1 Urban Design
- DM D2 Design considerations
- DM D7 Shop front design and signage
- DM EP2 Reducing and mitigating noise
- DM EP3 Allowable solutions
- DM EP4 Pollutants
- DM T2 Transport impacts of development
- DM T3 Car parking and servicing standards
- DM T4 Transport infrastructure

6.5 Draft London Plan and Draft Merton Local Plan:
 Whilst not yet adopted and therefore not part of the Development Plan, officers are aware that the emerging London Plan (13th August Draft Plan that includes the Mayor's minor suggested changes) is likely to be adopted imminently and the draft Merton Local Plan (currently at Stage 2 Consultation Draft, with the Stage 2 consultation having closed by February 2019) is envisaged to be adopted by Winter 2021 and therefore have had regard to the emerging policies therein.

6.6 Other guidance and material considerations:
 National Design Guide – October 2019
 Draft London Plan (July 2019)
 Draft Merton Local Plan
 DCLG: Technical housing standards - nationally described space standard March 2015
 Merton's Design SPG 2004
 GLA Guidance on preparing energy assessments – 2018
 London Environment Strategy - 2018
 Mayor's Air Quality Strategy - 2010
 Mayor's SPG - Housing 2016
 Mayor's SPG – Sustainable Design and Construction 2014
 Mayor's SPG – Character and Context 2014
 Mayor's SPG – Affordable Housing and Viability 2017
 Mayor's SPG – Play and Informal Recreation 2012
 LB Merton – Air quality action plan - 2018-2023.
 LB Merton - Draft Sustainable Drainage (SUDS) Design and Evaluation Supplementary Planning Document (SPD) 2018
 LB Merton - Draft Borough character study 2016.
 LB Merton - Local Development Framework - Tall buildings Background Paper 2010.

7. **PLANNING CONSIDERATIONS**

7.1 **Key Issues for consideration**

7.1.1 The key issues in the assessment of this planning application are:

- Principle of development
- Need for additional housing, residential density and housing mix

- Affordable Housing
- Impact on visual amenity and design
- Impact upon neighbouring amenity
- Standard of accommodation
- Secured by Design
- Transport, highway network, parking and sustainable travel
- Air Quality
- Sustainability
- Flooding and sustainable urban drainage
- Site contamination
- Impact on biodiversity and SINC
- Archaeology
- Developer contributions

7.2 Introduction

7.2.0 Along with other land along this part of the A3 corridor in both Merton and Kingston there is a growing interest in land and buildings and opportunities the sites can present to deliver significant new housing. Development of the application site along with adjoining land provides an opportunity to address this objective and at the same time engage in place making and, cumulatively, the creation of what might be considered as a new neighborhood. The National Planning Policy Framework makes clear that creating high quality buildings and places is fundamental to what the planning and development process should achieve. The National Design Guide states that the underlying purpose for design quality and the quality of new development at all scales is to create well-designed and well-built places that benefit people and communities. This includes people who use a place for various purposes.

7.2.1 This report therefore considers the interrelated issues of housing capacity, mix of uses and how this impacts on design, the public realm parking and sustainability deriving from the redevelopment of the site.

7.3 Principle of development

7.3.1 Principle of residential development:

7.3.2 Policy 3.3 of the London Plan 2016 states that development plan policies should seek to identify new sources of land for residential development including intensification of housing provision through development at higher densities. Core Strategy policies CS8 & CS9 seek to encourage proposals for well-designed and conveniently located new housing that will create socially mixed and sustainable neighbourhoods through physical regeneration and effective use of space. The National Planning Policy Framework 2019 and London Plan policies 3.3 & 3.5 promote sustainable development that encourages the development of additional dwellings at locations with good public transport accessibility.

- 7.3.3 The application site forms part of allocated site RP3 'Burlington Road Tesco' within the emerging Merton Local Plan. The allocated site includes the New Malden Tesco Extra store, retail surface level parking and the vacant office and warehouse building at 265 Burlington Road. The proposed site allocation seeks to re-provide the existing supermarket (equivalent floor space) and redevelop the remainder of the site for new homes. The emerging site allocation does not specify an indicative residential density or maximum building heights and there is no supplementary planning document to guide development in the meantime.
- 7.3.4 Stage 2 consultation for the new Merton Local Plan was undertaken between October 2018 – January 2019, with an anticipated adoption date of Winter 2021. In the absence of adopted or emerging strategic policy designations for the application site, the draft local site allocation is not part of the current Development Plan but forms a material planning consideration, albeit with limited weight, in the assessment of the proposed development.
- 7.3.5 While submission of a more comprehensive set of development proposals may have been favoured it would be unreasonable to delay determination on this basis.
- 7.3.5 The site is an underutilised brownfield site which is considered to present opportunities for a more intensive mixed use development. The proposals would meet NPPF and London Plan objectives by contributing towards London Plan housing targets and the redevelopment of brownfield sites.
- 7.3.6 Principle of loss of office space:
- 7.3.7 Policy DM E3 of the SPP seeks to protect scattered employment sites. The policy states that where proposals would result in the loss of an employment site (B1/B2/B8 type uses), they would be resisted except where:
- i. The site is located predominantly in a residential area and it can be demonstrated it is having a significant adverse effect on residential amenity,
 - ii. The site characteristics make it unviable for whole site employment, and
 - iii. It has been demonstrated that there is no prospect of employment or community use on the site in the future."
- 7.3.8 Where the above criteria cannot be met, the loss can be mitigated by providing employment as part of a mixed use scheme.
- 7.3.9 In line with the emerging site allocation, the proposed development includes the demolition of the two-storey office building and warehouse to enable the residential-led

redevelopment of the allocated site. The site allocation does not require the retention or re-provision of the office or warehouse uses. The primary lawful use is office, with ancillary parking and ancillary retail parking.

- 7.3.10 In line with London Plan Policy 4.2, the redevelopment of vacant office floor space in this location to provide a more viable complementary use, which may include housing, is supported.
- 7.3.11 Policy E1 of the draft London Plan states that Development proposals should support the redevelopment, intensification and change of use of surplus office space to other uses including housing. However, it is noted that only moderate weight given that it is not yet adopted.
- 7.3.12 The scheme re-provides office space and provides employment as part of the mixed use scheme, albeit of a lesser scale than existing. While a broader mix of non-residential uses may have animated more effectively the public accessible space around the development and contributed to the sense of developing a place, officers consider that greater weight may be attributed to the provision of housing in this case in place of employment floorspace.
- 7.3.13 Principle of loss of car parking spaces
- 7.3.14 The proposal involves the loss of 100 parking spaces associated with the vacant office building and 98 retail parking spaces. The Tesco store will retain 577 car parking spaces out of the existing 675 spaces, which would be in excess of London Plan standards and therefore, not objectionable in principle.
- 7.3.16 Comprehensive redevelopment of the wider Tesco site
- 7.3.17 The applicant has developed an indicative masterplan demonstrating how the proposed buildings would sit alongside the redeveloped Tesco store, were it to come forward in the future for redevelopment.
- 7.3.18 The proposal to utilise the Pyl Brook frontage to create a natural landscaped area and new pedestrian route through the site is welcomed. This matter would be addressed through the master plan, which would be required to provide public access along a new route adjacent to Pyl Brook.
- 7.3.19 The Masterplan is indicative only at this stage but it does show how the Pyl Brook frontage would be made into a public space and would create an active edge to the western boundary.
- 7.3.20 Active frontages along this elevation should be maximised to promote natural surveillance. This use of commercial/retail uses should be explored to mark the entrances to this route. Whilst this area is currently proposed to be gated for private use only, in line with draft London Plan Policy D7, the public realm and

routes through the site should remain open to allow a pedestrian links to the west.

7.3.21 The absence of a more comprehensive set of proposals for the site should not form the basis to resist or delay consideration of the proposals. Members are required to determine the application on its merits

7.3.22 Conclusions on principle of development

7.3.23 Given the above, it is considered the proposal has merit insofar as it would deliver a mix of uses appropriate to the location and, subject to compliance with the relevant London Plan policies, Merton Local Development Framework Core Strategy, Merton Sites and Policies Plan and supplementary planning documents, could be supported.

7.4 Need for additional housing, residential density and housing mix

7.4.1 The emerging London Plan, now accorded moderate weight in recent appeal decisions issued by the Secretary of State, and anticipated to be adopted in the coming months, will signal the need for a step change in the delivery of housing in Merton. While AMR date shows the Council has exceeded its current 411 target, the target of 918 units per year will prove considerably more challenging. The relaxation of the earlier target (1300+ units) for Merton following the Inspector's finding following the London Plan Examination in Public Panel Report Appendix: Panel Recommendations October 2019 was predicated on not adopting a particular GLA formula to delivering significant new housing on small sites, with larger opportunity sites such as the application site rising in importance.

7.4.2 The National Planning Policy Framework requires Councils to identify a supply of specific 'deliverable' sites sufficient to provide five years worth of housing with an additional buffer of 5% to provide choice and competition.

7.4.3 Table 3.1 of the London Plan identifies that LBM has an annual housing target of 411 units, or 4,107 over the next ten years. However, this minimum target is set to increase significantly to 918 set out in the 'London Plan Examination in Public Panel Report Appendix: Panel Recommendations October 2019', and which is expected to be adopted later this year. This significant increase will require a step change in housing delivery within the LBM.

7.4.4 Policy H1 'Increasing housing supply' (Draft London Plan Policy) and Table 4.1 of the draft London Plan sets Merton a ten-year housing completion target of 13,280 units between 2019/20 and 2028/29 (increased from the existing 10-year target of 4,107 in the current London Plan). However, following the Examination in Public this figure of 13,280 has been reduced to 9,180.

- 7.4.5 Merton's overall housing target between 2011 and 2026 is 5,801 dwellings (Authority's Monitoring Report Draft 2017/19, p12). The latest (draft) Monitoring report confirms:
- All the main housing targets have been met for 2017/18.
 - 665 additional new homes were built during the monitoring period, 254 above Merton's target of 411 new homes per year (London Plan 2015).
 - 2013-18 provision: 2,686 net units (813 homes above target)
 - For all the home completions between 2004 and 2017, Merton always met the London Plan target apart from 2009/10. In total Merton has exceeded the target by over 2,000 homes since 2004.
- 7.4.6 Policy H1 of the emerging London Plan sets out that boroughs should optimise the potential for housing delivery on all suitable and available brownfield sites through their Development Plans and planning decisions, especially the following sources of capacity:
- b) mixed-use redevelopment of car parks and low-density retail parks.
- 7.4.7 The proposal to introduce residential use to this under-utilised site responds positively to London Plan, draft London Plan policies and Core Strategy planning policies to increase housing supply and optimise sites and is strongly supported.
- 7.4.8 **Residential density**
- 7.4.9 Table 3.2 of the London Plan identifies appropriate density ranges based on a site's setting and PTAL rating.
- 7.4.10 The area has a public transport accessibility level (PTAL) of 3, where 1 is poor and 6 is excellent. It is considered that the site is located within an urban area for the purposes of Table 3.2 of the London Plan, given the nature of surrounding built form and the criteria set out in the supporting text to Table 3.2 (density matrix) of the London Plan.
- 7.4.11 The proposed development would have a density of 199 dwellings per hectare and 570 habitable rooms per hectare.
- 7.4.12 The proposed density is above the relevant density range (70-170 dwellings per hectare and 200-450 habitable rooms per hectare), as set out in Table 3.2 for the setting (Central) and PTAL 3.
- 7.4.13 In terms of the emerging London Plan, Policy D6 (Draft London plan Policy) sets out that:

"Development proposals must make the most efficient use of land and be developed at the optimum density. The optimum

density of a development should result from a design-led approach to determine the capacity of the site. Particular consideration should be given to:

1. the site context
2. its connectivity and accessibility by walking and cycling, and existing and planned public transport (including PTAL)
3. the capacity of surrounding infrastructure”

7.4.14 The emerging London Plan does not include a density matrix as it does not necessarily provide a consistent means of comparing proposals. Density has been measured and monitored in London over recent years in units per hectare (u/ha). Average density across London of new housing approvals in the monitoring year 2015/16 was 154 u/ha with the highest average density being recorded in Tower Hamlets at 488 u/ha. However, comparing density between schemes using a single measure can be misleading as it is heavily dependent on the area included in the planning application site boundary as well as the size of residential units. Planning application boundaries are determined by the applicant. These boundaries may be drawn very close to the proposed buildings, missing out adjacent areas of open space, which results in a density which belies the real character of a scheme. Alternatively, the application boundary may include a large site area so that a tall building appears to be a relatively low-density scheme while its physical form is more akin to schemes with a much higher density.

7.4.15 Therefore, whilst density is a material consideration, it is not the overriding factor as to whether a development is acceptable; London Plan paragraph 3.28 states that it is not appropriate to apply the density ranges mechanically. The potential for additional residential development is better considered in the context of its bulk, scale, design, sustainability, the impact upon neighbouring amenity, living standards for prospective occupants and the desirability of protecting and enhancing the character of the area and the relationship with surrounding development.

7.4.16 It is noted that the GLA consider that the scheme appropriately optimises its density.

7.4.17 Whilst the density is above the suggested range in the London Plan Table 3.2, density guidelines should not be applied mechanically and a more suitable approach to assessing whether the scheme is appropriate in this location and following the direction of travel of emerging London plan policies, which no longer rely on the density matrix, requires further and more detailed consideration of context, connectivity and local infrastructure. Members should consider whether the benefits of the scheme would justify the quantum of development proposed.

7.4.18

Housing mix

7.4.19

London Plan Policy 3.8 'Housing Choice', draft London Plan Policy H12 and associated planning guidance promotes housing choice and seeks a balance of unit sizes in new developments. London Plan Policy 3.11 states that priority should be given to the provision of affordable family housing.

7.4.20

Policy DM H2 of the SPP aims to create socially mixed communities, catering for all sectors of the community by providing a choice of housing with respect to dwelling size and type in the borough. The policy sets out the following indicative borough level housing mix:

Number of bedrooms	Percentage of units
One	33%
Two	32%
Three +	35%

7.4.21

The emerging London Plan advises that boroughs should not set prescriptive dwelling size mix requirement but that the housing mix should be informed by the local housing need.

“H12 (Draft London plan Policy):

- A. To determine the appropriate mix of unit sizes in relation to the number of bedrooms for a scheme, applicants and decision-makers should have regard to:
 1. the range of housing need and demand identified by the London Strategic Housing Market Assessment and, where relevant, local assessments
 2. the requirement to deliver mixed and inclusive neighbourhoods
 3. the need to deliver a range of unit types at different price points across London
 4. the mix of uses in the scheme
 5. the range of tenures in the scheme
 6. the nature and location of the site, with a higher proportion of one and two bed units generally more appropriate in more central or urban locations
 7. the aim to optimise housing potential on sites
 8. the ability of new development to reduce pressure on conversion and sub-division of existing stock
 9. the role of one and two bed units in freeing up family housing
 10. the potential for custom-build and community-led housing schemes.
- B. Generally, schemes consisting mainly of one-person units and/or one-bedroom units should be resisted.
- C. Boroughs should not set prescriptive dwelling size mix requirements (in terms of number of bedrooms) for market and intermediate homes”

- 7.4.22 Policy H12 Housing size mix sets out all the issues that applicants and boroughs should take into account when considering the mix of homes on a site. Boroughs should not set policies or guidance that require set proportions of different-sized (in terms of number of bedrooms) market or intermediate units to be delivered. The supporting text to Policy H12 of the emerging London Plan sets out that such policies are inflexible, often not implemented effectively and generally do not reflect the optimum mix for a site taking account of all the factors set out in part A of Policy H12. Moreover, they do not necessarily meet the identified need for which they are being required; for example, larger units are often required by boroughs in order to meet the needs of families but many such units are instead occupied by sharers.
- 7.4.23 The application does not accord with the indicative, borough wide mix set out in SPP Policy DM H2, in particular, in regards to the provision of three bed units.
- 7.4.24 The application does not accord with the indicative, borough wide mix set out in SPP Policy DM H2, in particular, in regards to the provision of three bed units.
- 7.4.25 The proposals would appear to set up a tension between adopted local plan policy and emerging strategic plan policy. In response the applicant has set out that there are a number of reasons why the proposed housing mix does not reflect the indicative borough level proportions shown above. The applicant asserts that advice from the LBM's Housing officer has identified an urgent need for larger units for affordable rent to help reduce the significant waiting list for this type of accommodation. The proposals therefore look to prioritise two and three bed units for affordable rent.
- 7.4.26 In respect of the mix of market units, the applicant has prioritised the provision of two bedroom units. There are a limited number of three bed private units but the applicant points out that the predominant housing type in the surrounding area are privately owned family homes and a lack of good quality smaller homes.
- 7.4.27 Thus, the proposals seek to address affordable housing needs while being more flexible in terms of the ebb and flow of market demands. Given the likely and imminent adoption of the draft London Plan officers consider that a slavish reliance on the preferred borough wide housing mix may not be warranted and that it may be unreasonable to refuse or delay determination on this basis.

7.5 Affordable Housing

- 7.5.1 The Council's policy on affordable housing is set out in the Core Planning Strategy, Policy CS8. For schemes providing over ten units, the affordable housing target is 40% (of which 60% should be social rented and 40% intermediate), which should be provided on-site.

7.5.2 In seeking this affordable housing provision LMB will have regard to site characteristics such as site size, site suitability and economics of provision such as financial viability issues and other planning contributions.

7.5.3 The Mayor's SPG on affordable housing and viability (Homes for Londoners) 2017 sets out that:

"Applications that meet or exceed 35 per cent affordable housing provision, by habitable room, without public subsidy, provide affordable housing on-site, meet the specified tenure mix, and meet other planning requirements and obligations to the satisfaction of the LPA and the Mayor where relevant, are not required to submit viability information. Such schemes will be subject to an early viability review, but this is only triggered if an agreed level of progress is not made within two years of planning permission being granted (or a timeframe agreed by the LPA and set out within the S106 agreement)...

... Schemes which do not meet the 35 per cent affordable housing threshold, or require public subsidy to do so, will be required to submit detailed viability information (in the form set out in Part three) which will be scrutinised by the Local Planning Authority (LPA)."

7.5.4 These requirements are reflected in the New London Plan – Consultation Draft (13th August 2018), which states that:

"to follow the Fast Track Route of the threshold approach, applications must meet all the following criteria:
1.meet or exceed the relevant threshold level of affordable housing on site without public subsidy,
2.be consistent with the relevant tenure split (Policy H7 Affordable housing tenure),
3.meet other relevant policy requirements and obligations to the satisfaction of the borough and the Mayor where relevant,
4.demonstrate that they have taken account of the strategic 50 per cent target in Policy H5 Delivering affordable housing and have sought grant where required to increase the level of affordable housing beyond 35 per cent."

7.5.5 Provided that the scheme meets the 35% provision, meets the tenure split set out in policy CS8 and demonstrates that the developer has engaged with Registered Providers (RPs) and the LPA to explore the use of grant funding to increase the proportion of affordable housing, then the proposal could be dealt with under the Mayor's Fast Track Route, which would not require the submission of additional viability information.

- 7.5.6 In accordance with the Mayor's SPG, the scheme proposes 40% affordable housing on a habitable room basis (The Fast Track requirement requires 35%). This would breakdown to 60% affordable rent and 40% shared ownership with 94 affordable rent units and 77 shared ownership units.
- 7.5.7 In line with the Fast Track criteria, the applicant must demonstrate that the use of grant funding has been explored to maximise the delivery of the affordable housing. The applicant seeks to address this matter by offering up a pre-implementation s106 obligation to demonstrate that the use of grant funding has been explored.
- 7.5.8 The GLA has now confirmed that the affordable housing offering meets the Mayor's Fast Track criteria.
- 7.5.9 The London Plan sets out that housing developments should be designed to maximise tenure integration, and affordable housing units should have the same external appearance as private housing. All entrances will need to be well integrated with the rest of the development and should be indistinguishable from each other.
- 7.5.10 In terms of the appearance of the affordable units, these would not have an external appearance noticeably different to the other units. The majority of the affordable housing provision is within Core A with some more in Core B. These elements would not be obviously distinguishable from the market units.
- 7.5.11 The proposal is considered to be acceptable in terms of the affordable housing offering and would meet the emerging London Plan guidance in this regard.

7.6 Impact on visual amenity and design

- 7.6.1 The National Planning Policy Framework sets out that achieving high quality places and buildings is fundamental to the planning and development process. It also leads to improvements in the quality of existing environments. It states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
The regional planning policy advice in relation to design is found in the London Plan (2016), in Policy 7.4 - Local Character and 7.6 - Architecture. These policies state that Local Authorities should seek to ensure that developments promote high quality inclusive design, enhance the public realm, and seek to ensure that development promotes world class architecture and design.
- 7.6.2 Policy DM D2 of the SPP seeks to ensure a high quality of design in all development, which relates positively and appropriately to the siting, rhythm, scale, density, proportions, height, materials and massing of surrounding buildings and existing street patterns, historic context, urban layout and

landscape features of the surrounding area. Policy. Core Planning Policy CS14 supports this SPP Policy.

7.6.3 Massing and heights

7.6.4 Consideration of matters of massing and height may reasonably be informed by the application of both London Plan and local planning policies and supplemented by the Council's Tall Building Background paper which helped shape core strategy design policy and its justification.

7.6.6 The London Plan defines tall and large buildings as those buildings that are 'substantially taller than their surroundings, cause a significant change on the skyline or are larger than the threshold sizes set for the referral of planning applications to the Mayor'.

7.6.7 Considering the London Plan definition, any building that has a significant impact on the existing scale and character of an area through height can be considered a tall building. In the context of Merton, where most of the borough is characterised by 2 storey suburban houses, any building of 4 storeys or higher could be considered a tall building in these locations.

7.6.8 High rise tower blocks located in denser areas of the borough are most common for residential, commercial or mixed use functions, where they can be an efficient use of land, and will be significantly taller than their surroundings and have a significant impact on the skyline. These tall buildings do not necessarily have a large building footprint and if designed well at the ground level can contribute positively to the streetscene.

7.6.9 Tall buildings can make a positive contribution to city life, be excellent works of architecture in their own right, can affect the image and identity of a city as a whole, and can serve as beacons for regeneration and stimulate further investment.

7.6.10 The London Plan requires that 'tall buildings should always be of the highest architectural quality, (especially prominent features such as roof tops) and should not have a negative impact on the amenity of surrounding uses'.

7.6.11 In policy terms, higher density development is directed towards centres and those areas that are well serviced in terms of public transport and infrastructure, and those areas that can accommodate the increase in density without having a detrimental impact on the character of the locality, including the historic environment

7.6.12 The LBM Tall Buildings paper indicates that "overall it is considered that suburban neighbourhoods in the borough are unsuitable locations for tall buildings, based on the distinct low scale and cohesive character of these areas, and their locations

which are generally outside of centres in areas with low accessibility”.

7.6.13 The site is not considered to be within a suburban area with a distinct low scale and cohesive character, as the site is within an area that is fragmented in terms of built form and character.

7.6.14 Paragraph 22.20 of the Core Planning strategy states:

“Merton's Tall Buildings Background Paper (2010) advises that tall buildings are generally not appropriate within the borough due to its predominately suburban low rise character, and will be resisted in all areas of the borough where they will be detrimental to this valued character. Tall buildings may be suitable in areas of the borough where all of the following factors are present:

- Regeneration or change is envisaged
- Good public transport accessibility
- Existing higher building precedent”

7.6.15 In response to these criteria, officers conclude that:

- The site is within an area where change is envisaged, particularly given the higher housing targets of the draft London Plan.
- Public transport in the vicinity of the site is moderate but would be improved by the proposed development, given the contributions to local bus routes.
- Whilst the area is generally one of low to medium rise, with building heights around 5 storeys (maximum), the B&Q advertising totem is higher than the tallest building currently proposed.

7.6.16 The Core Planning Strategy goes on to states in paragraph 22.22 that “Designated industrial locations including those at Shannon Corner and Morden Road Industrial Area are sensitive areas of the borough where taller buildings may be appropriate where contributing to the regeneration and enhancement of employment uses, and where they will not have a detrimental impact on areas outside of the designated industrial area.”

7.6.17 Therefore the Development Plan identifies Shannon Corner as an area where taller buildings could be accommodated within the borough. Notwithstanding the concerns raised by those responding to the public consultation exercise, officers consider that this area has the potential to accommodate taller buildings, subject to other planning considerations.

7.6.18 The location of the site would allow for long distance views of the development from surrounding vantage points and would be visually prominent. However, the delivery of the site for additional housing would provide a significant contribution towards meeting the housing needs of the borough and Members will wish to consider whether the design is of a sufficiently high quality to

justify the proposed massing and height in reaching their conclusions on the proposal.

7.6.19 Officers acknowledge that the site neither has good public transport accessibility nor existing high buildings precedents. However, the draft plan essentially identifies it as an area for change while the LDF caveats the resistance to tall buildings citing “where they will be detrimental to this valued character”.

7.6.20 At the time of drafting the Core Strategy the focus on the Shannon Corner Area was on industrial regeneration and indicated a degree of support for taller buildings that would contribute to regeneration. Taller buildings were thus not ruled out in the area.

7.6.21 While supplementary planning guidance can assist in guiding place making and help inform and enable more precise judgements on matters of massing, such as was the case with the redevelopment of the Rainbow Industrial estate, High Path, Ravensbury and Eastfields estates, planning officers have weighed up both the policies on design and tall buildings and set this against the known and likely housing targets. On balance officers conclude that a tall buildings approach to development in this instance could be supported.

7.6.22 Layout

7.6.23 The broad layout principles of positioning the blocks around the periphery of the site, with central landscaped podiums is supported as this approach addresses the edges of the site, maximises housing delivery and provides a generous external amenity space which is elevated above the surrounding commercial uses

7.6.24 The proposed layout is such that there would be some active frontages at ground floor level, particularly along Burlington Road, whereby a new streetscape would be created. It is noted that within the site, there would be some areas of inactive frontage, with bin stores and cycle stores fronting the street. However, these are interspersed with commercial units which would provide some animation and variety within the newly created street.

7.6.25 A resident’s concierge is located within the southern elevation of the block along the access road, providing active frontage, good surveillance and management of the adjacent servicing bays.

7.6.26 Officers consider that the proposed layout is well thought out and based on sound urban design principles. It is considered the approach could enhance the character and vitality of the area.

7.6.27 Design and appearance

- 7.6.28 Paragraph 130 of the NPPF advises that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.
- 7.6.29 The applicant's Townscape Visual Appraisal (TCA) identifies the site is part of the Shannon Corner Townscape Character Area. Section 3.46 describes the characteristics of this area as being dominated by large retail warehouses and medium to small scale retail, industrial and employment uses. It also accommodates significant transport infrastructure including the A3 Kingston Bypass (a main route into central London).
- 7.6.30 Burlington Road and the railway line separate the site and Shannon Corner TCA from the neighbouring West Barnes Suburban TCA the east, which has a very different, low rise, suburban character. The locality may be considered as a one of contrasts.
- 7.6.31 The proposal would have no effects on any designated heritage assets or any protected views. Officers acknowledge that there would be an impact on views from streets in the surrounding area and from further afield due to the scale of the proposed development. However, whether this harms the visual amenities of the area is a matter where judgement may be exercised and requires assessment in terms of the overall visual impacts of the scheme and, in turn, the overall merits of the scheme. In the event that the delivery of housing is accorded primary importance and that at street level there is the potential for enhancement, it may be concluded that the imposing skyline and departure from the surrounding built form created by the proposals would not in itself warrant refusal.
- 7.6.32 Good quality facing materials, balcony treatments and window reveals can be secured, in the event that permission is granted, to ensure good design detailing is carried through post planning to completion.
- 7.6.33 Frontage with Burlington Road
- 7.6.34 The most visually prominent part of the site is arguably the interface with Burlington Road and the existing built form therein. Currently, the site is ground level car parking and a two-storey building. Therefore, a new street frontage would be created. The set back from the highway would allow for a relatively wide walkway, utilising both the existing public pavement and private land within the site.

- 7.6.35 The space provided for landscaping here presents an opportunity to improve this part of the street and how it functions.
- 7.6.36 A series of tree groups, of varying species suited to the space available, will provide a green edge to Burlington Road and help frame and scale the architectural mass of the building to the street. Visibility is to be maintained under the canopies of the proposed trees to retain good sight lines to residential cores and commercial ground floor units. Paving is to be to adoptable standards and link to the material used within the site. The pedestrian crossing will be clearly marked with material changes to highlight movement across the access road.
- 7.6.37 The height of proposed buildings along Burlington Road (six-nine storeys) would provide a staggered transition to the taller buildings behind and it is considered that the streetscene of Burlington Road would be significantly improved.
- 7.6.38 Interface with Pyl Brook
- 7.6.39 The proximity of Pyl brook provides both an opportunity and constraint to the proposed development. Pyl Brook is currently inaccessible to the public and whilst it has an important biodiversity role, any visual benefit is not fully realised at present due to its inaccessibility.
- 7.6.40 The proposed development would provide access to the southern side of the Brook, to an area that is described as 'Brookside Garden', which in the future, following the formulation of a master plan for the delivery of the wider site, would be publically accessible.
- 7.6.41 The route would include a degree of active frontages with entrances at ground floor, which would allow for future connectivity along Pyl Brook beyond the Site boundary to the west.
- 7.6.42 This part of the site would include viewing platforms to the Pyl Brook with seating elements and railings along the site boundary.
- 7.6.43 Brookside Garden would include a 'living edge', comprising patterned climbing plants on a trellis against the wall, with wildlife elements (birds and bat boxes, insects' hotels and loggery). A nature inspired play trail runs along the footpath within the planting.
- 7.6.44 A gated access route will allow residents of the appropriate cores access to the Brookside Garden.
- 7.6.45 The interface with Pyl Brook is a key consideration in this assessment. It is considered that the scheme responds appropriately and would result in a usable space which could be enhanced by being publically accessible in the future in the event

of more comprehensive proposals coming forward for adjoining land.

7.6.46 Publicly accessible spaces within the site

7.6.47 The edge to Burlington Road acts as a gateway space with an intention that rain gardens and a feature tree mark the transition into the site. Seating opportunities are provided further within the site. Opportunities for representing the history of the print work can be integrated into landscape elements such as tree grilles, seating, pavement or public art.

7.6.48 The access from Burlington Road would be marked with a substantial 'Gateway marker tree', which would provide some legibility for users at ground level. Within the site there would be Avenue tree planting to create rhythm and distract from the scale of the elevations.

7.6.49 The architectural detailing at ground floor level is considered to be of a quality that would create result in legible and improved public space within the site.

7.6.50 Facing materials and architectural detailing

7.6.51 A variety of surface materials have been selected to define the various functions of the landscape spaces, reinforce space hierarchy and define areas of shared use.

7.6.52 The use of contrasting facing brickwork, with red brick, dark grey brick and cream brick is considered to be a suitable covering for the proposed buildings, which would not appear out of keeping with the wider area.

7.6.53 The scheme also introduces colour to the elevations. The colours vary across the building groups; Buildings A&B - Deep Green, Buildings C&D - Grey Blue, Buildings E&F - Olive Green, and Building G - French Grey. Using coloured glazed bricks similar to the selected colour scheme and inserting them as feature panels at the stepped junctions in the building to assist with the vertical articulation. This same colour is also repeated on the balcony soffits, and ground floor residential entrances to provide individual identity to each buildings and to aid in wayfinding.

7.6.54 Within the brickwork of the façades are contrasting grey/blue brick panels, linking the windows into groups at high level, and vertically linking pairs at mid-level to reinforce the horizontal articulation and hierarchy.

7.6.55 The detailed design of balconies varies across the buildings, with either a metal or glazed balcony with detailing to match the colour scheme of the building.

- 7.6.56 The pitched roofline would create a varied roofscape from more distant views. The combination of the contrasting brickwork colour and parapet variation provide a layered skyline with greater depth and hierarchy, especially when viewed from the east of the development, which assists in breaking up the visual bulk and massing of the proposed development.
- 7.6.57 The applicant has sought to address the ground and first floor articulation to create a plinth level which introduces a hierarchy to the ground level including adding more detail at ground level with a corduroy brick, feature panels to screen cycle and bin stores, and adding colour on balconies, soffits and residential entrances.
- 7.6.58 The facing materials and detailing are considered to be acceptable subject to a condition securing the details.
- 7.6.52 Lighting
- 7.6.53 In terms of lighting, routes have been identified along key pathways, where properties and facilities are located, to create a greater sense of security and personal safety within the development.
- 7.6.54 Lighting is integrated within street furniture (e.g. wayfinding lighting within paving and lighting of feature elements such as uplighting to trees etc.) providing an attractive dimension to the scheme.
- 7.6.55 The lighting is considered to be suitable in visual terms and can be controlled by way of condition.
- 7.6.56 Trees
- 7.6.57 An Arboricultural Impact Assessment, Arboricultural Method Statement and Arboricultural Survey accompanies the application. The assessment identifies that 121 category B trees, 17 trees and four groups of category C trees and four category U trees will need to be removed.
- 7.6.58 The scheme would involve significant tree planting (61 trees) proposed within and around the edge of the site. This will result in a significant enhancement to the current situation and offset the loss of existing trees.
- 7.6.59 New tree species have been selected on the basis of:
- > Suitability for the scale of the space and its location;
 - > Contribution to the native tree quality on the site;
 - > Providing food sources for local fauna; and
 - > Providing season interest and autumn colour.
- 7.6.60 Overall, whilst a number of trees would be lost, subject to suitable replanting and landscaping, the overall appearance of the proposed development is considered to be suitably softened.

- 7.6.61 Signage
- 7.6.62 While any signs/advertisements would be subject to separate approval by way of advertisement consent, a shop signage strategy should still be incorporated into a proposal at design stage, as signage plays a major role in the appearance of any building and if retrofitted later, may compromise the design.
- 7.6.63 An indicative signage strategy has been provided which proposes a modestly sized fascia above the commercial entrances; it is considered that the indicative signage strategy is acceptable, subject to advertisement consent.
- 7.6.64 Visual impact conclusion
- 7.6.65 The scheme would introduce a significant uplift in the level of built form across the site, which would be significantly taller than the surrounding suburban context. However, given the degree of flexibility afforded by adopted policy on tall buildings and the anticipated uplift in housing targets, it is considered, on balance, that the design, massing and appearance of the proposal would deliver a significant quantity of new housing and improve the ground level streetscape and connectivity, without causing harm to the visual amenities of the area.
- 7.7 Impact upon neighbouring amenity**
- 7.7.1 London Plan policies 7.14 and 7.15 along with SPP policy DM D2 state that proposals must be designed to ensure that they would not have an undue negative impact upon the amenity of neighbouring properties in terms of light spill/pollution, loss of light, quality of living conditions, privacy, visual intrusion and noise.
- 7.7.2 The site has a limited relationship with sensitive neighbouring uses. It is of note that prior approval has been granted for the conversion of Dalbani House, Neba House and Eagle House, 257 Burlington Road for the conversion to residential. These properties sit at the northern point of the wedge of industrial buildings to the south of the site. The impact on neighbouring amenity is discussed below.
- 7.7.3 Visual intrusion and loss of light
- 7.7.4 Given the building would be a maximum of 15 storeys in height and would be replacing two-storey structures, visual intrusion and loss of light are of particular concern.
- 7.7.5 The application is accompanied by a Daylight and Sunlight Assessment, including an addendum addressing the impact on the adjacent Raynes Park High School.
- 7.7.6 The results of the daylight (Visible Sky Component - VSC, No Sky Line Contour - NSC and Average Daylight Factor - ADF)

assessment to the surrounding properties have shown the effects to the vast majority of windows and rooms neighbouring the site are unnoticeable and are fully compliant with reference to the targets set within the BRE guidance.

- 7.7.7 Daylight has been a key consideration influencing the design process and the scheme performs well in regards to the internal daylight assessment. The results show excellent levels of overall compliance with 98% of rooms achieving or exceeding the BRE targets. The small number of rooms that fall below the targets are all served by windows located beneath a balcony, which reduces daylight in any event.
- 7.7.8 There would be some minor overshadowing of the Raynes Park High School. However, the information submitted by the applicant indicates that the impact on light levels to the school would be acceptable, given that there are no set standards for light levels to schools.
- 7.7.9 The impact on neighbouring residential properties would not result in material harm as the shadow cast would primarily be to the north of the site. The separation distances to neighbouring residential properties is sufficient to avoid a materially harmful impact.
- 7.7.10 In conclusion, the impacts of the proposed development on surrounding residential properties would accord with BRE guidelines and are considered unlikely to harm neighbour amenity and accord with the NPPF and Mayor's Housing SPG.
- 7.7.11 Privacy
- 7.7.12 It is considered the proposal would not unduly impact upon the privacy of neighbouring properties.
- 7.7.13 The separation distances to neighbouring dwellings are such that there would be no direct overlooking to any residential properties at a distance that would result in a material loss of privacy.
- 7.7.14 The separation distance from the proposed buildings to Raynes Park High School, at its closest point, would be 33.7m. The Pyl brook stands between the site and the school to the north and the combination of the separation distance, in combination with the extensive tree screening to the northern side of Pyl Brook is such that there would be not be a material overlooking to the school.
- 7.7.15 Noise
- 7.7.16 It is considered that the impact of noise from the commercial use and any plant can be suitably addressed by way of conditions. Given the remainder of the scheme is residential, the noise generated is expected to be comparable to the surrounding

development and would not give rise to an adverse impact on amenity.

7.7.17 Light spill

7.7.18 Light spill from the proposal is not expected to be significant given the scheme is predominately residential and given the separation distances to neighbouring occupiers.

7.7.19 Construction phase

7.7.20 The development has the potential to adversely impact neighbouring residents during the construction phase in terms of noise, dust and other pollutants. As such, it is recommended to include conditions which would require a detailed method statement in relation to construction processes and a Construction Logistics Plan to be provided prior to the commencement of the development.

7.8 Standard of accommodation

7.8.1 Policies 3.5 and 3.8 of the London Plan 2016 state that housing developments are to be suitably accessible and should be of the highest quality internally and externally and should ensure that new development reflects the minimum internal space standards (specified as Gross Internal Areas) as set out in table 3.3 of the London Plan. Policy DM D2 of the Adopted Sites and Policies Plan (2014) states that developments should provide for suitable levels of privacy, sunlight and daylight and quality of living conditions for future occupants.

7.8.2 Space standards

7.8.3 The proposal accords with the internal floor space standards set out in the Nationally Described Space Standards, the London Plan and the Mayor's Housing SPG

7.8.4 All the units benefit from their own external amenity space in accordance with or exceed the minimum standards set out in Standard 26 of the London Plan's Housing SPG.

7.8.5 Dual aspect rating

7.8.6 The scheme generally presents good levels of residential quality, with most units benefiting from dual or triple aspects (65%) and no cores serving more than 8 units. The quality of outlook and privacy to lower level units, especially those which adjoin areas of public realm, and the upper level units which adjoin the balcony access decks, is an important consideration. Sufficient screening and a clear delineation between ground floor public realm and private amenity space must be provided, which can be secured through landscaping conditions.

- 7.8.7 All but one unit per floor, within the proposed development are dual aspect.
- 7.8.8 On the typical lower floors there are 54 units per floor, which have the following breakdown:
- Through units (i.e. window at either end) – 6 per floor, 11%;
 - Corner units (windows to two sides) – 29 per floor, 54%;
 - Units with enhanced window return (windows to two sides) – 18 per floor, 33%; and
 - Single aspect, east facing unit – 1 per floor, 2%.
- 7.8.9 There are no north facing single aspect units within the scheme
- 7.8.10 Accessibility for all
- 7.8.11 The Design and Access Statement confirms that the development will comply with Part M of the Building Regulations with 10% of the dwellings designed to be easily adapted to meet the needs of a wheelchair user. This accommodation is distributed across the scheme for a range of tenures and unit sizes.
- 7.8.12 External amenity space and play space
- 7.8.13 London Plan Policy 3.6 and draft London Plan Policy S4 require development proposals to make provisions for play and informal recreation based on the expected child population generated by the scheme. The Play and Recreation SPG expects a minimum of 10 sq.m. per child to be provided in new developments. The development will have a child yield of 198, resulting in a requirement for 1,980 sq.m. of on-site play.
- 7.8.14 The scheme would provide 2,758qm of communal space provided at podium level of each Blocks A and B. A further 408sqm of amenity space is provided along Pyl Brook.
- 7.8.15 The external amenity space would include Social space with communal table, barbecue and pergola, play areas and 'grow your own' planting beds.
- 7.8.16 In respect of play space, the applicant calculated the child yield for the development, using LBM's up to date guidance which requires the use of the GLA's Intelligence Unit's 2014 Population Calculator and Single Year Age (SYA) tool. This shows that the development will have a child yield of 198. Of this, 91 are expected to be under-fives, 65.1 are to be between five to eleven and 41.7 are to be 12-18 years old.
- 7.8.17 It confirms that 1,980sqm of play space is required for 0-18 year olds.
- 7.8.18 In relation to younger age groups, this will be provided on site with 910sqm for 0-5 year olds and 651sqm for 5-11 year olds.

This results in an onsite play space provision of 1,561sqm. Details of the proposed space, including quantum and types of play elements for each age group, can be secured by way of condition.

7.8.19 In terms of play provision for 12-18 year olds, officers consider that this may reasonably be addressed by way of a commuted sum contribution for to play area enhancement in the locality rather than a dedicated on site facility. This approach will also better benefit the locality as it would be available for use by all. The specific amount to be sought by way of a commuted sum is £24,600 as this would provide a Multi Use Games Area of 400sqm for the 41.7 12-18 year olds, expected to be yielded by the proposed development..

7.8.20 It is regrettable that the play space provided on site would not be available for children living outside the site. However, the security concerns of the applicant, in terms of non-residents gaining access to the podium level are noted.

7.8.21 Noise and Vibrations

7.8.22 A Noise and Vibration Assessment Report accompanies the application and sets out:

“It has been identified that the eastern and western sides of the site result in levels that require mitigation to be incorporated into the design to comply with the relevant British Standard. This mitigation includes appropriate glazing specification as well as a co-ordinated overheating and ventilation strategy to ensure a comfortable living environment for residents. We are satisfied that, with the measures identified in this report, a good standard of accommodation can be provided in accordance with the British Standard.”

7.8.23 In respect of vibration, the conclusion of the report is that vibration levels have been found to be sufficiently low and therefore within acceptable tolerances.

7.8.24 The impact of noise and vibration on future occupants is considered to be suitably mitigated and acceptable in planning terms.

7.8.25 The scheme is considered to offer a high standard of living for prospective occupants.

7.9 Secured by design considerations

7.9.1 The applicant has set out that the design process has been informed throughout by the need to create a safe environment for all existing neighbouring residents, and future users of the development. The submission explains that the proposed development has included Secure by Design principles and the

applicant intends that the scheme will obtain a SBD accreditation for both the commercial and residential elements of the development.

- 7.9.2 The submission sets out that the physical security standards of the proposal have been considered, from the shared communal access in to the apartment buildings, through to the construction and layout of each apartment. These include:
- CCTV across the Site.
 - Security access gates to ground floor residential car parking.
 - Security access gates to Pyl Brook and residential entrance to Building A.
 - Security access gates to substation and associated service area.
 - Supermarket car park will be well lit with CCTV coverage.
 - Security lobbies at ground floor residential entrances.
 - Audio/visual entry systems in each residential building.
 - Fob/Coded access to refuse stores.
 - Cycle storage areas are enclosed with fob access and built into the fabric of the building, and will incorporate a self-closing mechanism.
 - Compartmentalisation: residents can only access their floors using key fob access.
 - Certified compliant internal/external doors.
 - Certified compliant window specification.
 - Certified compliant party wall construction.
 - Remotely read residential metering.
- 7.9.3 The Designing Out Crime Officer has commented on the detail of the scheme and has raised concern regarding the access approach to Buildings A and F. However, the access to Building A would be private at this stage and as such does not result in concerns regarding public safety.
- 7.9.4 Building A is to be accessed from Pyl Brook via Burlington Road. Buildings B, D, E, F and G are accessed from the internal access road. Buildings E and F share a residential entrance lobby at ground floor, the residents of Building F then gain access across the landscaped podium. Building C is accessed from Burlington Road.
- 7.9.5 Each of the buildings also have a secondary access to the entrance lobbies directly from the undercroft car park.
- 7.9.6 All residential apartments are accessed via a secure, communal entrance hall leading to a lift lobby. These entrances would be illuminated and feature level thresholds, with a maximum upstand of 15mm. Entry systems such as video or audio entry systems, pass card systems, or similar will be designed and located to be used by visitors and residents.
- 7.9.7 The approach to Building F has been amended since pre-application stage and no longer includes a protracted walk along a narrow route but instead would involve either walking around

the building to the entrance door, through the landscaped podium or arriving via the car park beneath. Whilst the entrance to this block is not located directly off the access road, officers consider that the proposed means of access do not raise significant concerns in terms of security.

- 7.9.8 The Designing out Crime Officer has also commented that the fence to Brookside Garden appears too low. In terms of Secured by Design, a tall means of enclosure would be preferable to ensure that access is secure. However, this runs counter to usual urban design principles which focus on connectivity and legibility and would not encourage a high form of enclosure. The fence is just over 2m high and this is considered to reflect a human scale within the development, which would not act as such an inactive edge as a higher form of enclosure would be.

7.10 Transport, highway network, parking and sustainable travel

- 7.10.1 London Plan policies 6.3 and 6.12, CS policies CS20 and CS18 and SPP policy DM T2 seek to reduce congestion of road networks, reduce conflict between walking and cycling, and other modes of transport, to increase safety and to not adversely effect on street parking or traffic management; in addition, there is a requirement to submit a Transport Assessment and associated Travel Plan for major developments.

- 7.10.2 London Plan policies 6.9, 6.10 6.13, CS policy CS20 and SPP policies DM T1 and DM T3 seek to promote sustainable modes of transport including walking, cycling, electric charging points, the use of Travel Plans and by providing no more vehicle parking spaces than necessary for any development.

- 7.10.3 Crossrail 2:

- 7.10.4 TfL and the GLA have commented on the application to set out that whilst the site falls outside the limits of Crossrail 2 Safeguarding, as set out in the 2015 Crossrail 2 Safeguarding Directions, part of the application site has been identified as a proposed worksite for the future delivery of the Crossrail 2 scheme and required for the works associated with the West Barnes Lane level crossing.

- 7.10.5 Crossrail 2 are therefore of the view that the proposed redevelopment of this site and the creation of new residential and commercial floorspace would, in the event that powers to deliver Crossrail 2 are approved, be prejudicial to the future delivery of the railway.

- 7.10.6 Whilst the comments of TfL, the GLA and Crossrail 2 have been carefully considered, it is noted that the site is not within any formally safeguarded area and therefore any weight that can be attributed is very limited.

- 7.10.7 It is of note that any plans to safeguard this area of land in the future are not yet in the public domain and have not gone through a public consultation process and has no formal status. There is an established procedure for safeguarding land for major transport projects and this site is not currently within the safeguarded area.
- 7.10.8 This matter has recently been tested at appeal (2 Merton Hall Road, APP/T5720/W/17/3180585), whereby the Inspector took a similar view to that expressed above.
- 7.10.9 Therefore, at this stage, only limited weight can be attributed to the need to retain the site as a worksite for Crossrail 2.
- 7.10.10 Trip Generation:
- 7.10.11 The trip generation analysis presented indicates that the proposed residential dwellings will be expected to generate 79 (AM) and 65 (PM) vehicle trips, with the proposed commercial uses generating a further four vehicle trips, per peak hour.
- 7.10.12 The existing office use could be expected to generate in the order of 27 and 30 vehicular trips in the AM and PM peak hours respectively, should the permitted use of the site be brought back into operation.
- 7.10.13 The net trip generation of the proposals would therefore be 56 (AM) and 39 (PM) vehicles respectively, which equates to less than one additional vehicular trip being generated per minute in either peak hour.
- 7.10.14 The trip generation assessment for the existing and proposed uses has been undertaken using the industry standard TRICS database. Census data has been used to determine the mode share.
- 7.10.15 The Council's Transport Planner is satisfied that the trip generation is robust.
- 7.10.16 The anticipated distribution of traffic associated with the site is expected to give rise to a change in performance of the Claremont Avenue junction with Burlington Road and therefore a commuted sum is sought from the developer to provide the necessary junction improvements. (This is captured in the s.106 heads of terms).
- 7.10.17 The developer to provide financial contribution towards a pedestrian crossing facility and junction improvements at this junction secured through Sec.106 Agreement.
- 7.10.18 Car and cycle parking provisions
- 7.10.19 As set out earlier in this report, the reduction in parking spaces to serve the Tesco extra store is considered to be suitable, as it

would still retain a level of parking above the London plan standards.

- 7.10.20 In terms of car parking for the proposed development, it is proposed to provide 220 car parking spaces for the proposed 456 residential dwellings which equates to a car parking ratio of roughly 0.5 spaces per unit which would accord with the London Plan and draft London Plan standards.
- 7.10.21 14 parking bays for disabled motorists should be provided at the out-set of the development and this matter can be controlled by way of condition. A Car Parking Management Plan can also be secured by way of condition.
- 7.10.22 577 car parking spaces would be retained for the Tesco extra store, which is in excess of the maximum parking standards in the London Plan and as such, it is considered that the reduction in parking spaces to serve Tesco Extra would be acceptable in planning terms.
- 7.10.23 It is noted that the Council's Transport Planner has advised that the introduction of a new Controlled Parking Zone (CPZ) is not warranted in neighbouring residential roads due to the availability of parking in the surrounding area.
- 7.10.24 Cycle parking should be installed on site in accordance with London Plan standards on cycle parking for new residential developments.
- 7.10.25 The London Plan and London Housing SPG Standard 20 (Policy 6.9) states all developments should provide dedicated storage space for cycles at the following level:
- 1 per studio and one bed dwellings;
 - 2 per all other dwellings and
- 1 short term visitor space per 40 residential units.
- The development comprises:
- 114 x 1 bed: 114
290 x 2 bed: 580
52 x 3 bed: 104
- Total: 798 cycle spaces.
- 7.10.26 The development proposes 798 long stay cycle parking spaces and 12 short stay cycle spaces which satisfies the London Plan Standards.
- 7.10.27 A proportion of short-stay visitor cycle parking is shown in the long stay cycle stores. This raises issues of security and would not be convenient for users.
- 7.10.28 Further consideration is required concerning the layout of the long-stay cycle parking, however, this matter can be satisfactorily addressed by way of condition.

- 7.10.29 Six long stay cycle parking facilities will be provided within the commercial units, for employees, plus 14 further short stay spaces for customers/visitors.
- 7.10.30 It is recommended that shower and locker facilities are also provided for the office uses for those members of staff wishing to cycle to work.
- It is noted that TfL has suggested that there should be 871 cycle parking spaces, in line with the draft London Plan. However, that the draft plan, whilst an important material planning consideration, is not part of the Development Plan. The proposal meets the requirements of the current London Plan and as such it would be unreasonable to raise a reason for refusal on this basis.
- 7.10.31 Subject to conditions relating to the layout of long term cycle parking, the provision of cycle parking is considered to be acceptable.
- 7.10.32 Delivery, servicing and the highway network
- 7.10.33 The proposed development will retain the existing site access junction with Burlington Road. The position and footprint of this junction will not be significantly altered as a result of the development although new surfacing and treatments will be delivered, which will be carried through the development site and along the internal access road.
- 7.10.34 The internal access road will also continue to facilitate vehicular egress from Tesco through the site, onto Burlington Road. The access road has been designed to accommodate large vehicles associated with the servicing of the development, such as refuse, delivery and emergency vehicles. Large vehicles associated with Tesco will however, continue to access / egress the store via the main junction with Beverley Way only.
- 7.10.35 The refuse storage areas are located at ground level and are sited near lift/stair cores for ease of access for residents.
- 7.10.36 Redrow Asset Management (RAM) will manage and move bins from refuse areas to holding refuse areas located in Blocks A and B. All four refuse stores located in the northern podium (Buildings A-D) would be moved into the main refuse holding area where they can be collected from the adjacent service bay. All three refuse stores located in the southern podium (Buildings E-G) would be moved into the Building G refuse store, which also doubles as the refuse holding area, where they can be collected from the adjacent service bay.
- 7.10.37 Refuse and recycling collection would be carried out by a private company as opposed to the London Borough of Merton and it

will be the responsibility of the management company to carry out the above functions.

7.10.38 The refuse/recycling collection and storage arrangements are considered to be acceptable in planning terms.

7.10.39 Sustainable Travel

7.10.40 It is expected that at least 50% of the underground/rail mode share would use the bus to access Raynes Park rail station, which provides access to a greater number of services. In terms of the bus contribution, the Bus Service Planning section within TfL has confirmed that bus route 131 is already near capacity in the vicinity of the site. Therefore, based on the predicted uplift in bus trips and current bus capacity, TfL are seeking a bus contribution of £450,000 (£90,000 per annum for 5 years). The £90,000 p.a. would cover the cost of an extra journey in each peak period.

7.10.41 The applicant is required to pay to upgrade three bus stops so that they are fully compliant as accessible bus stops, which will be secured through a s.278 agreement, if permission is granted.

7.10.42 TfL has now confirmed that the highway modelling information submitted is acceptable and does not indicate a need for mitigation measures on the TfL highway network.

7.10.43 In addition to the provision of private parking, the residents would rely on cycling, public transport and car clubs. The development has a PTAL of 3 which is considered to be moderate; however, in reality there are no barriers to transport given there are multiple modes of public transport (bus and rail) which are within walking distance (maximum 15 minutes) and operate frequently. The development offers policy compliant cycle storage along with free car club memberships for future occupants. As such, it is considered the development would promote the use of more sustainable modes of transport.

7.10.44 In addition to the above, it is recommended to include an obligation which will require details of travel plans to be provided, one for the commercial component and another for the residential component. The travel plans will provide education on sustainable travel for employees, residents and visitors.

7.10.45 *Healthy Streets*

7.10.46 The Healthy Streets Approach puts people, and their health, at the heart of decision making. This results in a healthier, more inclusive city where people choose to walk, cycle and use public transport.

7.10.47 The Healthy Streets Approach is not an idealised vision for a model street. It is a long-term plan for improving Londoners' and

visitors' experiences of our streets, helping everyone to be more active and enjoy the health benefits of being on our streets.

- 7.10.48 The 10 Healthy Streets Indicators are:
- **Pedestrians from all walks of life**
 - **People choose to walk, cycle and use public transport**
 - **Clean air**
 - **People feel safe**
 - **Not too noisy**
 - **Easy to cross**
 - **Places to stop and rest**
 - **Shade and shelter**
 - **People feel relaxed**
 - **Things to see and do**
- 7.10.49 The application includes a public realm strategy, which puts forward the following:
- Planting of street trees along west side of Burlington Road;
 - Introduction of public seating opportunities;
 - Provision of publicly accessible cycle parking;
 - Introduction of a pedestrian crossing on the northern side of Burlington Road/ Claremont Avenue junction, facilitated through the provision of drop kerbs, tactile paving, warning signs and a coloured surface treatment which will emphasise the desire line to/ from Motspur Park station;
 - Signage to help wayfinding to/ from Motspur Park station; and
 - Improvements to 'the lane' which comprises an existing Public Right of Way (PRoW) along the southern boundary of the proposed development site. The improvements will include measures to discourage vehicle parking at the junction of the PRoW with Burlington Road, planting, seating and visual amenity which in part will be enhanced by the surveillance of the lane which will be achieved through the delivery of new homes
- 7.10.50 Having regard to the measures put forward and the financial contribution towards improving the walking environment around the site (£150,000), it is considered that the proposal would meet the objectives of the Health Streets Indicators.
- 7.10.51 Refuse storage/collection arrangements
- 7.10.52 Appropriate refuse storage must be provided for developments in accordance with policy 5.17 of the London Plan and policy CS 17 of the Core Planning Strategy.
- 7.10.53 The location of the refuse storage is considered to be appropriate for deposition by users and for collection. The storage provisions proposed are in line with Merton Council requirements.

7.11 Air Quality

7.11.1 An Air Quality Assessment is submitted in support of the proposal which considers air quality impacts associated with traffic generated by the operational phase of the development. The site also lies in an Air Quality Management Area and therefore an assessment of the potential for future residents to be exposed to poor air quality has also been undertaken. The findings of the assessment are as follows:

“The results show that the proposed development would cause negligible impacts on concentrations of NO₂, PM₁₀ and PM_{2.5} at all sensitive receptors in accordance with the relevant assessment significance criteria.”

7.11.2 Concentrations of all pollutants were below the relevant UK Air Quality Strategy objectives on the Application Site, and therefore future residents will not be exposed to poor air quality. Based on the assessment results, it is considered that the development proposals comply with national, regional and local policy for air quality.

7.11.3 The Council's Air Quality officer has advised that a financial contribution (£31K) to address air quality impact issues during the sensitive period of development should be sought.

7.12 Sustainability

7.12.1 London Plan policy 5.3 and CS policy CS15 seek to ensure the highest standards of sustainability are achieved for developments which includes minimising carbon dioxide emissions, maximising recycling, sourcing materials with a low carbon footprint, ensuring urban greening and minimising the usage of resources such as water.

7.12.2 The key sustainability features outlined in this Sustainability Statement are listed below:

> **Energy efficiency:** The development will target a 35.7% reduction in Regulated CO₂ emissions through energy efficiency measures and renewable technologies;

> **Water efficiency:** Flow control devices and water efficient fixtures and fittings will be installed in all dwellings to target a maximum internal daily water consumption of 105 litres/person/day;

> **Waste and recycling:** Adequate facilities will be provided for domestic and construction related waste, including segregated bins for refuse and recycling;

> **Materials:** Where practical, new building materials will be sourced locally to reduce transportation pollution and support the local economy. New materials will be selected based on their environmental impact and responsible suppliers will be used where possible;

- > **Flood Risk and SUDs:** To ensure the flood risk is not increased, underground cellular storage or blue/green roof storage is proposed to reduce runoff rates to 3x greenfield rates;
- > **Security:** Consultation with a Security Specialist will take place to ensure the development is safe and secure for its residents;
- > **Sound insulation:** The dwellings are to target an improvement on Building Regulations Part E through party walls and floors;
- > **Inclusive access:** 90% of the new dwellings will be designed to meet Building Regulations Approved Document M4(2) and 10% will meet Part M4(3);
- > **Sustainable transport:** The site will benefit from a good existing public transport network and sustainable modes will be encouraged through the provision of 830 cycle storage spaces;
- > **Biodiversity and ecology:** Enhancements will be implemented through the provision of podium planting, landscaped areas, play space and additional tree and shrub planting across the site;
- > **Sustainable construction:** The site will aim to achieve a 'Beyond Best Practice' score with the Considerate Constructors Scheme and will closely monitor construction site impacts.

7.12.3 An on-site reduction of 203 tonnes of carbon dioxide per year in regulated emissions compared to a 2013 Building Regulations compliant development is expected for the domestic buildings. This is equivalent to an overall saving of 35%, which does not meet the zero-carbon target. The non-residential element would achieve a 41% reduction, which exceeds the emissions target set in London Plan Policy 5.2. The remaining regulated CO2 emissions must be met through a contribution to the borough's offset fund.

7.12.4 The Council's Climate Change Officer has reviewed the proposals and concludes that a carbon offset contribution of £651,060 is necessary. Payments to offset carbon shortfalls are used by Merton Council to fund projects which seek to reduce carbon generation in the borough; projects to date have focussed on schools and have included insulating building envelopes and pipes, boiler controls, lighting motion sensors and solar panels.

7.12.5 It is disappointing that the scheme does not meet the carbon savings target on-site. However, the scheme would be policy compliant subject to a carbon offset contribution and therefore officers do not raise objection in this regard.

7.12.6 It is recommended to include conditions, which would require evidence to be submitted which confirms the development has achieved the carbon savings outlined in the Sustainable Design and Construction Statement along with water consumption rates not exceeding 105 litres per person per day.

7.12.7 Subject to a S106 payment of £651,060 along with the above conditions, it is considered the proposal would be policy compliant in terms of sustainability.

7.13 Flooding and sustainable urban drainage

7.13.1 London Plan policies 5.12 and 5.13, CS policy CS16 and SPP policies DM F1 and DM F2 seek to minimise the impact of flooding on residents and the environment and promote the use of sustainable drainage systems to reduce the overall amount of rainfall being discharged into the drainage system and reduce the borough's susceptibility to surface water flooding.

7.13.2 The submitted FRA sets out that:

- All sleeping and residential units are to be located above the 1 in 100 + 35% event;
- Safe access/ egress to be provided from the site during a 1 in 100 +35% event;
- Flood compensation can be provided to support the proposed development; and
- Betterment can be provided by the formalisation of a flood warning and evacuation plan.

7.13.3 The site is within Flood Zones 2 and 3 and the proposed development has been designed accordingly. The GLA had raised concerns regarding a ground floor bedroom, as this may be susceptible to flooding. However, the applicant has clarified that the majority of the proposed residential accommodation would be located at first floor level (podium level) or above. Two-bedroom duplex units are proposed at ground floor, however the location of these units is outside the 1 in 100 +35% Climate Change flood extent; additionally the minimum finished floor level of these units is to be set no lower than 14.65mAOD (300mm higher than the 1 in 100 +35% flood level).

7.13.4 It is noted that the Environment Agency are satisfied that the flood modelling information is robust and that the finished floor levels set out by the applicant are suitable.

7.13.5 Therefore, it is concluded that the proposal would be acceptable in terms of flood risk.

7.13.6 A Surface Water Drainage Strategy also accompanies the application. The conclusions of this are: "In order to ensure that flood risk is not increased as part of the development proposals, it is proposed to reduce runoff rates (in line with the London Borough of Merton Sustainable Drainage Design and Evaluation Guide (2018) guidance) to 3 x greenfield (demonstrated to provide a significant improvement over existing). This outflow is currently shown to be routed to the Pyl Brook in accordance with LB Merton requirements."

7.13.7 In terms of surface water run-off, the London Plan advises that developments should seek to achieve greenfield run-off rates. It

is noted that the vast majority of the site is laid to hardstanding currently. The proposed development would improve run-off rates significantly but would not achieve green field rate run-off levels. The Council's Flood Risk Engineer has reviewed the proposed arrangements and raises no objection subject to conditions.

7.13.8 The proposed measures are considered acceptable. It is recommended to include a condition to require details of drainage, attenuation and management to be submitted prior to the commencement of development.

7.14 Site contamination

7.14.1 London Plan Policy 5.21 and SPP policy DM EP4 state that developments should seek to minimise pollutants, reduce concentrations to levels that have minimal adverse effects on human or environment health and to ensure contamination is not spread.

7.14.2 In light of the former commercial uses on site, there is a potential for the site to suffer from ground contamination. Planning conditions are recommended that seek further site investigation work and if contamination is found as a result of this investigation, the submission of details of measures to deal with this contamination.

7.15 Impact on biodiversity and SINC

7.15.1 NPPF section 11, London Plan policies 7.5 and 7.21, CS policy CS13 and SPP policies DM D2 and DM O2 seek to ensure high quality landscaping to enhance the public realm, protect trees that significantly improve the public realm, to enhance biodiversity, encourage proposals to result in a net gain in biodiversity and to discourage proposal that result in harm to the environment, particularly on sites of recognised nature conservation.

7.15.2 Building on the conclusions of the Preliminary Ecological Survey, details of the ecology and biodiversity enhancements for the site are set out within section 7 of the Landscape Design and Access Statement. Key features include:

- Swift nesting boxes;
- Bat roosting boxes;
- Black Redstart nesting boxes;
- Stag beetle loggery;
- Invertebrate hotel;
- Nectar-rich planting; and
- Mosaic habitat.

7.15.3 The design of the scheme provides an opportunity to install green roofs thereby enhancing the biodiversity of a site alongside a green corridor/SINC, in accordance with adopted policy objectives. It is noted that green roofs have been included.

Notwithstanding the proposed urban drainage strategy, it is recommended to require details of a landscaping and planting strategy to be submitted and implemented prior to occupation.

7.15.4 The proposal is considered to result in a significant net gain in terms of biodiversity interests.

7.16 Archaeology

7.16.1 The site is within an Archaeological Priority Zone, as identified on the LBM's Proposals Map. A Cultural Heritage Desk Based Assessment has therefore been undertaken and submitted as part of the application. The conclusion of this assessment is as follows:

“In view of the extent of past development impacts, and the anticipated limited archaeological potential, it can be considered that the redevelopment proposals would be unlikely to have a significant impact on any below ground archaeological remains.”

7.16.2 Comments from Historic England GLAAS are awaited, although it is not anticipated that any objection would be raised.

7.17 Developer contributions and legal undertakings

7.17.1 The proposed development would be subject to payment of the Merton Community Infrastructure Levy and the Mayor of London's Community Infrastructure Levy (CIL).

7.17.2 Regulation 122(2) of the CIL Regulations 2010 (continued in the CIL Regulations 2011) introduced three tests for planning obligations into law, stating that obligations must be:

- necessary to make the development acceptable in planning terms;
- directly related to the development;
- fairly and reasonably related in scale and kind to the development.

7.17.3 If a planning obligation does not meet all of these tests it cannot legally be taken into account in granting planning permission and for the Local Planning Authority to take account of S106 in granting planning permission it needs to be convinced that, without the obligation, permission should be refused.

7.17.4 In this instance the delivery of 40% on-site affordable housing, £150K to improve pedestrian and cycle infrastructure in the surrounding area, £100K towards pedestrian crossing facility and junction improvement at Burlington Road/Claremont Avenue junction, Travel Plan with £2K monitoring contribution, provide three years car club membership, £450K contribution towards an additional bus journey in each peak period, carbon shortfall contribution of £651,060, play space contribution of £24,600,

£31K for Air Quality Impact mitigation, improvements to 3 bus stops (Stop B (9154), Stop C (9155) and Bus Stop E (27392)). and costs to Council of all work in drafting S106/S278 agreements and monitoring the obligations.

- 7.17.5 Regulation 123 of the Community Infrastructure Regulations 2010 (as amended) restricts the use of planning obligations for infrastructure that will be funded in whole or in part by Merton's Community Infrastructure Levy.

8. CONCLUSION

- 8.1 Merton's housing target is set to more than double in early 2020 from 411 homes per year to a total of 9180 over the next 10 years (918 per year). Brownfield sites and car parks can help to accommodate the step change in housing delivery and this is acknowledged in the Inspector's report into the draft London plan. The Council is supportive of the site going forward as suitable for redevelopment to re-provide retail floorspace and housing as part of the site allocations in the draft local plan. Against this backdrop it is considered that the principle of development can reasonably be supported.
- 8.2 The delivery of this site for housing would provide a significant contribution towards Merton's housing need, including the provision of affordable housing. There is a tension between the scale and height of the proposed buildings and the existing more low level suburban built form and the proposed buildings would be prominent in both short and long views into the site to the extent that the proposed development would become a new landmark in the borough.
- 8.3 The site has no physical, access or heritage constraints that would preclude a suitably engineered and conditioned scheme from being delivered. The site is not over looked or constrained by neighbours not being next to sensitive residential properties which it may cause harm to, in terms of loss of light and outlook, therefore providing opportunity for taller denser development, which would contribute significantly towards meeting housing needs in the borough.
- 8.4 The scale of the proposed development would be a contrast to the existing built form. The proposals would however have the potential to improve the street environment. Officers consider the proposals would make a positive contribution to the Burlington Road frontage with the potential to enhance the public realm.
- 8.5 The proposals have been designed to ensure they would not unduly impact upon neighbouring amenity. The proposal would offer living standards for prospective occupants that would satisfy national and local internal and external space standards. The proposal would not unduly impact upon the highway network and it would promote and facilitate sustainable transport. The

proposal would achieve suitable refuse provisions. It is considered that the proposal would achieve appropriate levels of sustainability.

- 8.6 The proposals would deliver sustainable development in accordance with National Planning objectives and, given the considerable weight to be attached to the delivery of housing, the application may reasonably be supported subject to any direction from the Mayor of London, appropriate legal agreements and conditions.

Recommendation:

Grant planning permission subject to s106 agreement and s278 agreement.

S106 legal agreement:

- The provision of 40% affordable housing by habitable room, comprised of 77 shared ownership units (40%) and 94 affordable rent units (60%),
- £150K to improve pedestrian and cycle infrastructure in the surrounding area,
- £100K towards pedestrian crossing facility and junction improvement at Burlington Road/Claremont Avenue junction,
- Travel Plan with £2K monitoring contribution,
- The developer agreement to provide a 3 year membership to a car club for each residential unit of the development at the cost of the developer;
- £450K contribution towards an additional bus journey in each peak period,
- carbon offset contribution of £651,060,
- £24,600 contribution towards off-site children's play facilities
- £22K for Air Quality Service Impact,
- £9K contribution to the Council's Air Quality Action Plan
- The developer agreeing to meet the Council's costs of preparing (including legal fees) the Section 106 Obligations.

S278 agreement:

- The upgrading of bus stops Stop B (9154) – Cavendish Road, Stop C (9155) – Burlington Road / Shannon and Bus Stop E (27392) – West Barnes Level.

- 9.2 And the following conditions:

Conditions:

1. A1 Commencement of development (full application)
2. Approved Plans

3. Non-standard condition. The development is to be carried out in accordance with the following approved documents: (see list of documents at paragraph)
4. B1 External Materials to be Approved
5. B4 Details of surface treatment
6. B5 Details of Walls/Fences
7. C07 Refuse & Recycling (Implementation)
8. D05 Soundproofing of Plant and Machinery
9. D09 No External Lighting
10. D11 Construction Times
11. F02 Landscaping (Implementation)
12. F05 Tree Protection
13. F13 Landscape Management Plan
14. H04 Provision of Vehicle Parking
15. H06 Cycle Parking, including shower and locker facilities for staff - Details to be Submitted
16. H08 Travel Plan
17. H11 Parking Management Strategy
18. H12 Delivery and Servicing Plan to be Submitted
19. H13 Construction Logistics Plan to be Submitted (major development)
20. L3 Sustainability Standard Pre-Occupation
21. A Non Standard Condition - Prior to the commencement of development, a Dust Management Plan (DMP), based on an AQDRA (Air Quality and Dust Risk Assessment), shall be submitted to and approved, in writing, by the local planning authority. The DMP will need to detail the measures to reduce the impacts during demolition and construction to include continuous dust monitoring at the site boundary. The development shall be undertaken in accordance with the approved plan.
22. A Non Standard Condition - All Non-Road Mobile Machinery (NRMM) used during the course of the development that is within the scope of the GLA 'Control of Dust and Emissions during Construction and Demolition' Supplementary Planning Guidance (SPG) dated July 2014, or any successor document, shall comply with the emissions requirements therein.
23. A Non Standard Condition – Prior to the occupation of the development hereby permitted, a report with details of the combustion plant in order to mitigate air pollution shall be submitted to and approved in writing by the council. The report shall including the following:
 - a) Gas fired boilers and Combined Heat and Power plant (CHP) installed shall meet or improve upon the emissions standards of <40 mgNO_x/kWh (at 0% O₂) and 95 mgNO_x/Nm³ (at 5% O₂).
 - b) Stack height – details to be submitted (Flues from energy plant must be at least 1m above the highest part of the building, and in many circumstances will need to be significantly higher.)
 - c) Emergency generator - details to be submitted
 - d) All plant must be serviced and maintained according to the manufacturer's specification.
 - e) Where any combustion plant does not meet the relevant emissions Standards as in part (a) above, it should not be operated without the fitting of suitable secondary NO_x abatement

- Equipment or technology as determined by a specialist to ensure comparable emissions.
24. A Non Standard Condition – Electric vehicle charging points (EVCP) shall be provided for 20% of the car parking spaces shown on drawing 1997-00-DR-1099 P04 and passive provision shall be made available for a further 20% of the spaces so that the spaces are capable of being readily converted to electric vehicle charging points. The location of the EVCP spaces and charging points, and a specification for passive provision shall be submitted to and approved in writing by the local planning authority before any of the residential units are first brought into use. The EVCP shall thereafter be constructed and marked out and the charging points installed prior to any of the residential units being brought into use and thereafter retained permanently to serve the vehicles of occupiers.
25. A Non Standard Condition - Prior to the first occupation of the development hereby permitted, details of shower and locker facilities for staff members shall be submitted to and approved in writing by the Local Planning Authority. The agreed facilities shall be available prior to the first occupation of the development hereby permitted and retained thereafter.
26. A Non Standard Condition - The development shall be carried out in accordance with the following recommendations set out at Section 4 of the submitted Preliminary Ecological Appraisal dated October 2018:
- A buffer strip of native thorny planting to be put in place along the northern boundary. This will help
 - mitigate impacts on the brook adjacent to site, and enhance the site for bats, birds, and mammals;
 - Site vegetation clearance to be undertaken in September to exclude the bird nesting season (March to August inclusive) and hedgehog hibernation period (October to March) or immediately after an ecologist has confirmed the absence of nesting birds/hedgehogs;
 - Bat sensitive lighting to be used along the northern boundary of the site to mitigate for impacts upon boundary habitats and trees that are potentially of use to local bat populations;
 - Precautionary construction techniques sensitive to hedgehog/otter/water vole to be employed;
 - Pollution prevention control to be put in place during the construction phase.
27. A Non Standard Condition – The development shall be carried out in accordance with the mitigation measures set out in the submitted Flood Risk Assessment dated May 2019, as follows:
- o Non-return valves on any new sewer connections to prevent back-flow;
 - o All residential accommodation to be located at first floor level (podium level) or above. It should be noted that two two-bedroom duplex units are proposed at ground floor, however the location of these units is outside the 1:100 + 35% Climate Change flood extent; additionally the minimum finished floor level of these units is to be set no

lower than 14.65mAOD, which is 300mm above the 1 in 100 + 35% flood level.

o Minimum Finished floor levels of the ground floor units to be set no lower than 14.65mAOD (300mm above the 1 in 100 + 35% flood level);

o Flood volume mitigation as per section 8 of this report to avoid displacement offsite (floodplain compensation in the 1in100yr+35% event).

o Implementation of SuDs to ensure no increase in surface water runoff.

o Site owners and residents to sign up to EA Flood Warning/Alert Service and have an onsite flood warning and evacuation plan.

28. H17 Drainage

29. A Non Standard Condition – Prior to the commencement of development, the detailed design and specification for the permeable paving and green roofs shall be submitted to and approved in writing by the Local Planning Authority. The design shall be carried out as approved, retained and maintained by the applicant in perpetuity thereafter.

30. A Non Standard Condition - The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) May 2019 / N.4003 / Ambiental Technical Solutions Ltd. and the following mitigation measures detailed within the FRA:

1. Provision of compensatory storage shall be provided with the provision of an additional 25 cubic metres through level-for-level, volume for volume compensation as per paragraph 8

2. Ground floor finished floor levels of the residential units are set no lower than 14.65m above Ordnance Datum (AOD) and the duplex units shall be located outside of the 1% AEP plus 35% climate change extent as detailed in paragraph 7.4.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

31. A Non Standard Condition – The development hereby permitted shall incorporate security measures to minimise the risk of crime and to meet the specific security needs of the development in accordance with the principles and objectives of Secured by Design. Details of these measures shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development and shall be implemented in accordance with the approved details prior to occupation.

32. A Non Standard Condition - Prior to the first occupation of the development hereby approved a Secured by Design final certificate shall be submitted to and approved in writing by the Local Planning Authority.

33. A Non Standard Condition - No properties shall be occupied until confirmation has been provided that either:- all water network upgrades required to accommodate the additional flows from the development have been completed; or - a housing and infrastructure phasing plan has been agreed with Thames Water

to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

34. A Non Standard Condition - No construction shall take place within 5m of the water main. Information detailing how the developer intends to divert the asset / align the development, so as to prevent the potential for damage to subsurface potable water infrastructure, must be submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any construction must be undertaken in accordance with the terms of the approved information. Unrestricted access must be available at all times for the maintenance and repair of the asset during and after the construction works.
35. A Non Standard Condition - No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.
36. A Non Standard Condition - Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:
- 1) A site investigation scheme, based on the PRA, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 - 2) The results of the site investigation and detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 - 3) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.
37. A Non Standard Condition - If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy

detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved, verified and reported to the satisfaction of the Local Planning Authority.

38. A Non Standard Condition - Prior to occupation of the development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, if appropriate, and for the reporting of this to the local planning authority. Any long-term monitoring and maintenance plan shall be implemented as approved.
39. A Non Standard Condition - No drainage systems for the infiltration of surface water drainage into the ground are permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to Controlled Waters. The development shall be carried out in accordance with the approval details.
40. A Non Standard Condition - Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.
41. A Non Standard Condition - Prior to the commencement of development, a scheme for the provision of external amenity space, including children's play space and equipment, shall be submitted to and approved in writing by the Local Planning Authority. The agreed external amenity space, play space and equipment shall be installed and made available for use prior to the first occupation of the residential development hereby permitted and shall be retained thereafter.
42. A Non Standard Condition - Notwithstanding the submitted information, detailed drawings at a scale of no less than 1:20 shall be submitted detailing window reveals. The development shall be carried out in accordance with the approved details.
43. A Non Standard Condition - The proposed development shall be carried out in accordance with the Proposed Ventilation and Overheating Strategy, as set out paragraphs 8.23-8.27 of the submitted Noise and Vibration Report dated May 2019.
44. A Non Standard Condition - Prior to the first occupation of the development hereby approved, a detailed scheme for acoustic glazing to the east and west elevations of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be

- carried out in accordance with the approved details and retained thereafter.
45. A Non Standard Condition: [Local employment strategy] Prior to the commencement of development [including demolition] a local employment strategy shall have been submitted to and approved in writing by the Local Planning Authority setting out the measures taken to ensure that the development provides employment opportunities for residents and businesses in Merton during the construction phase.
 46. Prior to the demolition of any building on site the applicant shall submit an amended parking layout plan demonstrating how parking for the Tesco Extra store will be configured. The development shall be carried out in accordance with the approved details.
 47. Prior to the commencement of development, details of a vehicular access for construction vehicles shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Informatives:

1. The Dust Management Plan required by condition:
 - May be integrated within a wider Construction Environmental Management Plan (CEMP);
 - Must mitigate negative impact on air quality and receptors in the vicinity;
 - Must detail the measures that will be taken to reduce the impacts on air quality during all construction phases (demolition, construction, Earthworks, Trackout);
 - Must include maintenance schedule of the dust mitigation measures;
 - Must undertake to carry out air quality monitoring before, during and after demolition and construction works (at least a month prior to commencement of any works on site). Parameters to be monitored, duration, locations and monitoring techniques must be approved in writing by the Local Planning Authority prior to commencement of development.
 - Shall be in accordance with "The Control of Dust and Emissions during Construction and Demolition", Mayor of London SPG 2014.
2. INF 04 Climate Change
3. INF 08 Construction of Accesses
4. INF 09 Works on the Public Highway
5. INF 10 Contaminated Land
6. INF 15 Discharge conditions prior to commencement of work
7. INF 20 Street naming and numbering
8. No surface water runoff should discharge onto the public highway including the public footway or highway. When it is proposed to connect to a public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Where the developer proposes to discharge to a public sewer,

- prior approval from Thames Water Developer Services will be required (contact no. 0845 850 2777).
9. No waste material, including concrete, mortar, grout, plaster, fats, oils and chemicals shall be washed down on the highway or disposed of into the highway drainage system.
 10. The prior approval of the Environment Agency must be agreed in writing via Flood Risk Activity Permit for any works within 8m from the top of the bank from the Pyl Brook, which is a designated main river.
 11. The applicant is advised to read the Thames Water guide 'working near assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working or near Thames Water pipes or other structures.
 12. Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.
 13. The CLAIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste or have ceased to be waste. Under the Code of Practice: excavated materials that are recovered via a treatment operation can be re-used on-site providing they are treated to a standard such that they fit for purpose and unlikely to cause pollution; treated materials can be transferred between sites as part of a hub and cluster project; some naturally occurring clean material can be transferred directly between sites. Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays. The Environment Agency recommends that developers should refer to the Position statement on the Definition of Waste: Development Industry Code Practice and the Environmental regulations page on GOV.UK.
 14. Environment permit – advice to applicant
The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:
 - * on or within 8 metres of a main river (16 metres if tidal)
 - * on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
 - * on or within 16 metres of a sea defence
 - * involving quarrying or excavation within 16 metres of any main river, flood defence (including remote defence) or culvert
 - * in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.For further guidance please visit:
<https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03702 422 549. The applicant should not assume that a permit

will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

15. The applicant should be aware that the site may provide a useful habitat for swifts. Swifts are currently in decline in the UK and in order to encourage and improve the conservation of swifts the applicant is advised to consider the installation of a swift nesting box/bricks on the site.

[Click Here](#) for full plans and documents related to this application

PLANNING APPLICATIONS COMMITTEE
13th February 2020

APPLICATION NO.

19/P1676

DATE VALID

14/05/2019

Address/Site

579-589 Kingston Road, Raynes Park, SW20 8SD

Ward

Dundonald

Proposal:

SCHEME A - DEMOLITION OF EXISTING BUILDINGS AND REDEVELOPMENT OF SITE TO PROVIDE OFFICE SPACE AND RESIDENTIAL UNITS IN BUILDINGS OF TWO TO SIX STOREYS, COMPRISING 118 SELF-CONTAINED FLATS, CAR AND CYCLE PARKING, VEHICLE ACCESS, LANDSCAPING, PLANT AND ASSOCIATED WORKS.

Drawing Nos:

E0-001, P1-201 Rev P2, P1-203 Rev P1, P1-204 Rev P1, P1-205 Rev P1, P1-206 Rev P1, P1-207 Rev P1, P2-101 Rev P1, P2-102 Rev P1, P2-103 Rev P1, P2-104 Rev P1, P2-105 Rev P1, P2-106 Rev P1, P2-107 Rev P1 and P2-202 Rev P1.

Contact Officer:

Tim Lipscomb (0208 545 3496)

RECOMMENDATION

Grant Permission subject to conditions and s.106 legal agreement.

CHECKLIST INFORMATION

- Heads of Agreement: Yes, restrict parking permits, car club membership for five years, bus shelter opposite the site is upgrade contribution of £8,554.94, dedication of land as highway to the Kingston Road frontage, provision of loading bays and cost to Council of all work in drafting S106 and monitoring the obligations.
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Statement been submitted: No
- Press notice: Yes (major application)
- Site notice: Yes (major application)
- Design Review Panel consulted: No
- Number of neighbours consulted: 170
- External consultations: Yes
- Conservation area: No
- Listed building: No
- Tree protection orders: No
- Controlled Parking Zone: Yes (RPS)
- Green corridor – Yes (bordering the site to the north)
- Site of importance for nature conservation (SINC) – Yes (bordering the site to the north)

1. **INTRODUCTION**

- 1.1 This application is being brought to the Planning Applications Committee for determination due to the nature and scale of the development.

2. **SITE AND SURROUNDINGS**

- 2.1 The development site comprises land lying to the north of Kingston Road, between the junctions with Adna Road and Dupont Road. The main railway line from London Waterloo station forms the boundary to the northern edge of the site. Most of the land is cleared but was previously occupied by the Manoplastics factory at 579 – 583 Kingston Road. Number 587 currently includes a vacant Victorian commercial building which is proposed for demolition as part of the redevelopment.
- 2.2 The development site is located on the northern side of Kingston Road. The site has approximately 126m of frontage along Kingston Road and is between 40 and 65 metres in depth. The rear of the site sits parallel with a green corridor and site of importance for nature conservation beyond which is the existing railway embankment to the north of the site. To the west of the site are buildings in commercial use. To the east of the site is a building (577 Kingston Road) in use as a place of worship where the Council has recently endorsed a proposal for redevelopment to provide a new church with flats above in a building with accommodation rising to 5 floors fronting Kingston Road reducing to 3 at the rear.
- 2.3 The site is regular in shape and has an area of approximately 6,000 sq.m. The site was once occupied by the Manoplastics Factory (Use Class B2) which was demolished in 2011 and the adjacent site (No.587 Kingston Road) which was last occupied by a collection of two storey in buildings in light industrial use (Use Class B1c). The existing site has vehicle access from two vehicle crossovers on Kingston Road.
- 2.4 The area to the north of Kingston Road, including the application site, is largely characterised by industrial and commercial development of two and three storeys. To the south of the application site are two storey terraced properties comprising commercial (including shops/cafes/offices) uses on the ground floor with flats above with two storey terraced houses defining the side roads known locally as ‘the Apostles’.
- 2.5 The closest bus stops are located on Kingston Road, within 100 metres of the eastern boundary of the site. These stops are served by services 152, 163 and K5. Additional bus services are available from bus stops adjacent to Raynes Park station and on Coombe Lane. In terms of railway accessibility, Raynes Park station is located approximately 500m to the west. Given this the site has a public transport accessibility level (PTAL) of 5, when measured from the centre of the site, which is defined as a very good level of access to local public transport infrastructure.
- 2.6 The site is not located within or adjacent to a Conservation Area. The site lies in Flood Zone 1 as defined by the Environment Agency. To the north of the site the railway land is designated in the Council’s Sites and Policies plan as a Green Corridor and Site of Importance for Nature Conservation.
- 2.7 The site has a Public Transport Accessibility Level (PTAL) of part 4, part 5.
- 2.8 The site is within a controlled parking zone (CPZ RPS).

3. PROPOSAL

- 3.1 The proposals are for the redevelopment of the site, to include the erection of 118 residential units and provision of employment space, configured as 10 units of office space (Use Class B1) (1,040sqm) arranged around two L-shaped blocks – Blocks A & D fronting Kingston Road and 577 Kingston Road to the east and Blocks B & C running parallel to the railway line with frontage on Kingston Road – and arranged around a central landscaped courtyard. The buildings would range in height from two to six storeys.
- 3.2 Access to the site would be from Kingston Road, with vehicular access via the main vehicular entrance. Pedestrian and cyclist access would be either through this main entrance or via the residential reception, which has a frontage onto Kingston Road.
- 3.3 The proposed buildings would be configured around a central landscaped area, which provides for residential external amenity space.
- 3.4 The buildings to the Kingston Road frontage would be 4 storeys in height, with projecting window projections, reminiscent of an industrial saw-tooth roof. The building behind (Block C) would be a maximum of 6 storeys in height, with a flat roof.
- 3.5 Construction materials would be buff brickwork, grey zinc cladding and window frames.
- 3.6 Car parking on site would be located at ground level in undercrofts below Block C. The scheme proposes 33 car parking spaces. 11 of these spaces would be for disabled users and 7 of these spaces would be for electric vehicle parking.
- 3.7 214 cycle parking spaces are proposed for the residential element of the proposals, in two large stores of 158 and 56 cycles. Visitor cycle parking would be located within the landscaped courtyard (8 spaces). Commercial cycle parking would be located in a small, separate cycle store (16 spaces), with six cycle hoops proposed on the pavement to the frontage of the site (space for 12 cycles).
- 3.8 There would be nine satellite bin stores located around the site, at the entrance to each residential core and serving the proposed commercial units. In addition, a large communal bin store would be located adjacent to Kingston Road (towards the south-western corner of the site). The bins from the smaller satellite bin stores would be taken to the larger bin store for collection.
- 3.9 The submitted plans indicate employment space totalling 915sqm, however, it is noted that there are ancillary areas, such as bin stores, stair wells etc that may also reasonably be considered to be part of the employment space.
- 3.10 The current application enquiry effectively seeks to alter the planning permission granted under reference 16/P1208, which permitted 99 units in buildings up to 6 storeys in height.
- 3.11 The altered elements are as follows:

- **Erection of Block D** - a four storey block to the rear of Block A and adjoining the eastern site boundary. This residential block would accommodate 11 residential units (1 studio, 6 x 1bed 2 person and 4 x 2bedroom 3person).
- Changes to the landscaping in the central courtyard. The proposed new block (Block D) would stand on land that was previously intended to be reserved for children's play-space. Instead the central courtyard would be reconfigured to have less geometric shaped grassed area and to incorporate more organically shaped soft landscaped areas, incorporating tree planting, benches and decking.
- Informal planting to the frontage of Block D is intended to provide some privacy for the ground floor units.
- The approved scheme, 16/P1208, provided 745sqm of dedicated children's play space, within a total of 911sqm of communal external amenity space, whereas the current scheme would provide 263sqm of dedicated child play-space and 595sqm of other soft landscaped communal areas (a total of 858sqm of amenity space).
- The previously approved Block C had outriggers, accommodating the stair cores to the northern elevation. The current scheme seeks to push the cores back into line with this elevation, so that there would not be projecting stair cores.
- The layout of Block A would be altered slightly as it would no longer have the rear outlook that it benefitted from in the previous planning permission. Therefore, three of the 2b/4p units permitted under 16/P1208, which had a rear outlook, would become studio units.
- One wheelchair accessible unit on the third floor in Block B would be altered to become a 1b/2p unit as opposed to the approved 2b/3p unit (the dimensions of the unit would not be altered).
- **The arrangements for cycle parking** have been altered with the creation of two large cycle stores to the western part of the site (to stand in the position of what would have been outdoor amenity space for the approved office accommodation). These proposed cycle stores would accommodate 158 and 56 parked bicycles. The smaller cycle stores shown in 16/P1208 were spaced around the site, near to the entrance of each block (providing approximately 8-16 cycle parking spaces per cycle store).
- The current scheme proposes refuse/recycling collection to be carried out from Kingston Road via two lay-bys (one of which has been enlarged throughout the course of the application following concerns raised by the Council's Transport Officer), as opposed to a refuse vehicle entering the site, as was proposed in the previous approval.
- The current scheme shows a large refuse/recycling storage area to the western part of the site, with an access direct onto Kingston Road. This area was employment accommodation under 16/P1208.
- The previous scheme proposed 34 car parking spaces, the current scheme proposes 33.
- The housing mix proposed would alter as a result of the current proposal, with a reduction in three bed units, from six, in the approved scheme to none (i.e. no three bed units are now proposed).

3.12 Brief summary of changes:

- Creation on of new Block D between Block A and C adjacent to the Dundonald Church.

- Relocation on of resident entrance, amalgamation on of refuse storage and cycle parking, changes to landscaping.
- Changes to internal layouts, including removal of 3-bed units, resulting in increase in unit numbers and change to unit mix.

3.13 The proposed Block D has partly come about as the planning permission granted for the redevelopment of Dundonald Church includes a substantial flank wall that would abut the eastern end of the application site. The applicant is of the view that an additional element of built form could be accommodated adjacent to this flank wall.

3.14 The application is accompanied by the following supporting documents:

- Affordable Housing Statement
- BREEAM Pre-Assessment Report
- Construction Management Plan
- Daylight and Sunlight Report
- Design and Access Statement
- Drainage Strategy Report
- Ecological Baseline
- Energy Statement and Overheating Risk Assessment
- Flood Risk and Drainage Strategy
- Ground Investigation Report
- Management Regime
- Noise and Vibration Report
- Planning Statement
- Planning Structural Report
- Railside Protection Report
- Statement of Community Involvement
- Transport Note

4. PLANNING HISTORY

4.1 Relevant planning history is summarised as follows:

09/P0794 - DEMOLITION OF EXISTING BUILDINGS AND REDEVELOPMENT OF SITE TO PROVIDE NEW SELF STORAGE (CLASS B8) , LIGHT INDUSTRIAL AND OFFICE (CLASS B1) ACCOMMODATION IN A BUILDING OF UP TO 5 STOREYS IN HEIGHT INCLUDING PARKING, ACCESS SERVICING ENGINEERING, LANDSCAPING AND OTHER ASSOCIATED WORKS. Refuse Permission 09-12-2009, Appeal Dismissed 13-04-2010.

10/P1963 - DEMOLITION OF EXISTING BUILDINGS AND REDEVELOPMENT OF SITE TO PROVIDE NEW SELF STORAGE (CLASS B8) , LIGHT INDUSTRIAL AND OFFICE (CLASS B1) ACCOMMODATION IN A BUILDING OF UP TO 5 STOREYS INCLUDING PARKING, ACCESS, SERVICING, ENGINEERING, LANDSCAPING AND OTHER ASSOCIATED WORKS. Grant Permission Subject to Section 106 Obligation or any other enabling agreement. 24-02-2011.

14/P4537 - DEMOLITION OF THE EXISTING TWO STOREY BUILDINGS [537 SQUARE METRES OF BUSINESS USE CLASS B1 FLOOR SPACE] AND THE CONSTRUCTION OF A PART THREE, PART FOUR, PART FIVE STOREY REPLACEMENT BUILDING PROVIDING 193 SQUARE

METRES OF FLOOR SPACE AT GROUND FLOOR LEVEL TO BE USED FOR ANY OF THE FOLLOWING RETAIL, FINANCIAL AND PROFESSIONAL SERVICES, RESTAURANT OR CAFÉ, BUSINESS OR NON-RESIDENTIAL INSTITUTION USE [USE CLASSES A1, A2, B1 OR D1] AND 20 FLATS [3 ONE BEDROOM, 15 TWO BEDROOM AND 2 THREE BEDROOM FLATS] AT THE REAR OF THE GROUND FLOOR AND ON THE UPPER FLOORS WITH 22 CYCLE PARKING SPACES, ASSOCIATED LANDSCAPING AND HIGHWAYS WORKS TO PROVIDE A NEW LAYBY IN KINGSTON ROAD FOR SERVICING AND TWO DISABLED PARKING BAYS. Grant Permission Subject to Section 106 Obligation or any other enabling agreement. 29-04-2015.

16/P1208 - DEMOLITION OF EXISTING BUILDINGS AND REDEVELOPMENT OF SITE TO PROVIDE OFFICES (1201 SQ.M - CLASS B1) AND RESIDENTIAL (99 UNITS - CLASS C3) ACCOMMODATION IN BUILDINGS OF TWO - SIX STOREYS, PROVISION OF CAR PARKING (24 CARS, 12 DISABLED SPACES), CYCLE PARKING (224 SPACES), VEHICLE ACCESS, LANDSCAPING, PLANT AND ASSOCIATED WORKS. Grant Permission Subject to Section 106 Obligation or any other enabling agreement. 10-10-2018.

17/P2529 - DEMOLITION OF EXISTING BUILDINGS AND REDEVELOPMENT OF SITE TO PROVIDE OFFICES (1201 SQ.M - CLASS B1) AND RESIDENTIAL (110 UNITS - CLASS C3) ACCOMMODATION IN BUILDINGS OF TWO - SEVEN STOREYS, PROVISION OF CAR PARKING (21 CARS, 12 DISABLED SPACES), CYCLE PARKING (218 SPACES), VEHICLE ACCESS, LANDSCAPING, PLANT AND ASSOCIATED WORKS. Appeal against non-determination withdrawn 11-10-2018

In addition to these applications there have been a number of planning applications to discharge the conditions of the various permissions granted for the redevelopment of the site.

577 Kingston Road (Dundonald Church adjacent to the site):

17/P0763 - DEMOLITION OF EXISTING CHURCH BUILDING (NO.577 KINGSTON ROAD - USE CLASS D1) AND ERECTION OF A PART 5 STOREY BUILDING (TO KINGSTON ROAD) AND PART 3 STOREY BUILDING (TO ABBOTT AVENUE) TO PROVIDE REPLACEMENT CHURCH BUILDING (USE CLASS D1) AT GROUND, FIRST AND PART SECOND FLOOR AND 15 RESIDENTIAL UNITS (USE CLASS C3) AT SECOND, THIRD AND FOURTH FLOOR; RETENTION OF CAR PARKING; PROVISION OF CYCLE PARKING AND LANDSCAPING TO KINGSTON ROAD FRONTAGE; TOGETHER WITH PROVISION OF WASTE STORAGE AT GROUND FLOOR LEVEL. Grant Permission Subject to Section 106 Obligation or any other enabling agreement. 29-11-2018.

591-595 Kingston Road (adjacent to the site):

19/P0822 - ERECTION OF TWO FOUR STOREY BUILDINGS AND BASEMENT CONTAINING 1 X ONE BEDROOM, 3 X TWO BEDROOM, 3 X THREE BEDROOM SELF CONTAINED FLATS, A YOGA STUDIO AND 2 X OFFICES. Pending.

5. CONSULTATION

5.1 Press Notice, Standard 21-day site notice procedure and individual letters to neighbouring occupiers. Representations have been received from 4 individuals, raising objection on the following grounds:

- 6 or 7 stories is too high and should be 3 or 4 storeys, given the location and surroundings.
- Residents on Stanton Road will experience a loss of light.
- Sound reflection of trains to Stanton Road properties.
- Dominate outlook from rear gardens of Stanton Road.
- Local infrastructure is inadequate.

5.2 Councillor Anthony Fairclough:

“I wish to raise some concerns that I feel need to be addressed before any approval is given to either of the above-mentioned applications for this site.

I am writing in my capacity as councillor for Dundonald ward, and I may wish to speak at any PAC that consider these applications.

Affordable Housing

Merton Council’s figures show that it is failing to meet its own target of 40% affordable housing new developments. Approving either Scheme A (118 units) or Scheme B (124 units) without any affordable housing element is clearly incompatible with Merton’s clear aim to meet this target. When I met with the developer in March, they were keen to assure me that although their viability assessment suggested that no affordable element could be sustained on the site, the nature of the business operated by the owner (properties for rent) made this less of an issue, and that they would not be seeking to reduce the number of affordable units from that accepted as part of the planning permission previously granted for the 99 flat scheme. At the very least, Merton and the Planning Applications Committee should hold them to this – if not, to increase the percentage of affordable units within a larger development.

CIL/S 106 obligations

I would like to see some of the Community Infrastructure Levy or s 106 monies from this site used to improve some pressing issues in the local area:

- The junction of Burstow Rd/Kingston Rd/Lower Downs Rd is inefficiently designed and extremely unsafe for drivers, cyclists and pedestrians – and we have raised this before. Some of the funds from the development could be used to improve this junction.
- There’s an opportunity for planting along the rest of Kingston Rd, as well as for the provision of an improved cycle lane from Raynes Park Station to Lower Downs Road. This could be an opportunity to look at alternatives to the current less-than-ideal shared ‘cycle lane containing parking bays’ along this part of Kingston Road, which raises safety issues.

I hope officers will consider these ideas in due course.”

5.3 Internal consultees:

5.4 LBM Environmental Health Officer:

- 1) Due to the potential impact of the surrounding locality on the development the recommendations to protect noise intrusion into the residential dwellings and plant noise criteria as specified in the Sandy Brown, Noise Impact Assessment Report 18404-R01-B, Scheme A, dated 27 March 2019 shall be implemented as a minimum standard for the development. A post construction noise survey shall be conducted and remedial measures implemented should be submitted criteria fail to be achieved, first being agreed by the LPA.
- 2) Noise levels, (expressed as the equivalent continuous sound level) LAeq (10 minutes), from any fixed external new plant/machinery shall not exceed LA90-10dB at the boundary with any residential property or noise sensitive premises.
- 3) Subject to the site investigation for contaminated land, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
- 4) Any approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, unless otherwise agreed in writing by the Local Planning Authority.
- 5) Following the completion of any measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.
- 6) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority.
- 7) Any external lighting shall be positioned and angled to prevent any light spillage or glare beyond the site boundary.
- 8) The McLaren construction management plan shall be implemented throughout the duration of the development.
- 9) All Non-road Mobile Machinery (NRMM) used during the course of the development that is within the scope of the Greater London Authority 'Control of Dust and Emissions during Construction and Demolition' Supplementary Planning Guidance (SPG) dated July 2014, or any subsequent amendments or guidance, shall comply with the emission requirements therein.

Reason: To protect the amenities of future occupiers and those in the local vicinity.

5.5 LBM Highway Officer:

Highways comments on 19/P1675 and 19/P1676

H1, H2, H4, H5, H10, H13, INF8, INF9 and INF12

Please note that the Highways section must be contacted prior to any form of construction works being undertaken so that all Highway licences are in place, this includes any temporary works and temporary crossings

The Logistics plan must follow the TfL Construction Logistics Plan Guidance with full details of the logistics required for this site

5.6 LBM Transport Officer:

The site which comprises of the former Manuplastics factory (579-583 Kingston Road) and 587 Kingston Road is located along the north side of Kingston Road (A238) midway between the southward junctions of Edna Road and Dupont Road.

The current application seeks planning permission for an alternative development of the site to provide 118 residential apartments and 930 square metres (gross) of flexible office space, also in conjunction with amenity space, car parking, cycle storage, plant and refuse storage.

CPZ

The site is located within a controlled parking zone, which operates from Monday to Friday between the hours of 08:30am and 6:30pm.

Vehicular Access

The vehicular access for residents is via the gated entrance located on Kingston Road.

The site is in an area with a PTAL 4, which is good and is also well located to local services.

Residential Car Parking

The residential car parking is located within an undercroft area of the taller block at the rear of the site. It provides 33 car parking spaces of which 10 are disabled parking bays.

Disabled bays

The London Plan standards At least 20% of spaces should have active charging facilities, with passive provision for all remaining spaces.

Car Parking

The current proposal provides 33 car parking spaces including 11 for blue badge holders and 7 with electric charging facilities.

The disabled persons parking bays must not be allocated to specific dwellings, unless provided within the curtilage of the dwelling.

The proposed number of car parking spaces including disabled spaces and electric charging points are acceptable subject to the applicant enters into a Unilateral Undertaking which would restrict future occupiers of the units

from obtaining an on-street residential parking permit to park in the surrounding controlled parking zones to be secured by via S106 legal agreement and to ensure that three years free car club membership is available to every eligible occupier.

Cycle Parking

Cycle parking should be installed on site in accordance with London Plan standards on cycle parking for new residential developments.

Residential Cycle Parking

The London Plan and London Housing SPG Standard 20 (Policy 6.9) states all developments should provide dedicated storage space for cycles at the following level:

- 1 per studio and one bed dwellings
- 2 per all other dwellings and
- 1 short term visitor space per 40 residential units.

In order to meet the standards, set out in the London Plan, the proposal should provide 230 long term cycle parking spaces and 3 visitor cycle parking space.

The proposal provides 234 cycle parking spaces in three separate storage areas sited to the entrance to the site.

2 visitor cycle spaces are shown within the residential amenity space. This should be increased to 3 spaces to satisfy the 'London Plan Standards.

Trip Generation

The Transport Assessment suggests the proposed increase in residential units at the site is estimated to result in an additional 14 trips to and from the site during the weekday morning peak hour period and 8 during the evening peak.

The additional traffic generated by the proposed development is unlikely to have an adverse impact on the highway network and no objection is raised on this basis.

Servicing and Deliveries

Residential Servicing

It is proposed that residential servicing and delivery activity to take place on street.

The Transport Assessment estimates that the residential element of the proposed development could receive in the some 13 deliveries per day, bringing the total for the site to 20 deliveries per day.

It also assumes that each delivery takes in the order of 10 minutes and deliveries take place over a 12 hour period, each loading bay could accommodate up to 72 deliveries per day, 144 in total.

The Transport will not agree for the arrangement of servicing and delivery activity to take place on street.

The applicant is required to show how the service and delivery vehicles would manoeuvre within the courtyard by the aid of swept path analysis.

B1 use servicing

Two loading bays are shown on Kingston Road for servicing the commercial element and for refuse vehicles.

The two loading bays are considered inadequate to accommodate the visitor/service parking for the employment units.

Therefore, the layby shown to the east of the development should be extended to the west for a distance of 33.0 (total length 46.0m). The extended layby would allow the refuse vehicles and other service/visitor

vehicles to park and service the units without obstructing the free flow of traffic on the classified Kingston Road (A238).

The layout would entail the reconfiguration of the pavement and carriageway in front of the site in order to provide for a safe and continuous footpath and for loading/unloading. This would require the dedication of land as highway and for the applicant to cover the Council's costs of such works and any necessary road traffic orders.

The applicant is amenable to this being covered under the terms of the S106 agreement.

All doors providing access to the scheme should not be open onto the adopted highway.

Informative:

Transport for London advises relating to the delivery of Crossrail 2.

Requirement that bus shelter opposite the site is upgraded via s106 contribution of £8,554.94.

Travel Plan:

The implementation of a Travel Plan is welcome to encourage and facilitate the use of sustainable modes of transport and low levels of car ownership through the implementation of measures including car club membership.

Refuse:

Waste collection points should be located within 30 metres of residential units and within 20 metres of collection vehicles.

The applicant should show in detail how the refuse will be collected including the number of bins/recycling allocated to commercial and residential units.

Recommendation: Subject to above issues being resolved I would have no objection in principle to this form of development at this location.

5.7 LBM Flood Risk Engineer:

I have reviewed this application including the drainage strategy produced by Whitby Wood dated April 2019. This strategy is read in conjunction with the AECOM FRA dated 15/03/16 and supersedes the drainage strategy contained within appendix E of that report.

In terms of drainage, the scheme is compliant with planning policy namely the London Plan 5.13 and Merton's policy DMF2.

There is a significant reduction in surface water runoff from the site which currently is unrestricted. The scheme proposes to limit maximum discharge to no more than 4.02l/s and the drainage network is designed to accommodate the 1 in 100 year storm plus 40% climate change allowance, with no above ground flooding. 350m³ of attenuation is provided in attenuation tanks. A linear swale is proposed at the northern boundary of the site. It should be noted that there has been a number of flood incidents associated with the pumping station and surcharging of the man-holes on Abbott Avenue, therefore, we welcome the fact that the scheme does not propose to discharge into the northern boundary combined network.

We would strongly recommend that the scheme further considers implementation of other above ground SuDS measures, including permeable paving and bioretention planters, raingardens etc, to reduce the

need for flows to be accommodated in the below ground network. This should be picked up on the final design i.e. discharge of condition stage.

If you are minded to approve, please include the following conditions:

Condition: No development approved by this permission shall be commenced until a detailed scheme for the provision of surface and foul water drainage has been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. The drainage scheme will dispose of surface water by means of a sustainable drainage system (SuDS) via infiltration or at the agreed runoff rate (no more than 4.02l/s), in accordance with drainage hierarchy contained within the London Plan Policy (5.12, 5.13 and SPG) and the advice contained within the National SuDS Standards.

Reason: To reduce the risk of surface and foul water flooding to the proposed development and future users, and ensure surface water and foul flood risk does not increase offsite in accordance with Merton's policies CS16, DMF2 and the London Plan policy 5.13.

Informative:

No surface water runoff should discharge onto the public highway including the public footway or highway. When it is proposed to connect to a public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required (contact no. 0845 850 2777).

No waste material, including concrete, mortar, grout, plaster, fats, oils and chemicals shall be washed down on the highway or disposed of into the highway drainage system.

5.8 LBM Climate Change Officer:

The main issue is that the energy efficiency measures for the residential property barely meets the building regulation requirements, where we would expect a minimum of 10% improvement over and above the building regulations in order to comply with policy S12 in the New London Plan. It is my view that the applicant must consider how to make significant improvements to the efficiency of the building in order for the application to be approved.

Updated guidance

Please note that the Greater London Authority (GLA) have published updated guidance for energy statements (October 21018) from which my advice is based. Although this is a guide for planning applications that are referable to the Mayor of London, it is also relevant to other major schemes such as this where the zero carbon target applies.

BREEAM

The BREEAM pre-assessment rating of "excellent" is commendable. At post construction stage, the applicant would need a BREEAM post-construction certificate demonstrating that the development has achieved a BREEAM rating of not less than the standards equivalent to 'Very Good'.

SAP calculations

The original energy statement (for planning application 16/P1208) shows a clear audit trail between each type of residential unit, the associated gross internal floor area, and the CO2 performance as calculated under SAP, along with a representative sample of SAP worksheets. My understanding is that the internal dimensions of residential units have changed, and a number of additional units have been proposed. To reflect the changes, the **energy statement would need to clearly set out what the sample of units is being used**, how the selected sample is representative of the overall domestic development, and how the SAP outputs for that sample have been used to calculate the CO2 emissions from the whole domestic development. **The applicant must supply the SAP outputs for all the units within the selected sample.**

Tables 2 and 4 show **inconsistencies which need to be clarified** between the way in which the greenhouse gas emission savings have been calculated. For the calculation of the domestic greenhouse gas emission savings (Table 4), greenhouse gas emissions should be cumulative between the be lean, be clean and be green sections. Below Table 4, the report states "...reported above, the total expected CO2 reduction is in the order of the 33%", but we have not been able to replicate this calculation based on the information available.

The applicant should note that from January 2019 and until central Government updates Part L of the Building Regulations with the latest carbon emission factors, and in line with GLA guidance, Merton is encouraging planning applicants to use the updated SAP 10 emission factors when estimating CO2 emission performance against London Plan policies. This will ensure that the assessment of new developments better reflects the actual carbon emissions associated with their expected operation given change electricity grid intensity. To do this, it is possible to use current building regulation methodology for estimating performance against part L 2013 requirements, with the outputs manually converted for the SAP 10 emission factors using the spreadsheet [here](#). **The output from the SAP 10 spreadsheet should be provided as part of the energy statement** and used to calculate the greenhouse gas performance and carbon offset payment.

Be lean

The energy statement provided suggests that the residential units have achieved less than 1% improvement of greenhouse gas performance against building regulations. [London Plan](#) emerging policy S12 *greenhouse gas emissions* states that major (i.e. 10 units and above) domestic developments must achieve at least a 10% improvement on building regulations from energy efficiency. **The applicant must consider how to make significant improvements to the efficiency of the building in order for the application to be approved.**

Be Clean

The intention to provide communal heating is consistent with the energy hierarchy, but I would like the applicant to further consider the option of a renewable communal heating source (see comment in the "be green" section below).

I am pleased to see that provision has been made to connect to a district heating network, should the opportunity arise in future.

Be Green

The original Energy Statement (for planning application 16/P1208) shows greenhouse gas savings associated with Solar PV. **The applicant should provide updated information if the location or number of solar panels**

has changed. This should include drawings that show the amount of roof space with suitable orientation and lack of shading, quantification of the amount of roof area that could be used. They should also explain how the greenhouse gas savings from the solar PV are split between the commercial and residential SAP/ SBEM calculations.

I would like to request further information to support the statements made in relation to ground sourced heat pumps. The report claims that the capital cost of a GSHP can be high due to the extensive groundwork required. However, on sites where demolition and complete re-build are occurring, extensive ground works will already take place. In these circumstances the additional cost of installing a GSHP are likely to be minimised. If eligible, costs can be offset by applying for additional subsidy from the Renewable Heat Incentive Scheme. Can the application provide further cost information to show how a GSHP would compare with other options?

Overheating analysis

The applicant should provide output worksheets from the TM59 analysis for the commercial and residential units with the highest overheating risk. Where these have failed, the application should provide updated TM59 analysis to show that measures intended to reduce overheating risk adequately addresses the problem.

I would like the **applicant to clarify the statement** in the overheating section which appear to be contradictory. “Due to noise levels to the North and South façade, windows will not open during occupied hours”, and “It is assumed that windows in bedrooms are open from 8am to 10pm”. Plans show that bedrooms are situated with windows on the North and South façade so it may not be suitable to open them due to noise levels.

Water Usage

The applicant should provide information on how the domestic units of the development will limit water consumption to under 105 l/person/day, in line with Merton’s sustainability planning policies and supporting guidance.

5.9 LBM Waste Services:

1. Waste Container Storage Area:

- a. In mixed use developments such as this, the policy requires that separate bin stores for residual and recycling containers must be provided for the domestic and commercial aspects of the development. Applicant needs to demonstrate the above
- b. Maximum distances for both residents and collection crew are satisfied.

2. Waste Bin Capacity for the residential units:

- a. Applicant should provide drawings supporting the recommended bin capacity below
- b. Can applicant provide in addition the dimensions to house the bins within the main refuse store which will be by Kingston road – Residents and collection crew should be able to access all bins on site. Access to all bins should be such that no bin should be moved around to access the other.

3. Bulky waste:

- a. It is recommended for an area to be provided for residents to place bulky waste items for collection.

- b. This area should be about 10² metres, or waste items to be collected from the bin store area if there is adequate room. This storage area must be within the property.

4. Access for Collection vehicle:

- a. Applicant/ developer has demonstrated vehicular accessibility for the proposed development

Waste Bin Capacity for the residential units:

For these blocks of 118 residential units, the following sets of bins are recommended:

- 12x 1100L euro bin for refuse
- 12x 1100L euro bin for co-mingled recycling
- 4 x 240L wheelie bin for food waste recycling

5.10 LBM Urban Design Officer:

No concerns raised.

5.11 External consultees:

5.12 TfL:

The site is located on the A238 Kingston Road. The closest section of the Transport for London Road Network (TLRN) is located approximately 1.3 kilometers to the west of the site. The site benefits from a Public Transport Access Level (PTAL) of 5, on a scale of 0 to 6b, where 6b represents the greatest level of access to public transport services.

The application is for the redevelopment of the Access Self Storage site at 579-589 Kingston Road to provide a mixed use development comprising of 118 self contained flats (Use Class C3) in buildings ranging between 2 to 6 storeys, plus 1,021sqm of office floor space (Use Class B1).

Car Parking

The proposed number of parking spaces (33) is not compliant with draft London Plan Policy. Given the sites high PTAL and proximity to frequent bus services and Raynes Park Station, TfL would expect the proposals to be car free in accordance with draft London Plan Policy T6.1. The restriction on car parking, in accordance with the draft London Plan standards are critical to support the delivery of the Mayor's Transport Strategy (MTS) and the strategic target of 80% of all trips in London to be made by foot, cycle or public transport by the year 2041. As such, the development is also not compliant with draft London Plan Policy T1.

Crossrail 2

Whilst the site is not included within the limits of land subject to the 2015 Crossrail 2 Safeguarding Direction, the entirety of the site has been identified by the Crossrail2 project as a future worksite for Crossrail 2 associated with the proposed six tracking of the railway and the construction works at Raynes Park Station. The site was selected due to its location adjacent to the existing railway, allowing the prospect of a sufficiently large enough work site with immediate access to the railway and the station. The site also benefits from being sited next to existing industrial

uses, reducing the potential impact of site operations on neighboring residents.

Crossrail 2 is a regionally significant infrastructure project, and is essential to delivering the objectives of the Mayor's Transport Strategy. The scheme will unlock growth across London, supporting the provision of thousands of new jobs and homes. The delivery of Crossrail 2 is identified in Table 10.1 (Policy T3) of the draft London Plan and in Table 6.1 (Policy 6.1) of the adopted London Plan. Policy T3(C) of the draft London Plan states that *"development proposals that do not provide adequate protection for the schemes outlined in table 10.1 or which seek to remove vital transport functions or prevent necessary expansion of these, without suitable alternative provision being made....should be refused.* Where the London Plan policy makes reference to 'safeguarding', this should not be confused with the Secretary of State Safeguarding Directions, and should be applied based on the definition to protect. To ensure that schemes such as Crossrail 2 can come forward, it is essential that development proposals provide adequate protection and do not present unreasonable barriers to their implementation. In providing this protection, the Plan's policies also require particular priority to be given to a limited number of schemes that have been identified as strategically important to directly unlocking significant levels of housing and employment growth, including Crossrail 2.

The incremental implication of sites being required for the delivery of Crossrail 2 being further developed will result in significant challenges to the project. Not only is it increasingly difficult to find alternative suitable worksites, but an alternative is likely to add financial costs to the project. This could be a direct financial cost arising from the purchase of additional properties that would be required to deliver the railway, or additional measures to mitigate the impacts on existing residential development. There could also be costs to the project in terms of having to accept a sub-optimal scheme design and cost implications arising from delays to the project.

It is acknowledged that the site has an extant planning permission, which was granted in 2018 and could be implemented. An objection to this application was raised with regards to the site being required for the Crossrail 2 project, owing to the points outlined in the previous paragraphs. Even though the current application would not entirely prevent the delivery of Crossrail 2, if the current proposal were to be granted the likelihood is that it will further add to the cost and challenges for the construction and future delivery of Crossrail2. If this is repeated over multiple sites it will incrementally create barriers to the future delivery of the Crossrail 2 project.

Based on the above, TfL would support the Council with a decision to refuse planning permission.

5.13 *Additional response by TfL (in relation to land required for Crossrail 2):*

The land in question currently does not fall under the extent of the Crossrail 2 safeguarding directive. However as stated in TfL's previous comments, the term 'safeguarding' as stated in draft London Plan Policy T3 should not be confused with the Secretary of State Safeguarding Directions, and should be applied based on the definition to protect the delivery of the schemes outlined in Table 10.1 (including Crossrail 2). Since the submission of application 16/P1098, the Crossrail 2 scheme has developed

further, and TfL are now in a position to confirm that the land will be required for the worksite for the delivery of Crossrail 2. The cumulative impact of sites such as this one being further redeveloped will result in significant challenges and increased costs for the delivery of the project. As such the proposals are not compliant with the strategic transport policies of the draft London Plan, as they impact on the ability to deliver Crossrail 2 (one of the major schemes outlined in Table 10.1).

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 states that development plan policies are material to an application for planning permission the decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise. It should therefore be recognised that the proposals are not compliant with the strategic transport policies of the draft London Plan, including draft London Plan Policy T3. However, the weight given to these policies is ultimately up to the decision maker.

5.14 Metropolitan Police – Designing out Crime Officer:

I strongly recommend the architects contact the Designing out crime office – South West to discuss Secured by Design at an early stage in design process.

The communal entrances ST7, ST8 and ST9 appear to be hidden by refuse stores these areas should be designed to allow the chance of natural surveillance of the doors and so reduce crime and the fear of crime.

All of the communal entrances should incorporated an airlock access controlled entrance lobby to prevent the ease of tailgating by those with possible criminal intent.

A zoned, programmable encrypted fob controlled entry system should be installed to control the access throughout the site. This can assist with the management of the entire development and allow access to specific designated areas only.

As bicycles and their parts are extremely attractive to thieves robust security measures should be incorporated into the design of the storage areas. There should be no linking door between the cycle store and the bin store. The doors should be to LPS1175 or equivalent standards, the store should be within coverage of CCTV cameras and be appropriately lit at night. The locking system must be operable from the inner face by use of a thumb turn to ensure that residents are not accidentally locked in by another person. The cycle storage should incorporate stands or racks secured into concrete foundations, which should enable cyclists to use at least two locking points so that the wheels and crossbar are locked to the stand rather than just the crossbar.

Any landscaping should allow opportunity for natural surveillance by shrubs being selected to have a mature growth height no higher than 1 metre, and trees should have no foliage, or lower branches below 2 metres thereby allowing a 1 metre clear field of vision.

The lighting across the entire development should be to the required British Standards and meet the current council requirements, avoiding the various forms of light pollution (vertical and horizontal glare). It should be as sustainable as possible with good uniformity. Bollard lights and architectural up lighting are not considered as a good lighting source for SBD purposes.

Crime Prevention and community safety are material considerations. If London Borough of Merton are to consider granting consent, I would seek that the following conditions details below be attached. This is to mitigate the impact and deliver a safer development in line with Merton Core

Strategy, London Plan, Section 17 Crime and Disorder Act 1988 and National Planning Policy Framework (NPPF)

Suggested condition wording:-

The development hereby permitted shall incorporate security measures to minimise the risk of crime and to meet the specific security needs of the development in accordance with the principles and objectives of Secured by Design. Details of these measures shall be submitted to and approved in writing by the local planning authority prior to commencement of the development and shall be implemented in accordance with the approved details prior to occupation.

Reason: In order to achieve the principles and objectives of Secured by Design to improve community safety and crime prevention in accordance with Policy 14 (22.17) of Merton Core Strategy: Design, and Strategic Objectives 2 (b) and 5 (f); and Policy 7.3 Designing out Crime of the London Plan.

Prior to occupation a Secured by Design final certificate shall be submitted to and approved by the Local Planning Authority.

Reason: In order to achieve the principles and objectives of Secured by Design to improve community safety and crime prevention in accordance with Policy 14 (22.17) of Merton Core Strategy: Design, and Strategic Objectives 2 (b) and 5 (f); and Policy 7.3 Designing out Crime of the London Plan.

The appropriate Secured by Design (SBD) requirements can be found in the design guides on the SBD web site (www.SecuredbyDesign.com)

5.15 Thames Water:

- No objection in relation to combined waste water network infrastructure capacity.
- No objection to surface water network infrastructure capacity.
- Thames Water has identified an inability of the existing water network infrastructure to accommodate this development, therefore, a condition to ensure that necessary network upgrades are carried out.
- Conditions recommended relating to work in close proximity to strategic water main and underground water assets.

5.16 Environment Agency:

Thank you for consulting us on the above application. We have reviewed the document 'Desk Study & Ground Investigation Report' by GEA (reference J08267 B dated 12th February 2016). The document summarises previous investigations. Some elevated concentrations of hydrocarbons have been identified but we do not consider these to be a significant risk to Controlled Waters. We therefore have **no objection** to the proposed development.

We consider that planning permission should only be granted to the proposed development as submitted if planning conditions are imposed. (Conditions recommended)

5.17 Network Rail:

Thank you for forwarding me Network Rail's comments regarding the current planning applications for this site. The two applications seek to secure permission for an increase in the number of residential units proposed to 118 and 124 respectively. The site has planning permission to enable redevelopment of the site to provide 99 residential units and as

such, the current proposals would result in an increase of 19 and 25 units respectively.

The Transport Statements that accompanied the planning applications provided trip generation calculations to determine the number of additional trips to and from the site during weekday morning and evening peak hour periods attributable to the additional units. The increase in trips as associated with both schemes is detailed below.

Period	+ 19 Units		+ 25 Units	
	Total Person Arrivals	Total Person Departures	Total Person Arrivals	Total Person Departures
Morning Peak Hour	3	11	4	14
Evening Peak Hour	6	2	8	2

The modes of transport used by future residents of the development was presented in the Transport Statement that accompanied the planning application for the approved 99 unit scheme. Travel modes were estimated based upon travel to work data for the local population taken from the 2011 census. The census indicates that some 37% of local residents travel to work by train and on this basis, it is considered that for the 124 unit scheme could result in an additional 5 or 6 people travelling from Raynes Park Station during the morning peak hour and 1 or 2 people arriving on trains stopping at the station during the same period. Raynes Park Station is served by northbound and southbound trains every few minutes during the peak hour periods and as such, an increase of up to 8 passengers per hour would not affect the operation as it would likely be within fluctuations that would occur on a daily basis in any event.

5.18 Network Rail (further comments):

I would like to refer to TFL's most recent comments regarding applications 19/P1675 & 19/P1676 and Network Rail's comments from the application 16/P1208 for the same site location where concerns were raised that a development on this site posed challenges for the delivery of Crossrail 2 (CR2).

Crossrail 2 has had some further design work returned recently which indicates that the site is still in conflict with CR2 delivery although potentially only during construction. As such, it may be that Crossrail 2 can reach agreement with Merton and the developer that the site is constructed in such a way that allows for future access to the railway through the site to support Crossrail 2 works.

We therefore ask that Merton and the applicant consider these concerns, and contact Crossrail 2 to discuss.

5.19 Merton Green Party:

Policy CS8 in the Council's Core Strategy sets a borough-wide affordable housing target of 40% for developments of 10 or more units. The applicant's planning statement states (paragraph 4.38) that NONE of the units will be affordable housing. We note **Page 141** previous application (16/P1208)

approved for this site envisaged 27 out of 99 units being affordable. We ask the Council to require that its 40% target be met.

5.20 External Financial Viability Consultant (Summary of comments):

From our analysis of the applicant's viability assessment we conclude that an affordable housing contribution is not currently possible from the proposed development.

We recommend that the council applies the viability review mechanisms at early and late stages of development as outlined within the Draft London Plan and Mayors SPG based on the conclusions of the Altair appraisal. In line with the Mayor's approach to affordable housing on Build to Rent schemes, and to ensure that there is no financial incentive to break a covenant, planning permission should also only be granted subject to a clawback agreement.

5.21 Greater London Authority:

The application is not referable to the GLA as a PS1 application.

5.22 Merton Cycling Campaign:

This is a significant scheme for cycling in the Borough. Almost 250 cycle parking spaces are provided 214 being for residents, plus 16 for residential visitors and 30 for the commercial units. The development is placed on what has long been a significant Borough-wide east-west cycle route. Further to the east on the same route more cycling activity is being generated with 239 residential cycle parking spaces on the Old Lamp Works site and this is just the beginning of the High Path Estate and new secondary school schemes.

The draft LIP3 objective LOS says: 'Merton Council will work with developers to deliver an expanded cycle network across the Borough' and promotes cycle routes that are safe and pleasant. At the same time Policy 16.5 of Local Plan 2020 says that 'Merton will work in partnership with development proposals and TfL, to deliver high quality links or the enhancement of existing pedestrian and cycle routes/networks'. Kingston Road is an example of an existing route needing enhancement; between Raynes Park Station and Lower Downs Road it needs to be made safe and pleasant or cycling.

Merton Cycling Campaign would like to make the point that the admirable policy in new schemes of replacing resident's car parking with volumes of cycle parking can only be workable if there is safe and pleasant cycling connectivity for residents. At present Kingston Road, Raynes Park Town Centre and Lower Downs Road need attention to meet safe and pleasant cycling criteria. The workable solution to such residential complexes must be that funding from Community Infrastructure Levy and Section 106 should be used to prepare the local infrastructure for the high volume of cycle journeys that can potentially emanate from the development at 579-589 Kingston Road. If this is not done what does Merton working in partnership with development proposals as in Policy T6.5 mean?

5.23 Wimbledon Swift Group:

Given the national recognition of global species loss and climate change, this major development presents unique opportunities to incorporate features beneficial to nature and the environment. We would like to formally request that the development incorporates new artificial nest sites for swifts, through the inclusion of swift bricks in the fabric of the proposed buildings. We would also like to see follow-up maintenance and monitoring of the nest sites, and measures to maximise occupation by swifts. These actions will help to address the drastic and worrying loss of the UK's swift population, which has declined by a staggering 53% between 1995 -2016, whilst also appealing to the local community.

Following the Public Consultation on the 579 Kingston Road development on 7/03/2019, there were exchanges between yourself, as representative of the planning company, and some local residents, regarding swifts. This resulted in a goodwill agreement that swift nesting sites would be incorporated into their proposed buildings (as per email below). We sincerely hope and expect that this agreement still stands, and that we can look forward to some positive action for our precious swifts, while they are still returning to the UK. Due to the scale of the proposed development, it is hoped that there will be a large number of swift bricks incorporated and that a swift call attraction system be included in the project.

5.24 The Wimbledon Society:

The Wimbledon society would like to object to both schemes.

Though Scheme A has received planning approval, the Society would like to point out that the Chancellor's Spring Statement introduced a Future Homes Standard by 2025 to ensure that new building homes are future-proofed with low carbon heating and world-leading levels of energy efficiency. A development of this size on Kingston Road should be designed from the outset to be as energy efficient and low carbon as possible. Also, the Society would like to emphasise that the development fails to provide any social housing.

In its representation to the previous application (16/P1208) of 25 May 2016, the Society objected to the number of single aspect flats. This number will increase with the current application. Furthermore, the additional floor will bring out of scale with the wider surrounding area, despite the height of the planning approval next door. Also, the additional floor will cast a shadow and therefore have an adverse effect on properties along Stanton Road. Finally, with a proposed density figure of nearly 700 hrph, the proposal puts the development at the extreme upper end of the matrix, and this matrix only applies if the wider area around the site could be classed as urban instead of suburban in the Society's view. We would therefore consider the additional proposals as over-development.

6. POLICY CONTEXT

6.1 National Planning Policy Framework (2019)

5. Delivering a sufficient supply of homes
6. Building a strong, competitive economy
7. Ensuring the vitality of town centres
8. Promoting healthy and safe communities
9. Promoting sustainable transport
11. Making effective use of land
12. Achieving well-designed places

- 14. Meeting the challenge of climate change, flooding and coastal change
- 6.2 London Plan (2016)
- 3.3 Increasing housing supply
 - 3.4 Optimising housing potential
 - 3.5 Quality and design of housing developments
 - 3.6 Children and young people's play and informal recreation facilities
 - 3.8 Housing choice
 - 3.9 Mixed and balanced communities
 - 3.10 Definition of affordable housing
 - 3.11 Affordable housing targets
 - 3.12 Negotiating affordable housing on individual private residential and mixed use schemes.
 - 3.13 Affordable housing thresholds
 - 4.1 Developing London's economy
 - 4.7 Retail and town centre development
 - 4.8 Supporting a successful and diverse retail sector and related facilities and services
 - 5.1 Climate change mitigation
 - 5.2 Minimising carbon dioxide emissions
 - 5.3 Sustainable design and construction
 - 5.7 Renewable energy
 - 5.10 Urban greening
 - 5.11 Green roofs and development site environs
 - 5.13 Sustainable drainage
 - 5.15 Water use and supplies
 - 5.17 waste capacity
 - 6.3 Assessing effects of development on transport capacity
 - 6.9 Cycling
 - 6.10 Walking
 - 6.13 Parking
 - 7.2 An inclusive environment
 - 7.3 Designing out crime
 - 7.4 Local character
 - 7.5 Public realm
 - 7.6 Architecture
 - 7.8 Heritage assets and archaeology
 - 7.14 Improving air quality
 - 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.
 - 7.21 Trees and woodland
 - 8.2 Planning obligations
 - 8.3 Community Infrastructure Levy
- 6.3 Merton Core Planning Strategy (July 2011)
- CS8 Housing Choice
 - CS9 Housing Provision
 - CS11 Infrastructure
 - CS12 Economic Development
 - CS13 Open Space, Nature Conservation, Leisure and Culture
 - CS14 Design
 - CS15 Climate Change
 - CS16 Flood Risk Management
 - CS17 Waste Management

CS18	Active Transport
CS19	Public Transport
CS20	Parking, Servicing and Delivery

6.4 Sites and Policies Plan and Policies Map (July 2014)

DM H2	Housing mix
DM H3	Support for affordable housing
DM D1	Urban design and the public realm
DM D2	Design considerations in all developments
DM D7	Shop front design and signage
DM E1	Employment Areas in Merton
DM E3	Protection of scattered employment sites
DM E4	Local employment opportunities
DM O2	Nature Conservation, trees, hedges and landscape features
DM EP2	Reducing and mitigating noise
DM EP3	Allowable solutions
DM F2	Sustainable urban drainage systems (SuDS) and; Wastewater and Water Infrastructure
DM T1	Support for sustainable transport and active travel
DM T2	Transport impacts of development
DM T3	Car parking and servicing standards
DM T5	Access to the road network

6.5 Supplementary planning guidance.

London Housing SPG – 2016
 London Town Centres SPG – 2014
 London Affordable Housing and Viability SPG – 2017
 London Play and Informal Recreation SPG – 2012
 London Sustainable Design and Construction - SPG 2014
 London Character and Context SPG - 2014
 GLA Guidance on preparing energy assessments - 2018
 DCLG: Technical housing standards - nationally described space standard
 March 2015
 Merton's Design SPG 2004

7. **PLANNING CONSIDERATIONS**

7.1 Key Issues for consideration

7.1.1 The key issues in the assessment of this planning application are:

- Principle of development
- Need for additional housing, residential density and housing mix
- Affordable Housing
- Design and impact upon the character and appearance of the area
- Impact upon neighbouring amenity
- Standard of accommodation
- Transport, highway network, parking and sustainable travel
- Biodiversity
- Sustainability
- Air quality and potentially contaminated land
- Flooding and site drainage
- S.106 requirements/planning obligations
- Other matters

7.2 Principle of development

- 7.2.1 The National Planning Policy Framework 2019, London Plan 2016 policy 3.3 and the Council's Core Strategy policy CS9 all seek to increase sustainable housing provision where it can be shown that an acceptable standard of accommodation will also provide a mix of dwelling types.
- 7.2.2 The principle of development has largely been established by the granting of application 16/P1208. The key areas for assessment will be the changes that are currently proposed.
- 7.2.3 It is of note that planning permission 16/P1208 has established the principle of a mixed use commercial and residential scheme on the site and remains extant until 10th October 2021.
- 7.2.4 A key aspect of the previous proposal was the re-provision of employment floor space, to meet the requirements of Policy DM E3. The current scheme would also re-provide employment floor space and as such does not conflict with the requirements of Policy DM E3.

7.2.5 The principle of development is therefore considered to be acceptable.

7.3 Need for additional housing, residential density and housing mix

- 7.3.1 The National Planning Policy Framework (March 2018) requires Councils to identify a supply of specific 'deliverable' sites sufficient to provide five years' worth of housing with an additional buffer of 5% to provide choice and competition.
- 7.3.2 Policy 3.3 of the London Plan states that the Council will work with housing providers to provide a minimum of 4,107 additional homes in the borough between 2015 and 2025. Within this figure of 4,107 new homes, the policy states that a minimum of 411 new dwellings should be provided annually. This is an increase from the 320 dwellings annually that was set out in the earlier London Plan and in Policy CS9 of the Core Strategy. The policy also states that development plan policies should seek to identify new sources of land for residential development including intensification of housing provision through development at higher densities.
- 7.3.3 The Council's planning policies commit to working with housing providers to provide a minimum of 4,107 additional homes in the borough between 2015 and 2025 (a minimum of 411 new dwellings to be provided annually). This is an increase from the 320 dwellings annually that was set out in the earlier London Plan and in Policy CS9 of the Core Strategy. The emerging London Plan is likely to increase this annual target, however, only limited weight can be attributed at this stage.
- 7.3.4 Merton's overall housing target between 2011 and 2026 is 5,801 dwellings (Authority's Monitoring Report Draft 2017/19, p12). The latest (draft) Monitoring report confirms:
- All the main housing targets have been met for 2017/18.
 - 665 additional new homes were built during the monitoring period, 254 above Merton's target of 411 new homes per year (London Plan 2015).
 - 2013-18 provision: 2,686 net units (813 homes above target)

- For all the home completions between 2004 and 2017, Merton always met the London Plan target apart from 2009/10. In total Merton has exceeded the target by over 2,000 homes since 2004.

7.3.5 The current housing target for the London Borough of Merton is 411 annually. Last year's published AMR figures are: "688 additional new homes were built during the monitoring period, 277 above Merton's target of 411 new homes per year (in London Plan 2015)."

7.3.6 The draft London Plan includes a significantly higher figure of 1328 new homes annually. However, this is at draft stage and in addition the London Borough of Merton is disputing the small sites methodology. Therefore, only limited weight should be attached to this figure.

7.3.7 Table 3.2 of the London Plan identifies appropriate density ranges based on a site's setting and PTAL rating.

7.3.8 The approved development (16/P1208) had a residential density of 458 habitable rooms per hectare. The proposed density would be above this at around 695 habitable rooms per hectare. However, it is noted that this is still within the London Plan guideline for an urban setting of 200-700 habitable rooms per hectare.

7.3.9 However, notwithstanding this numerical density calculation, it is considered that the overall quantum of development could be argued to be appropriate for the context of the site. This matter is addressed in more detail later in this report, under the title heading 'Impact on visual amenity and design'.

7.3.10 In terms of housing mix, the scheme provides no three bed units, whereas the previous scheme proposed 6.1% provision of 3 bedroom units (6 units on a 99 unit scheme).

7.3.11 The LBM Housing Strategy Manager has reviewed the housing mix element of the proposal and does not support the mix which reduces the proportion of three bed units across the site. The Housing Manager advises that many three bed homes in Merton's existing housing supply are not available for families needing three bed accommodation, as there is a high rate of under-occupation in the owner-occupied sector which makes up 60% of all tenures in Merton. There is also an emerging trend across London that large homes in the private rented sector are increasingly occupied by house-sharers. In terms of demand for family-sized homes, the Council's Housing Register (c. 10,000 households or 12% of all Merton households) shows 29% of households with 'reasonable preference' (as defined by the Housing Act 1996) require three bed homes. Although these households are applying for housing owned by housing associations (social housing), in reality most will have to continue to rely on private sector housing, as only around 20% of social housing available for let are family-sized homes with three beds or above, and only between 300-400 social homes are available for let annually. In addition, the Housing manager recommends that 35% of all new housing (all tenures) should be three bed or above. The percentage remains consistent with the recommended percentage of units of 3 bedrooms and above in the table at paragraph 2.34 of the Merton Sites and Policies Plan.

7.3.12 The Housing Strategy Manager has further commented that the existing housing mix across the borough cannot reasonably be used as a justification for an under-provision of three bed units in a new development

but must be informed by current and projected future demand (which takes into account the existing provision of family sized dwellings in the borough).

7.3.13 The applicant argues that the housing mix has been carefully selected for the following reasons:

- In August 2017, the Mayor of London adopted supplementary planning guidance, “Homes for Londoners” which includes advice specifically on Build to Rent schemes. The SPG notes that to encourage the development of this type of housing, the London Plan has made clear that LPAs should recognise the distinct economics of the sector relative to mainstream ‘build for sale’ market housing, and should take account of this when considering planning applications for Build to Rent schemes. One distinct aspect of BtR schemes is unit mix and design, in which the aim is to utilise the flexibilities that already exist in London Plan policies to support high quality BtR developments. Paragraph 4.31 notes:

“Build to Rent can be particularly suited to higher density development within or on the edge of town centres or near transport nodes. Local policies requiring a range of unit sizes should be applied flexibly to Build to Rent schemes in these locations to reflect demand for new rental stock, which is much greater for one and two beds than in owner-occupied or social/affordable rented sector.”

- The mix of units has been carefully considered in the context of the development site and its location. Given the urban location, adjacent to commercial units, the railway line and Kingston Road, a flatted development is considered to be entirely appropriate. It would be inappropriate to provide private amenity space on the site, and this leads to the provision of 1- and 2-bedroom flats, rather than a significant number of 3 bed units which would require the provision of such external amenity space.
- In addition, the site is located opposite the Apostles, where a very substantial number of 3-bed properties are found. The Core Strategy describes Raynes Park as a whole as a “relatively affluent, high quality suburban area” (paragraph 14.2). It is also an area of “high public transport accessibility” (paragraph 14.2), and on the Kingston Road, is characterised by a substantial amount of commercial property. In considering the mix of units within the approved scheme, the officer’s report noted that, the 2011 Census data for the Merton area identifies the following unit size mix – 7.1% 1 bed, 14.4% 2 bed and 78% 3 bed. There is a very high proportion of larger dwellings in Merton, thus the proposal would contribute to balancing the housing choice in Merton as a whole.

7.3.14 Given the move away from prescribed housing mix figures in the emerging London Plan and the arguments put forward by the applicant, it is considered that the failure to provide three bedroom units is sufficiently justified.

7.4 Affordable Housing

7.4.1 The Council’s policy on affordable housing is set out in the Core Planning Strategy, Policy CS8. For schemes providing over ten units, the affordable housing target is 40% (of which 60% should be social rented and 40% intermediate), which should be provided on-site.

7.4.2 In seeking this affordable housing provision, officers will have regard to site characteristics such as site size, site suitability and economics of provision such as financial viability issues and other planning contributions.

7.4.3 The Mayor's SPG on affordable housing and viability (Homes for Londoners) 2017 sets out that:

"Applications that meet or exceed 35 per cent affordable housing provision (by habitable rooms) without public subsidy, provide affordable housing on-site, meet the specified tenure mix, and meet other planning requirements and obligations to the satisfaction of the LPA and the Mayor where relevant, are not required to submit viability information. Such schemes will be subject to an early viability review, but this is only triggered if an agreed level of progress is not made within two years of planning permission being granted (or a timeframe agreed by the LPA and set out within the S106 agreement)...

... Schemes which do not meet the 35 per cent affordable housing threshold, or require public subsidy to do so, will be required to submit detailed viability information (in the form set out in Part three) which will be scrutinised by the Local Planning Authority (LPA)."

7.4.4 Therefore, provided that the scheme meets the 35% provision, meets the tenure split set out in policy CS8 and demonstrates that the developer has engaged with Registered Providers and the LPA to explore the use of grant funding to increase the proportion of affordable housing, then the proposal could be dealt with under the Mayor's Fast Track Route, which would not require the submission of additional viability information.

7.4.5 If the proposal does not meet this 35% provision, it will be necessary to submit a full viability assessment in order to demonstrate that the scheme is delivering as much affordable housing as is financially viable.

7.4.6 The previous scheme was accompanied by a viability statement and provided 27 affordable housing units peppered throughout the development.

7.4.7 The Council has employed an external financial viability consultant who has considered the argument put forward by the applicant and concludes that no provision of on-site or off-site commuted sum would be financially viable. Therefore, despite officers' reservations over this matter, the scheme has reasonably justified that no affordable housing contribution is financially viable. Officers recommend that the s.106 agreement include viability review mechanisms at early and late stages of the development, to ensure that if the situation changes, any contribution can be captured.

7.4.8 Subject to a suitable claw-back mechanisms in the s.106 legal agreement, it is considered that the proposal has justified its acceptability in terms of affordable housing.

7.5 Impact on visual amenity and design

7.5.1 The National Planning Policy Framework (NPPF) states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. London-wide planning policy advice in relation to design is found in the London Plan

(2015), in Policy 7.4 - Local Character and 7.6 - Architecture. These policies state that Local Authorities should seek to ensure that developments promote high quality inclusive design, enhance the public realm, and seek to ensure that development promotes world class architecture and design.

- 7.5.2 Policy DM D2 seeks to ensure a high quality of design in all development, which relates positively and appropriately to the siting, rhythm, scale, density, proportions, height, materials and massing of surrounding buildings and existing street patterns, historic context, urban layout and landscape features of the surrounding area. Core Planning Policy CS14 supports these SPP Policies.
- 7.5.4 The bulk and massing of Blocks A, B and C is similar to that previously approved and no objection is raised in this regard.
- 7.5.6 In terms of the proposed Block D, it is noted that a scheme incorporating terrace style dwellings in this location was withdrawn following officer concern (under application ref. 17/P2529). This concern primarily related to the interface between the private and public areas and the requirement for high fencing adjacent to the central courtyard area and the potential harmful impact on realising the development of the adjacent site (Dundonald Church).
- 7.5.7 However, it is noted that the circumstances have materially altered since that time, in that planning permission has been granted at the adjacent site (Dundonald Church) which will result in a three storey flank wall standing on the eastern boundary of the application site boundary (17/P0763). This planning permission represents a material consideration in the assessment process.
- 7.5.8 Part of the concerns raised in relation to the terraced dwellings under 17/P2529 was the interface between the private gardens to the terraced dwellings and the communal courtyard within the development. The relationship would have resulted in unreasonable overlooking of the private gardens (if not enclosed by a high solid form of barrier) and, if a high solid barrier had been proposed, it would have detracted from the quality of the courtyard amenity space by creating an inactive edge.
- 7.5.9 The current scheme has responded to this concern and the intention is to create a suitably planted and landscaped buffer area that would provide some privacy for future occupiers whilst not creating a 'fortress like appearance' when viewed from the courtyard. It is considered that, subject to the details of this landscaped buffer, the impact on both visual amenity and the amenity of future occupiers would be suitably safeguarded.
- 7.5.10 Officers would, under other circumstances, have had some reservations over single aspect units being introduced. However, in this case there is a clear justification for this built form (given the three storey wall that would be created to the eastern site boundary). The proposed Block D would effectively mask the blank expanse of three storey wall that would be created at the adjacent site. There is no opportunity to provide an outlook to the other three elevations and as such, the proposed provision of single aspect units in this location is considered to be appropriate and would enable this land to be suitably developed.
- 7.5.11 The changes to the layout and landscaping of the communal courtyard is generally supported by officers in visual term and, the more organic layout

of soft landscaping and amenity spaces is considered to contribute to the sense of place that would be created.

7.5.12 The current scheme proposes refuse collection be carried out from the highway with a central bin store, accessed directly from Kingston Road. This would mean that a refuse vehicle is not required to access the site for refuse/recycling collection and therefore an opportunity arises in that the courtyard would be less constrained for pedestrian use, as it would no longer need to regularly accommodate large turning vehicles. This is positive in principle, and is addressed in detailed later in this report.

7.5.13 The proposal is considered to be acceptable in terms of its impact on the character of the area and the proposed Block D would make effective use of the space left over from the previous scheme,

7.6 Impact on neighbouring amenity

7.6.1 Policy DM D2 seeks to ensure that development does not adversely impact on the amenity of nearby residential properties.

7.6.3 The applicant has submitted a Daylight/Sunlight Analysis to justify the relationship and officers consider that the impact of the scheme on neighbouring properties and other properties within the scheme would be similar to that approved under 16/P1208.

7.6.4 The interface between the proposed Block D and the courtyard space is a key consideration in the assessment. The landscaped/planted buffer strip would allow for some degree of privacy to be retained by future occupiers, whilst maintaining the quality of the courtyard amenity space. Therefore, with the detailing shown, officers support this element of the proposals.

7.6.7 No overriding concern is raised in relation to the remainder of the proposals in terms of the impact on neighbouring amenity.

7.7 Standard of Accommodation

7.7.1 The detailed design of the proposed development should have regard to the requirements of the London Plan (2016) in terms of unit and room sizes and provision of external amenity space. The requirements of SPP Policy DM D2 will also be relevant in relation to the provision of amenity space (see paragraph 6.17 of the supporting text).

7.7.2 The proposed units would meet or exceed the minimum GIA set out in the London Plan.

7.7.3 The amount of private external amenity space provided would meet the minimum requirements of the London Plan and no objection is raised in this regard.

7.7.4 As set out above, the proposed single aspect layout of the proposed units in Block D is considered to be acceptable in this instance. Overall 90% of the proposed units would be dual aspect to some degree. There are no north facing single aspect units proposed.

7.7.5 The provision of external amenity space is considered to be acceptable. The more organic layout is such that the quality of the space is likely to be higher with more visual interest and character created. The overall level of

external amenity space is similar to the previous scheme and is not considered to be objectionable.

7.7.6 A scheme for landscaping and to secure the provision of suitable play equipment and ongoing maintenance would be controlled by way of planning condition in the event that planning permission is granted.

7.7.7 At least 10% of units should be wheelchair accessible. In addition, Standard 18 of the Mayor's SPG on Housing sets out that each designated wheelchair accessible dwelling should have a car parking space that complies with Building Regulations Part M4(3). The floor plans show there to be 11 wheelchair accessible units with 11 disabled parking spaces and therefore no overriding objection is raised in this regard.

7.7.8 The standard of accommodation is considered to be acceptable.

7.8 Transport, highway network, parking and sustainable travel

7.8.1 Policy 6.1 of the London Plan (2016) states that the Mayor will support developments, which generate high levels of trips at locations with high levels of public transport accessibility and which improves the capacity and accessibility of public transport, walking and cycling. At a local level Policy CS.19 of the Core Planning Strategy states that the council will ensure that all major development demonstrates the public transport impact through transport assessments. Travel plans will also be required to accompany all major developments. Policy CS.18 promotes active transport and encourages design that provides attractive, safe, covered cycle storage, cycle parking and other facilities (such as showers, bike cages and lockers).

7.8.2 The scheme proposes 33 car parking spaces on site, of which, 11 would be for disabled users. As with the previous scheme, the development would result in the predicted number of vehicles likely to be associated with the number, mix and tenure of dwellings proposed being greater than the number of spaces to be made available (by 13 spaces). As a consequence, planning controls in the form of a S106 agreement to exclude future occupiers from eligibility for parking permits in the surrounding CPZ would be necessary so as to avoid undue additional pressure on kerbside parking locally.

7.8.3 Therefore, it will be necessary to enter into a s.106 to restrict the issuing of parking permits, to provide 5 years free car club membership and to provide a dedicated car club bay.

7.8.4 At least 20% of parking spaces would have electric charging points, in line with London Plan standards.

7.8.5 It is noted that TfL raise objection to the number of parking spaces and assert that less should be provided to meet the aim of 80% of trips within London being made by sustainable modes. However, the ratio of parking is 0.28, which is very low and it would not be reasonable to insist on less parking than that which is proposed.

7.8.6 The grouped cycle parking that was proposed in the previous scheme would have provided a number of small cycle stores in close proximity to the stair cores they would serve. These stores were well located and individuals would feel a sense of ownership to these smaller cycle stores. The proposed combined cycle parking areas were initially not supported by

officers as it is considered that this could be a large, uninviting space which would not foster good community relations. The London Cycle Design Standards sets out that cycle parking should be convenient, accessible and as close as possible to the destination. However, the applicant has presented arguments to support this arrangement, such as the benefit of providing of a workshop area to serve the users. On balance, it is considered that the larger cycle stores would have some merit in terms of providing a workshop area which would benefit residents.

7.8.7 The additional 19 units proposed, over and above the approved scheme, would not justify the highway improvements suggested in representations. The provision of 215 cycle spaces for the residential element and 16 spaces for the commercial element would not warrant off-site improvement works. However, it is possible that pooled CIL monies could be used for this purpose. However, this is not a consideration for this specific planning application.

7.8.9 In terms of refuse collection, satellite bin stores would be managed on-site with staff taking the various bins to the main bin store for collection. Provided that a management company is set up to accommodate this arrangement this approach would be acceptable in principle. The management company would need to be secured by way of condition.

7.8.10 The Council's Transport Planner had initially raised concern to the principle of on-street servicing for the residential element of the scheme. At the meeting, the concept of providing two on-street lay-bys to accommodate servicing vehicles was discussed. However, due to the level of kerbside required and the potential conflict with parked cars, the Council's Transport planner has suggested that one of these lay-bys be significantly enlarged. The applicant has responded to this concern and accordingly as enlarged the proposed lay-by. Officers are satisfied that the arrangements would not result in material harm to highway safety.

7.9 Biodiversity

7.9.1 The application site has been cleared for 8+ years and consists of hard-standing and loose material; as such the application site is considered to be of negligible intrinsic ecological and nature conservation importance. There is however a SINC directly to the north of the site, which coincides with the railway land.

7.9.2 As with the previous scheme, no objection is raised in relation to the impact on biodiversity subject to the implementation measures set out in the Ecological Appraisal that accompanied application 16/P1208.

7.9.3 The comments of the Wimbledon Swift Group are noted. The development would provide an opportunity to incorporate swift friendly design features and an informative in this regard is recommended.

7.10 Sustainability

7.10.1 Policy 5.2 Minimising Carbon Dioxide Emissions of the London Plan requires that development proposals should make the fullest contribution to minimising carbon dioxide emissions in accordance with the Mayor's energy hierarchy. Merton's Core Planning Strategy Policy CS15 Climate Change (parts a-d) requires new developments to make effective use of resources and materials, minimise water use and CO2 emissions.

7.10.2 An energy statement has been submitted with the application. This should demonstrate via SAP calculations and an energy report that the scheme has been designed to achieve a 35% improvement on Part L 2013, in accordance with London and Local Plan policy requirements.

7.10.3 The submission made by the applicant does not fully detail how these necessary energy and water savings would be made and therefore, it is intended to impose a pre-commencement condition ensuring that this information is submitted and agreed before construction commences. If the necessary carbon savings cannot be achieved the applicant will be required to amend the scheme as necessary through a variation of condition application, or to provide a carbon offset financial contribution through a subsequent discharge of condition application.

7.10.4 The comments of the Wimbledon Society are noted. However, there is no policy basis to require greater sustainability credentials than that set out in the London Plan.

7.11 Air quality and potentially contaminated land

7.11.1 The whole of Merton is an Air Quality Management Area (AQMA).

7.11.2 It is noted that no air quality assessment was submitted under the previous application, 16/P1208. However, since the 2016 application was submitted the Council has adopted a new validation checklist, which requires the submission of an air quality statement for proposals introducing residential uses within areas of particularly significant air quality. However, it is considered that subject to the inclusion of conditions requiring a Method of Demolition and Construction Statement, dealing with the control of emissions of dust and dirt, the proposal would be acceptable in terms of air quality, notwithstanding the lack of an air quality statement.

7.11.3 It is noted that this scheme proposes less car parking spaces than the previous scheme, which in itself would be a benefit, albeit limited, in terms of air quality.

7.11.4 Conditions will be imposed on any granting of planning permission to secure a demolition and construction method statement and a limit on noise levels from plant/machinery.

7.11.5 In addition, conditions would be imposed relating to any potential contamination of the land on the site, to include remediation measures if necessary, as was the case under application 16/P1208.

7.12 Flooding and site drainage

7.12.1 London Plan policies 5.12 and 5.13, CS policy CS16 and SPP policies DM F1 and DM F2 seek to minimise the impact of flooding on residents and the environment and promote the use of sustainable drainage systems to reduce the overall amount of rainfall being discharged into the drainage system and reduce the borough's susceptibility to surface water flooding.

7.12.2 The site is within Flood Zone 1 (low probability of flooding) and is not within a critical drainage area. However, notwithstanding that, the scheme would include details of a Sustainable Urban Drainage System and demonstrate a sustainable approach to the management of surface water on site.

7.12.3 The Council's Flood Risk Officer and the Environment Agency have raised no objection and the proposal is considered to be acceptable in terms of surface water runoff and flooding considerations.

7.13 S.106 requirements/planning obligations

7.13.1 The affordable housing requirements are referred to above and will need to be controlled by way of a legal agreement. In addition, it will be necessary for the development to be parking permit free and to provide five years free car club membership, by way of legal agreement, as with the previous permission, 16/P1208. Also, the additional requirements identified under 16/P1208 (bus stop improvements, dedication of land as highway to the Kingston Road frontage, provision of loading bays and potentially carbon off-setting), are also required in relation to the current scheme.

7.13.2 The proposed development would be subject to the Community Infrastructure Levy (CIL). This would require a contribution of £220 per additional square metre of floor space to be paid to Merton Council and an additional £60 per additional square meter to be paid to the Mayor. Further information on this can be found at:

<http://www.merton.gov.uk/environment/planning/cil.htm>

8. Conclusion

8.1 The principle of a major mixed use re-development of the site is established by the previous grant of planning permission. Redevelopment of the neighbouring site has also been endorsed with permission being granted subsequent to the consideration of the 2016 application at the current pre-app site.

8.2 The limited loss of employment space is considered to be suitably justified against the requirements of Policy DM E3.

8.3 The proposed Block D is considered to be acceptable, as set out above in this report.

8.4 The housing mix would not meet the indicative proportions of Policy DM H3, however, the justification put forward by the applicant is considered to be reasonable.

8.5 The applicant has provided detailed financial viability information to demonstrate that the scheme cannot reasonably provide any contribution towards affordable housing.

8.6 The concept of a large shared bicycle store has been justified by the applicant and would result in a benefit to users, over and above the previous scheme.

8.7 Refuse management would be required on an on-going basis on the site, which would be controlled by way of condition.

8.8 Officers consider that the proposal is acceptable in planning terms. Members should consider the key differences between this scheme and the previously approved 16/P1028 and conclude whether the changes are acceptable in reaching their conclusion as to whether planning permission should be granted.

9. RECOMMENDATION

Grant planning permission subject to s106 agreement securing the following:

- Restrict parking permits.
- Car club membership for all eligible adults for five years.
- Bus shelter opposite the site is upgrade contribution of £8,554.94.
- Dedication of land as highway to the Kingston Road frontage.
- Provision of loading bays.
- and cost to Council of all work in drafting S106 and monitoring the obligations.

And the following conditions:

1. Time limit
2. Approved Plans
3. B1 External Materials to be Approved
4. B4 Details of surface treatment
5. B6 Levels
6. C03 Obscured Glazing (Fixed Windows)
7. C07 Refuse & Recycling (Implementation)
8. C06 Waste Management Plan (Details to be Submitted)
9. C08 No Use of Flat Roof
10. C10 Balcony or External Staircase (Screening details to be provided)
11. D09 No External Lighting
12. F01 Landscaping/Planting Scheme
13. F02 Landscaping (Implementation)
14. F13 Landscape Management Plan (including swift bricks , number to be agreed)
15. H06 Cycle Parking and workshop facility - Details to be Submitted
16. H01 New Vehicle Access - Details to be submitted
17. H02 Vehicle Access to be provided
18. H04 Provision of Vehicle Parking (including disabled parking and electric vehicle charging)
19. H05 Visibility Splays
20. H08 Travel Plan
21. H10 Construction Vehicles, Washdown Facilities etc (major sites)
22. H13 Construction Logistics Plan to be Submitted (major development)
23. H14 Doors/Gates
24. H11 Parking Management Strategy
25. L2 Code for Sustainable Homes - Pre-Commencement (New build residential)
26. L6 BREEAM - Pre-Commencement (New build non-residential)
27. A Non Standard Condition: The recommendations to protect noise intrusion into the residential dwellings and plant noise criteria as specified in the Sandy Brown, Noise Impact Assessment Report 18404-R01-B, Scheme A, dated 27 March 2019 shall be implemented as a minimum standard for the development. A post construction noise survey shall be conducted within 3 months of occupation and any necessary remedial measures implemented should the submitted criteria fail to be achieved. The remedial measures shall be first agreed in writing by the LPA.

28. A Non Standard Condition: Noise levels, (expressed as the equivalent continuous sound level) LAeq (10 minutes), from any fixed external new plant/machinery shall not exceed LA90-10dB at the boundary with any residential property or noise sensitive premises.
29. A Non Standard Condition: All Non-road Mobile Machinery (NRMM) used during the course of the development that is within the scope of the Greater London Authority 'Control of Dust and Emissions during Construction and Demolition' Supplementary Planning Guidance (SPG) dated July 2014, or any subsequent amendment or guidance, shall comply with the emission requirements therein.
30. A Non Standard Condition: No development approved by this permission shall be commenced until a detailed scheme for the provision of surface and foul water drainage has been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. The drainage scheme will dispose of surface water by means of a sustainable drainage system (SuDS) via infiltration or at the agreed runoff rate (no more than 4.02l/s), in accordance with drainage hierarchy contained within the London Plan Policy (5.12, 5.13 and SPG) and the advice contained within the National SuDS Standards.
31. A Non Standard Condition: The development hereby permitted shall incorporate security measures to minimise the risk of crime and to meet the specific security needs of the development in accordance with the principles and objectives of Secured by Design. Details of these measures shall be submitted to and approved in writing by the local planning authority prior to commencement of the development and shall be implemented in accordance with the approved details prior to occupation.
32. A Non Standard Condition: Prior to occupation a Secured by Design final certificate shall be submitted to and approved by the Local Planning Authority.
33. A Non Standard Condition: No properties shall be occupied until written confirmation has been provided that either:- all water network upgrades required to accommodate the additional flows from the development have been completed; or - a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.
34. A Non Standard Condition: No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme- for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement
35. A Non Standard Condition: Thames Water do NOT permit the building over or construction within 5m, of strategic water mains and have contacted the developer in an attempt to agree how the, asset will be diverted / development will be aligned. We have been unable to agree a position in the time available and as such Thames Water request that the following condition be added to any planning permission. No construction shall take place within 5m of the water main. Information detailing how the developer intends to divert the

asset/align the development, so as to prevent the potential for damage to subsurface potable water infrastructure, must be submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any construction must be undertaken in accordance with the terms of the approved information. Unrestricted access at be available at all times for the maintenance and repair of the asset during and after the construction works.

36. A Non Standard Condition: If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved, verified and reported to the satisfaction of the Local Planning Authority.
37. A Non Standard Condition: No drainage systems for the infiltration of surface water drainage into the ground are permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to Controlled Waters. The development shall be carried out in accordance with the approval details.
38. A Non Standard Condition: Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.
39. A Non Standard Condition: The development hereby approved shall not be commenced until a scheme for the provision and management of external amenity space, to include details of children's play equipment, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the agreed facilities and management plan are implemented in accordance with the approved details.
40. A Non Standard Condition: No development above ground level other than demolition shall take place until drawings to a scale of not less than 1:20 and samples and/or manufacturer's specifications of the design and construction details listed below have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out solely in accordance with the approved details.
 - i) metal, glass and wood work including to private amenity spaces and balconies;
 - ii) all external window and door systems (including technical details, elevations, plans and cross sections showing cills and reveal depths);
 - iii) copings and soffits and junctions of external materials;
 - iv) rain water goods (including locations, fixings, material and colour).
41. A Non Standard Condition: The development shall be constructed in accordance with a business signage/ external advertising design code which shall inform the location and size of those areas

- designated for signage, such a design code having first been submitted to and agreed in writing by the local planning authority.
42. J2 Wheelchair Accessible Homes
 43. A Non Standard Condition: The development shall be implemented in accordance with the recommendations of the applicant's Ecological Appraisal, submitted under application ref.16/P1208.
 44. D11 Construction Times
 45. A Non Standard Condition: Unless otherwise agreed in writing by the Local Planning Authority, no part of the development hereby approved shall be used or occupied until evidence has been submitted to the council confirming that the developer has provided appropriate data and information pertaining to the sites Combined Heat and Power (CHP) system to the Greater London Authority (GLA, environment@london.gov.uk) to allow the site to be uploaded to the London Heat Map (<https://www.london.gov.uk/what-we-do/environment/energy/londonheat-map>).'
 46. A Non Standard Condition: Prior to occupation, the detailed design, specification and planting scheme for any green roof forming part of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The design and planting shall be carried out as approved prior to occupation of the relevant part of the development, retained and maintained in perpetuity thereafter.
 47. A Non Standard Condition: [Local employment strategy] Prior to the commencement of development [including demolition] a local employment strategy shall have been submitted to and approved in writing by the Local Planning Authority setting out the measures taken to ensure that the development provides employment opportunities for residents and businesses in Merton during the construction phase.

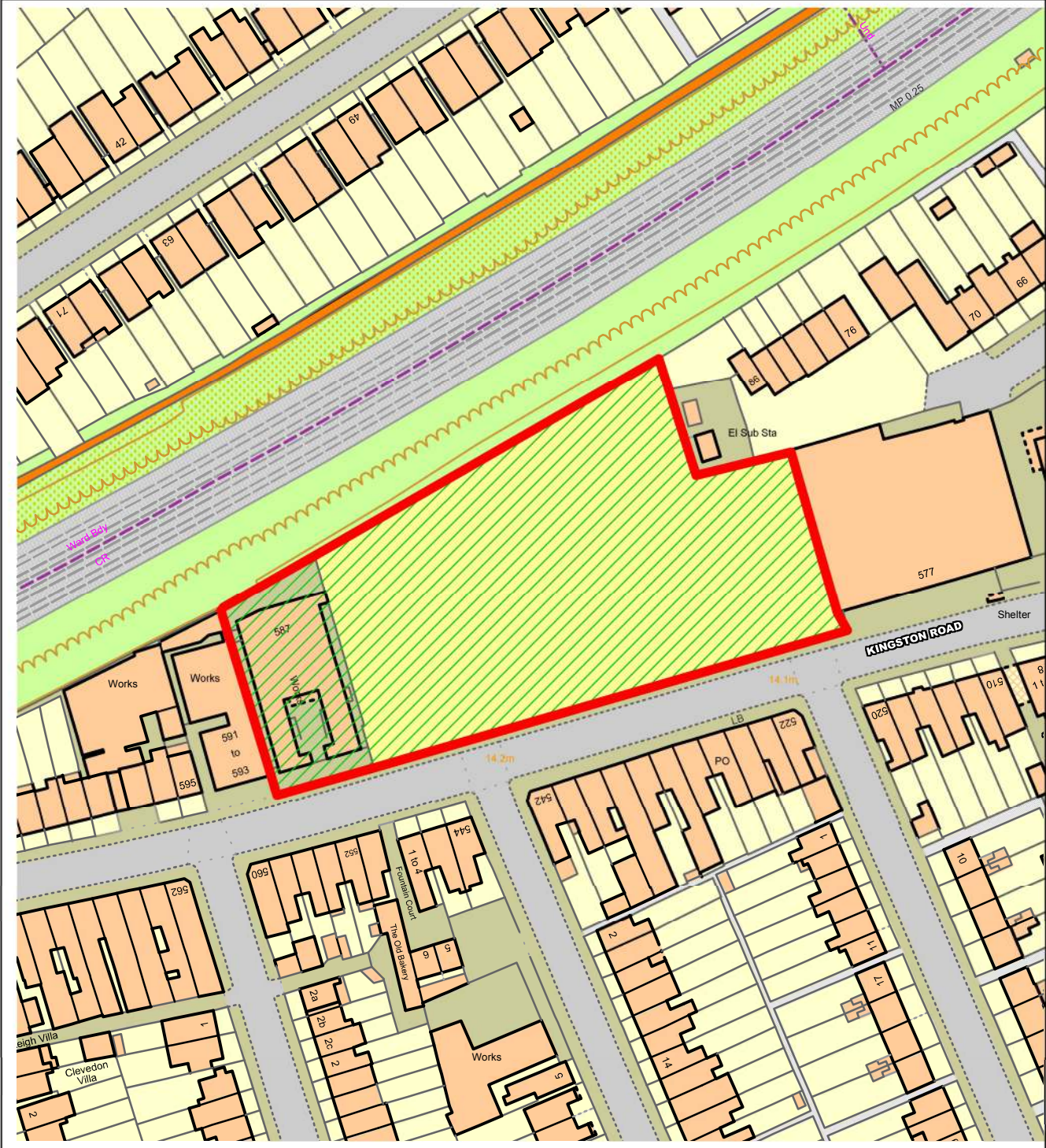
Informatives:

1. Please note that the Highways section must be contacted prior to any form of construction works being undertaken so that all Highway licences are in place, this includes any temporary works and temporary crossings
2. No surface water runoff should discharge onto the public highway including the public footway or highway. When it is proposed to connect to a public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required (contact no. 0845 850 2777).
3. No waste material, including concrete, mortar, grout, plaster, fats, oils and chemicals shall be washed down on the highway or disposed of into the highway drainage system.

[Click Here](#) for full plans and documents related to this application

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NORTHGATE SE GIS Print Template



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PLANNING APPLICATIONS COMMITTEE 13th February 2020

APPLICATION NO.
19/P1675

DATE VALID
14/05/2019

Address/Site 579-589 Kingston Road, Raynes Park, SW20 8SD

Ward Dundonald

Proposal: SCHEME B - DEMOLITION OF EXISTING BUILDINGS AND REDEVELOPMENT OF SITE TO PROVIDE OFFICE SPACE AND RESIDENTIAL UNITS IN BUILDINGS OF TWO TO SEVEN STOREYS, COMPRISING 124 SELF-CONTAINED FLATS, CAR AND CYCLE PARKING, VEHICLE ACCESS, LANDSCAPING, PLANT AND ASSOCIATED WORKS.

Drawing Nos: E0-001, P2-101 P1, P2-102 P1, P2-103 P1, P2-104 P1, P2-105 P1, P2-106 P1, P2-107 P1, P1-201 P2, P1-202 P1, P1-203 P1, P1-204 P1, P1-205 P1, P1-206 P1, P1-207 P1 and P1-208 P1.

Contact Officer: Tim Lipscomb (0208 545 3496)

RECOMMENDATION

Grant Permission subject to conditions and s.106 legal agreement.

CHECKLIST INFORMATION

- Heads of Agreement: Yes, restrict parking permits, car club membership for five years, bus shelter opposite the site is upgrade contribution of £8,554.94, dedication of land as highway to the Kingston Road frontage, provision of loading bays and cost to Council of all work in drafting S106 and monitoring the obligations.
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Statement been submitted: No
- Press notice: Yes (major application)
- Site notice: Yes (major application)
- Design Review Panel consulted: No
- Number of neighbours consulted: 170
- External consultations: Yes
- Conservation area: No
- Listed building: No
- Tree protection orders: No
- Controlled Parking Zone: Yes (RPS)
- Green corridor – Yes (bordering the site to the north)
- Site of importance for nature conservation (SINC) – Yes (bordering the site to the north)

1. **INTRODUCTION**

- 1.1 This application is being brought to the Planning Applications Committee for determination due to the nature and scale of the development.

2. **SITE AND SURROUNDINGS**

- 2.1 The development site comprises land lying to the north of Kingston Road, between the junctions with Adna Road and Dupont Road. The main railway line from London Waterloo station forms the boundary to the northern edge of the site. Most of the land is cleared but was previously occupied by the Manoplastics factory at 579 – 583 Kingston Road. Number 587 currently includes a vacant Victorian commercial building which is proposed for demolition as part of the redevelopment.
- 2.2 The development site is located on the northern side of Kingston Road. The site has approximately 126m of frontage along Kingston Road and is between 40 and 65 metres in depth. The rear of the site sits parallel with a green corridor and site of importance for nature conservation beyond which is the existing railway embankment to the north of the site. To the west of the site are buildings in commercial use. To the east of the site is a building (577 Kingston Road) in use as a place of worship where the Council has recently endorsed a proposal for redevelopment to provide a new church with flats above in a building with accommodation rising to 5 floors fronting Kingston Road reducing to 3 at the rear.
- 2.3 The site is regular in shape and has an area of approximately 6,000 sq.m. The site was once occupied by the Manoplastics Factory (Use Class B2) which was demolished in 2011 and the adjacent site (No.587 Kingston Road) which was last occupied by a collection of two storey in buildings in light industrial use (Use Class B1c). The existing site has vehicle access from two vehicle crossovers on Kingston Road.
- 2.4 The area to the north of Kingston Road, including the application site, is largely characterised by industrial and commercial development of two and three storeys. To the south of the application site are two storey terraced properties comprising commercial (including shops/cafes/offices) uses on the ground floor with flats above with two storey terraced houses defining the side roads known locally as ‘the Apostles’.
- 2.5 The closest bus stops are located on Kingston Road, within 100 metres of the eastern boundary of the site. These stops are served by services 152, 163 and K5. Additional bus services are available from bus stops adjacent to Raynes Park station and on Coombe Lane. In terms of railway accessibility, Raynes Park station is located approximately 500m to the west. Given this the site has a public transport accessibility level (PTAL) of 5, when measured from the centre of the site, which is defined as a very good level of access to local public transport infrastructure.
- 2.6 The site is not located within or adjacent to a Conservation Area. The site lies in Flood Zone 1 as defined by the Environment Agency. To the north of the site the railway land is designated in the Council’s Sites and Policies plan as a Green Corridor and Site of Importance for Nature Conservation.
- 2.7 The site has a Public Transport Accessibility Level (PTAL) of part 4, part 5.
- 2.8 The site is within a controlled parking zone (CPZ RPS).

3. PROPOSAL

- 3.1 The proposals are for the redevelopment of the site, to include the erection of 124 residential units and provision of employment space, configured as 10 units of office space (Use Class B1) (1,040sqm) arranged around two L-shaped blocks – Blocks A & D fronting Kingston Road and 577 Kingston Road to the east and Blocks B & C running parallel to the railway line with frontage on Kingston Road – and arranged around a central landscaped courtyard. The buildings would range in height from two to seven storeys.
- 3.2 Access to the site would be from Kingston Road, with vehicular access via the main vehicular entrance. Pedestrian and cyclist access would be either through this main entrance or via the residential reception, which has a frontage onto Kingston Road.
- 3.3 The proposed buildings would be configured around a central landscaped area, which provides for residential external amenity space.
- 3.4 The buildings to the Kingston Road frontage would be 4 storeys in height, with projecting window projections, reminiscent of an industrial saw-tooth roof. The building behind (Block C) would be a maximum of 7 storeys in height, with a flat roof.
- 3.5 Construction materials would be buff brickwork, grey zinc cladding and window frames.
- 3.6 Car parking on site would be located at ground level in undercrofts below Block C. The scheme proposes 33 car parking spaces. 11 of these spaces would be for disabled users and 7 of these spaces would be for electric vehicle parking.
- 3.7 214 cycle parking spaces are proposed for the residential element of the proposals, in two large stores of 158 and 56 cycles. Visitor cycle parking would be located within the landscaped courtyard (8 spaces). Commercial cycle parking would be located in a small, separate cycle store (16 spaces), with six cycle hoops proposed on the pavement to the frontage of the site (space for 12 cycles).
- 3.8 There would be nine satellite bin stores located around the site, at the entrance to each residential core and serving the proposed commercial units. In addition, a large communal bin store would be located adjacent to Kingston Road (towards the south-western corner of the site). The bins from the smaller satellite bin stores would be taken to the larger bin store for collection.
- 3.9 The submitted plans indicate employment space totalling 915sqm, however, it is noted that there are ancillary areas, such as bin stores, stair wells etc that may also reasonably be considered to be part of the employment space.
- 3.10 The current application enquiry effectively seeks to alter the planning permission granted under reference 16/P1208, which permitted 99 units in buildings up to 6 storeys in height.
- 3.11 The altered elements are as follows:

- **Erection of Block D** - a four storey block to the rear of Block A and adjoining the eastern site boundary. This residential block would accommodate 11 residential units (1 studio, 6 x 1 bed 2 person and 4 x 2 bedroom 3 person).
- Changes to the landscaping in the central courtyard. The proposed new block (Block D) would stand on land that was previously intended to be reserved for children's play-space. Instead the central courtyard would be reconfigured to have less geometric shaped grassed area and to incorporate more organically shaped soft landscaped areas, incorporating tree planting, benches and decking.
- Informal planting to the frontage of Block D is intended to provide some privacy for the ground floor units.
- The approved scheme, 16/P1208, provided 745sqm of dedicated children's play space, within a total of 911sqm of communal external amenity space, whereas the current scheme would provide 263sqm of dedicated child play-space and 595sqm of other soft landscaped communal areas (a total of 858sqm of amenity space).
- **Provision of an additional floor to Block C** (to take the same form and layout as the 5th floor permitted under 16/P1208). This addition would accommodate an additional 6 units over and above the permitted scheme. The additional units would be 2 x 1b/2p and 4 x 2b/4p.
- The previously approved Block C had outriggers, accommodating the stair cores to the northern elevation. The current scheme seeks to push the cores back into line with this elevation, so that there would not be projecting stair cores.
- The layout of Block A would be altered slightly as it would no longer have the rear outlook that it benefitted from in the previous planning permission. Therefore, three of the 2b/4p units permitted under 16/P1208, which had a rear outlook, would become studio units.
- One wheelchair accessible unit on the third floor in Block B would be altered to become a 1b/2p unit as opposed to the approved 2b/3p unit (the dimensions of the unit would not be altered).
- **The arrangements for cycle parking** have been altered with the creation of two large cycle stores to the western part of the site (to stand in the position of what would have been outdoor amenity space for the approved office accommodation). These proposed cycle stores would accommodate 158 and 56 parked bicycles. The smaller cycle stores shown in 16/P1208 were spaced around the site, near to the entrance of each block (providing approximately 8-16 cycle parking spaces per cycle store).
- The current scheme proposes refuse/recycling collection to be carried out from Kingston Road via two lay-bys (one of which has been enlarged throughout the course of the application following concerns raised by the Council's Transport Officer), as opposed to a refuse vehicle entering the site, as was proposed in the previous approval.
- The current scheme shows a large refuse/recycling storage area to the western part of the site, with an access direct onto Kingston Road. This area was employment accommodation under 16/P1208.
- The previous scheme proposed 34 car parking spaces, the current scheme proposes 33.
- The housing mix proposed would alter as a result of the current proposal, with a reduction in three bed units, from six, in the approved scheme to none (i.e. no three bed units are now proposed).

3.12 Brief summary of changes:

- Creation on of new Block D between Block A and C adjacent to the Dundonald Church.
- Relocation on of resident entrance, amalgamation on of refuse storage and cycle parking, changes to landscaping.
- Changes to internal layouts, including removal of 3-bed units, resulting in increase in unit numbers and change to unit mix.

3.13 The proposed Block D has partly come about as the planning permission granted for the redevelopment of Dundonald Church includes a substantial flank wall that would abut the eastern end of the application site. The applicant is of the view that an additional element of built form could be accommodated adjacent to this flank wall.

3.14 The application is accompanied by the following supporting documents:

- Affordable Housing Statement
- BREEAM Pre-Assessment Report
- Construction Management Plan
- Daylight and Sunlight Report
- Design and Access Statement
- Drainage Strategy Report
- Ecological Baseline
- Energy Statement and Overheating Risk Assessment
- Flood Risk and Drainage Strategy
- Ground Investigation Report
- Management Regime
- Noise and Vibration Report
- Planning Statement
- Planning Structural Report
- Railside Protection Report
- Statement of Community Involvement
- Transport Note

4. PLANNING HISTORY

4.1 Relevant planning history is summarised as follows:

09/P0794 - DEMOLITION OF EXISTING BUILDINGS AND REDEVELOPMENT OF SITE TO PROVIDE NEW SELF STORAGE (CLASS B8) , LIGHT INDUSTRIAL AND OFFICE (CLASS B1) ACCOMMODATION IN A BUILDING OF UP TO 5 STOREYS IN HEIGHT INCLUDING PARKING, ACCESS SERVICING ENGINEERING, LANDSCAPING AND OTHER ASSOCIATED WORKS. Refuse Permission 09-12-2009, Appeal Dismissed 13-04-2010.

10/P1963 - DEMOLITION OF EXISTING BUILDINGS AND REDEVELOPMENT OF SITE TO PROVIDE NEW SELF STORAGE (CLASS B8) , LIGHT INDUSTRIAL AND OFFICE (CLASS B1) ACCOMMODATION IN A BUILDING OF UP TO 5 STOREYS INCLUDING PARKING, ACCESS, SERVICING, ENGINEERING, LANDSCAPING AND OTHER ASSOCIATED WORKS. Grant Permission Subject to Section 106 Obligation or any other enabling agreement. 24-02-2011.

14/P4537 - DEMOLITION OF THE EXISTING TWO STOREY BUILDINGS [537 SQUARE METRES OF BUSINESS USE CLASS B1 FLOOR SPACE] AND THE CONSTRUCTION OF A PART THREE, PART FOUR, PART FIVE STOREY REPLACEMENT BUILDING PROVIDING 193 SQUARE METRES OF FLOOR SPACE AT GROUND FLOOR LEVEL TO BE USED FOR ANY OF THE FOLLOWING RETAIL, FINANCIAL AND PROFESSIONAL SERVICES, RESTAURANT OR CAFÉ, BUSINESS OR NON-RESIDENTIAL INSTITUTION USE [USE CLASSES A1, A2, B1 OR D1] AND 20 FLATS [3 ONE BEDROOM, 15 TWO BEDROOM AND 2 THREE BEDROOM FLATS] AT THE REAR OF THE GROUND FLOOR AND ON THE UPPER FLOORS WITH 22 CYCLE PARKING SPACES, ASSOCIATED LANDSCAPING AND HIGHWAYS WORKS TO PROVIDE A NEW LAYBY IN KINGSTON ROAD FOR SERVICING AND TWO DISABLED PARKING BAYS. Grant Permission Subject to Section 106 Obligation or any other enabling agreement. 29-04-2015.

16/P1208 - DEMOLITION OF EXISTING BUILDINGS AND REDEVELOPMENT OF SITE TO PROVIDE OFFICES (1201 SQ.M - CLASS B1) AND RESIDENTIAL (99 UNITS - CLASS C3) ACCOMMODATION IN BUILDINGS OF TWO - SIX STOREYS, PROVISION OF CAR PARKING (24 CARS, 12 DISABLED SPACES), CYCLE PARKING (224 SPACES), VEHICLE ACCESS, LANDSCAPING, PLANT AND ASSOCIATED WORKS. Grant Permission Subject to Section 106 Obligation or any other enabling agreement. 10-10-2018.

17/P2529 - DEMOLITION OF EXISTING BUILDINGS AND REDEVELOPMENT OF SITE TO PROVIDE OFFICES (1201 SQ.M - CLASS B1) AND RESIDENTIAL (110 UNITS - CLASS C3) ACCOMMODATION IN BUILDINGS OF TWO - SEVEN STOREYS, PROVISION OF CAR PARKING (21 CARS, 12 DISABLED SPACES), CYCLE PARKING (218 SPACES), VEHICLE ACCESS, LANDSCAPING, PLANT AND ASSOCIATED WORKS. Appeal against non-determination withdrawn 11-10-2018

In addition to these applications there have been a number of planning applications to discharge the conditions of the various permissions granted for the redevelopment of the site.

577 Kingston Road (Dundonald Church adjacent to the site):

17/P0763 - DEMOLITION OF EXISTING CHURCH BUILDING (NO.577 KINGSTON ROAD - USE CLASS D1) AND ERECTION OF A PART 5 STOREY BUILDING (TO KINGSTON ROAD) AND PART 3 STOREY BUILDING (TO ABBOTT AVENUE) TO PROVIDE REPLACEMENT CHURCH BUILDING (USE CLASS D1) AT GROUND, FIRST AND PART SECOND FLOOR AND 15 RESIDENTIAL UNITS (USE CLASS C3) AT SECOND, THIRD AND FOURTH FLOOR; RETENTION OF CAR PARKING; PROVISION OF CYCLE PARKING AND LANDSCAPING TO KINGSTON ROAD FRONTAGE; TOGETHER WITH PROVISION OF WASTE STORAGE AT GROUND FLOOR LEVEL. Grant Permission Subject to Section 106 Obligation or any other enabling agreement. 29-11-2018.

591-595 Kingston Road (adjacent to the site):

19/P0822 - ERECTION OF TWO FOUR STOREY BUILDINGS AND BASEMENT CONTAINING 1 X ONE BEDROOM, 3 X TWO BEDROOM, 3 X THREE BEDROOM SELF-CONTAINED FLATS, A YOGA STUDIO AND 2 X OFFICES. Pending.

5. CONSULTATION

5.1 Press Notice, Standard 21-day site notice procedure and individual letters to neighbouring occupiers. Representations have been received from 4 individuals, raising objection on the following grounds:

- 6 or 7 stories is too high and should be 3 or 4 storeys, given the location and surroundings.
- Residents on Stanton Road will experience a loss of light.
- Sound reflection of trains to Stanton Road properties.
- Dominate outlook from rear gardens of Stanton Road.
- Local infrastructure is inadequate.

5.2 Councillor Anthony Fairclough:

“I wish to raise some concerns that I feel need to be addressed before any approval is given to either of the above-mentioned applications for this site.

I am writing in my capacity as councillor for Dundonald ward, and I may wish to speak at any PAC that consider these applications.

Affordable Housing

Merton Council’s figures show that it is failing to meet its own target of 40% affordable housing new developments. Approving either Scheme A (118 units) or Scheme B (124 units) without any affordable housing element is clearly incompatible with Merton’s clear aim to meet this target. When I met with the developer in March, they were keen to assure me that although their viability assessment suggested that no affordable element could be sustained on the site, the nature of the business operated by the owner (properties for rent) made this less of an issue, and that they would not be seeking to reduce the number of affordable units from that accepted as part of the planning permission previously granted for the 99 flat scheme. At the very least, Merton and the Planning Applications Committee should hold them to this – if not, to increase the percentage of affordable units within a larger development.

CIL/S 106 obligations

I would like to see some of the Community Infrastructure Levy or s 106 monies from this site used to improve some pressing issues in the local area:

- The junction of Burstow Rd/Kingston Rd/Lower Downs Rd is inefficiently designed and extremely unsafe for drivers, cyclists and pedestrians – and we have raised this before. Some of the funds from the development could be used to improve this junction.
- There’s an opportunity for planting along the rest of Kingston Rd, as well as for the provision of an improved cycle lane from Raynes Park Station to Lower Downs Road. This could be an opportunity to look at alternatives to the current less-than-ideal shared ‘cycle lane containing parking bays’ along this part of Kingston Road, which raises safety issues.

I hope officers will consider these ideas in due course.”

5.3 Internal consultees:

5.4 LBM Environmental Health Officer:

- 1) Due to the potential impact of the surrounding locality on the development the recommendations to protect noise intrusion into the residential dwellings and plant noise criteria as specified in the Sandy Brown, Noise Impact Assessment Report 18404-R01-B, Scheme A, dated 27 March 2019 shall be implemented as a minimum standard for the development. A post construction noise survey shall be conducted and remedial measures implemented should be submitted criteria fail to be achieved, first being agreed by the LPA.
- 2) Noise levels, (expressed as the equivalent continuous sound level) LAeq (10 minutes), from any fixed external new plant/machinery shall not exceed LA90-10dB at the boundary with any residential property or noise sensitive premises.
- 3) Subject to the site investigation for contaminated land, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
- 4) Any approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, unless otherwise agreed in writing by the Local Planning Authority.
- 5) Following the completion of any measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.
- 6) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority.
- 7) Any external lighting shall be positioned and angled to prevent any light spillage or glare beyond the site boundary.
- 8) The McLaren construction management plan shall be implemented throughout the duration of the development.
- 9) All Non-road Mobile Machinery (NRMM) used during the course of the development that is within the scope of the Greater London Authority 'Control of Dust and Emissions during Construction and Demolition' Supplementary Planning Guidance (SPG) dated July 2014, or any

subsequent amendment or guidance, shall comply with the emission requirements therein.

Reason: To protect the amenities of future occupiers and those in the local vicinity.

5.5 LBM Highway Officer:

Highways comments on 19/P1675 and 19/P1676

H1, H2, H4, H5, H10, H13, INF8, INF9 and INF12

Please note that the Highways section must be contacted prior to any form of construction works being undertaken so that all Highway licences are in place, this includes any temporary works and temporary crossings

The Logistics plan must follow the TfL Construction Logistics Plan Guidance with full details of the logistics required for this site

5.6 LBM Transport Officer:

The site which comprises of the former Manoplastics factory (579-583 Kingston Road) and 587 Kingston Road is located along the north side of Kingston Road (A238) midway between the southward junctions of Edna Road and Dupont Road.

The current application seeks planning permission for an alternative development of the site to provide 124 residential apartments and 930 square metres (gross) of flexible office space, also in conjunction with amenity space, car parking, cycle storage, plant and refuse storage.

CPZ

The site is located within a controlled parking zone, which operates from Monday to Friday between the hours of 08:30am and 6:30pm.

Vehicular Access

The vehicular access for residents is via the gated entrance located on Kingston Road.

The site is in an area with a PTAL 4, which is good and is also well located to local services.

Residential Car Parking

The residential car parking is located within an undercroft area of the taller block at the rear of the site. It provides 33 car parking spaces of which 10 are disabled parking bays.

Disabled bays

The London Plan standards At least 20% of spaces should have active charging facilities, with passive provision for all remaining spaces.

Car Parking

The current proposal provides 33 car parking spaces including 11 for blue badge holders and 7 with electric charging facilities.

The disabled persons parking bays must not be allocated to specific dwellings, unless provided within the curtilage of the dwelling.

The proposed number of car parking spaces including disabled spaces and electric charging points are acceptable subject to the applicant enters into a Unilateral Undertaking which would restrict future occupiers of the units from obtaining an on-street residential parking permit to park in the surrounding controlled parking zones to be secured by via S106 legal agreement and to ensure that three years free car club membership is available to every eligible occupier.

Cycle Parking

Cycle parking should be installed on site in accordance with London Plan standards on cycle parking for new residential developments

Residential Cycle Parking

The London Plan and London Housing SPG Standard 20 (Policy 6.9) states all developments should provide dedicated storage space for cycles at the following level:

- 1 per studio and one bed dwellings
- 2 per all other dwellings and
- 1 short term visitor space per 40 residential units.

In order to meet the standards, set out in the London Plan, the proposal should provide 230 long term cycle parking spaces and 3 visitor cycle parking space.

The proposal provides 234 cycle parking spaces in three separate storage areas sited to the entrance to the site.

2 visitor cycle spaces are shown within the residential amenity space. This should be increased to 3 spaces to satisfy the 'London Plan Standards.

Trip Generation

The Transport Assessment suggests the proposed increase in residential units at the site is estimated to result in an additional 14 trips to and from the site during the weekday morning peak hour period and 8 during the evening peak.

The additional traffic generated by the proposed development is unlikely to have an adverse impact on the highway network and no objection is raised on this basis.

Servicing and Deliveries

Residential Servicing

It is proposed that residential servicing and delivery activity to take place on street.

The Transport Assessment estimates that the residential element of the proposed development could receive in the some 13 deliveries per day, bringing the total for the site to 20 deliveries per day.

It also assumes that each delivery takes in the order of 10 minutes and deliveries take place over a 12 hour period, each loading bay could accommodate up to 72 deliveries per day, 144 in total.

The Transport will not agree for the arrangement of servicing and delivery activity to take place on street.

The applicant is required to show how the service and delivery vehicles would manoeuvre within the courtyard by the aid of swept path analysis.

B1 use servicing

Two loading bays are shown on Kingston Road for servicing the commercial element and for refuse vehicles.

The two loading bays are considered inadequate to accommodate the visitor/service parking for the employment units.

Therefore, the layby shown to the east of the development should be extended to the west for a distance of 33.0 (total length 46.0m). The extended layby would allow the refuse vehicles and other service/visitor vehicles to park and service the units without obstructing the free flow of traffic on the classified Kingston Road (A238).

The layout would entail the reconfiguration of the pavement and carriageway in front of the site in order to provide for a safe and continuous footpath and for loading/unloading. This would require the dedication of land as highway and for the applicant to cover the Council's costs of such works and any necessary road traffic orders.

The applicant is amenable to this being covered under the terms of the S106 agreement.

All doors providing access to the scheme should not be open onto the adopted highway.

Informative:

Transport for London advises relating to the delivery of Crossrail 2.

Requirement that bus shelter opposite the site is upgraded via s106 contribution of £8,554.94.

Travel Plan:

The implementation of a Travel Plan is welcome to encourage and facilitate the use of sustainable modes of transport and low levels of car ownership through the implementation of measures including car club membership.

Refuse:

Waste collection points should be located within 30 metres of residential units and within 20 metres of collection vehicles.

The applicant should show in detail how the refuse will be collected including the number of bins/recycling allocated to commercial and residential units.

Recommendation: Subject to above issues being resolved I would have no objection in principle to this form of development at this location.

5.7 LBM Flood Risk Engineer:

I have reviewed this application including the drainage strategy produced by Whitby Wood dated April 2019. This strategy is read in conjunction with the AECOM FRA dated 15/03/16 and supersedes the drainage strategy contained within appendix E of that report.

In terms of drainage, the scheme is compliant with planning policy namely the London Plan 5.13 and Merton's policy DMF2.

There is a significant reduction in surface water runoff from the site which currently is unrestricted. The scheme proposes to limit maximum discharge to no more than 4.02l/s and the drainage network is designed to accommodate the 1 in 100 year storm plus 40% climate change allowance, with no above ground flooding. 350m³ of attenuation is provided in attenuation tanks. A linear swale is proposed at the northern boundary of the site. It should be noted that there has been a number of flood incidents associated with the pumping station and surcharging of the man-holes on Abbott Avenue, therefore, we welcome the fact that the scheme does not propose to discharge into the northern boundary combined network.

We would strongly recommend that the scheme further considers implementation of other above ground SuDS measures, including permeable paving and bioretention planters, raingardens etc, to reduce the need for flows to be accommodated in the below ground network. This should be picked up on the final design i.e. discharge of condition stage.

If you are minded to approve, please include the following conditions:

Condition: No development approved by this permission shall be commenced until a detailed scheme for the provision of surface and foul water drainage has been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. The drainage scheme will dispose of surface water by means of a sustainable drainage system (SuDS) via infiltration or at the agreed runoff rate (no more than 4.02l/s), in accordance with drainage hierarchy contained within the London Plan Policy (5.12, 5.13 and SPG) and the advice contained within the National SuDS Standards.

Reason: To reduce the risk of surface and foul water flooding to the proposed development and future users, and ensure surface water and foul flood risk does not increase offsite in accordance with Merton's policies CS16, DMF2 and the London Plan policy 5.13.

Informative:

No surface water runoff should discharge onto the public highway including the public footway or highway. When it is proposed to connect to a public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required (contact no. 0845 850 2777).

No waste material, including concrete, mortar, grout, plaster, fats, oils and chemicals shall be washed down on the highway or disposed of into the highway drainage system.

5.8 LBM Climate Change Officer:

The main issue is that the energy efficiency measures for the residential property barely meets the building regulation requirements, where we would expect a minimum of 10% improvement over and above the building regulations in order to comply with policy S12 in the New London Plan. It is my view that **the applicant must consider how to make significant improvements to the efficiency of the building in order for the application to be approved.**

Updated guidance

Please note that the Greater London Authority (GLA) have published updated guidance for energy statements (October 21018) from which my advice is based. Although this is a guide for planning applications that are referable to the Mayor of London, it is also relevant to other major schemes such as this where the zero carbon target applies.

BREEAM

The BREEAM pre-assessment rating of "excellent" is commendable. At post construction stage, the applicant would need a BREEAM post-construction

certificate demonstrating that the development has achieved a BREEAM rating of not less than the standards equivalent to 'Very Good'.

SAP calculations

The original energy statement (for planning application 16/P1208) shows a clear audit trail between each type of residential unit, the associated gross internal floor area, and the CO2 performance as calculated under SAP, along with a representative sample of SAP worksheets. My understanding is that the internal dimensions of residential units have changed, and a number of additional units have been proposed. To reflect the changes, the **energy statement would need to clearly set out what the sample of units is being used**, how the selected sample is representative of the overall domestic development, and how the SAP outputs for that sample have been used to calculate the CO2 emissions from the whole domestic development. **The applicant must supply the SAP outputs for all the units within the selected sample.**

Tables 2 and 4 show **inconsistencies which need to be clarified** between the way in which the greenhouse gas emission savings have been calculated. For the calculation of the domestic greenhouse gas emission savings (Table 4), greenhouse gas emissions should be cumulative between the be lean, be clean and be green sections. Below Table 4, the report states "...reported above, the total expected CO2 reduction is in the order of the 33%", but we have not been able to replicate this calculation based on the information available.

The applicant should note that from January 2019 and until central Government updates Part L of the Building Regulations with the latest carbon emission factors, and in line with GLA guidance, Merton is encouraging planning applicants to use the updated SAP 10 emission factors when estimating CO2 emission performance against London Plan policies. This will ensure that the assessment of new developments better reflects the actual carbon emissions associated with their expected operation given change electricity grid intensity. To do this, it is possible to use current building regulation methodology for estimating performance against part L 2013 requirements, with the outputs manually converted for the SAP 10 emission factors using the spreadsheet [here](#). **The output from the SAP 10 spreadsheet should be provided as part of the energy statement** and used to calculate the greenhouse gas performance and carbon offset payment.

Be lean

The energy statement provided suggests that the residential units have achieved less than 1% improvement of greenhouse gas performance against building regulations. London Plan emerging policy S12 *greenhouse gas emissions* states that major (i.e. 10 units and above) domestic developments must achieve at least a 10% improvement on building regulations from energy efficiency. **The applicant must consider how to make significant improvements to the efficiency of the building in order for the application to be approved.**

Be Clean

The intention to provide communal heating is consistent with the energy hierarchy, but I would like the applicant to further consider the option of a renewable communal heating source (see comment in the "be green" section below).

I am pleased to see that provision has been made to connect to a district heating network, should the opportunity arise in future.

Be Green

The original Energy Statement (for planning application 16/P1208) shows greenhouse gas savings associated with Solar PV. **The applicant should provide updated information if the location or number of solar panels has changed.** This should include drawings that show the amount of roof space with suitable orientation and lack of shading, quantification of the amount of roof area that could be used. They should also explain how the greenhouse gas savings from the solar PV are split between the commercial and residential SAP/ SBEM calculations.

I would like to request further information to support the statements made in relation to ground sourced heat pumps. The report claims that the capital cost of a GSHP can be high due to the extensive groundwork required. However, on sites where demolition and complete re-build are occurring, extensive ground works will already take place. In these circumstances the additional cost of installing a GSHP are likely to be minimised. If eligible, costs can be offset by applying for additional subsidy from the Renewable Heat Incentive Scheme. Can the application provide further cost information to show how a GSHP would compare with other options?

Overheating analysis

The applicant should provide output worksheets from the TM59 analysis for the commercial and residential units with the highest overheating risk. Where these have failed, the application should provide updated TM59 analysis to show that measures intended to reduce overheating risk adequately addresses the problem.

I would like the **applicant to clarify the statement** in the overheating section which appear to be contradictory. "Due to noise levels to the North and South façade, windows will not open during occupied hours", and "It is assumed that windows in bedrooms are open from 8am to 10pm". Plans show that bedrooms are situated with windows on the North and South façade so it may not be suitable to open them due to noise levels.

Water Usage

The applicant should provide information on how the domestic units of the development will limit water consumption to under 105 l/person/day, in line with Merton's sustainability planning policies and supporting guidance.

5.9 LBM Waste Services:

1. Waste Container Storage Area:

- a. In mixed use developments such as this, the policy requires that separate bin stores for residual and recycling containers must be provided for the domestic and commercial aspects of the development. Applicant needs to demonstrate the above
- b. Maximum distances for both residents and collection crew are satisfied.

2. Waste Bin Capacity for the residential units:

- a. Applicant should provide drawings supporting the recommended bin capacity below
- b. Can applicant provide in addition the dimensions to house the bins within the main refuse store which will be by Kingston road – Residents and collection crew should be able to access all bins on site. Access to all bins should be such that no bin should be moved around to access the other.

3. Bulky waste:

- a. It is recommended for an area to be provided for residents to place bulky waste items for collection.
- b. This area should be about 10² metres, or waste items to be collected from the bin store area if there is adequate room. This storage area must be within the property.

4. Access for Collection vehicle:

- a. Applicant/ developer has demonstrated vehicular accessibility for the proposed development

Waste Bin Capacity for the residential units:

For these blocks of 118 residential units, the following sets of bins are recommended:

- 12x 1100L euro bin for refuse
- 12x 1100L euro bin for co-mingled recycling
- 4 x 240L wheelie bin for food waste recycling

5.10 LBM Urban Design Officer:

Verbal comments only - Concern regarding a canyon effect along the railway line due to the increased height.

5.11 External consultees:

5.12 TfL:

The site is located on the A238 Kingston Road. The closest section of the Transport for London Road Network (TLRN) is located approximately 1.3 kilometers to the west of the site. The site benefits from a Public Transport Access Level (PTAL) of 5, on a scale of 0 to 6b, where 6b represents the greatest level of access to public transport services.

The application is for the redevelopment of the Access Self Storage site at 579-589 Kingston Road to provide a mixed use development comprising of 124 self contained flats (Use Class C3) in buildings ranging between 2 to 7 storeys, plus 1,021sqm of office floor space (Use Class B1).

Car Parking

The proposed number of parking spaces (33) is not compliant with draft London Plan Policy. Given the sites high PTAL and proximity to frequent bus services and Raynes Park Station, TfL would expect the proposals to be car free in accordance with draft London Plan Policy T6.1. The restriction on car parking, in accordance with the draft London Plan standards are critical to support the delivery of the Mayor's Transport Strategy (MTS) and the strategic target of 80% of all trips in London to be made by foot, cycle or public transport by the year 2041. As such, the development is also not compliant with draft London Plan Policy T1.

Crossrail 2

Whilst the site is not included within the limits of land subject to the 2015 Crossrail 2 Safeguarding Direction, the entirety of the site has been identified by the Crossrail2 project as a future worksite for Crossrail 2 associated with the proposed six tracking of the railway and the construction works at Raynes Park Station. The site was selected due to its

location adjacent to the existing railway, allowing the prospect of a sufficiently large enough work site with immediate access to the railway and the station. The site also benefits from being sited next to existing industrial uses, reducing the potential impact of site operations on neighboring residents.

Crossrail 2 is a regionally significant infrastructure project, and is essential to delivering the objectives of the Mayor's Transport Strategy. The scheme will unlock growth across London, supporting the provision of thousands of new jobs and homes. The delivery of Crossrail 2 is identified in Table 10.1 (Policy T3) of the draft London Plan and in Table 6.1 (Policy 6.1) of the adopted London Plan. Policy T3(C) of the draft London Plan states that *"development proposals that do not provide adequate protection for the schemes outlined in table 10.1 or which seek to remove vital transport functions or prevent necessary expansion of these, without suitable alternative provision being made....should be refused.* Where the London Plan policy makes reference to 'safeguarding', this should not be confused with the Secretary of State Safeguarding Directions, and should be applied based on the definition to protect. To ensure that schemes such as Crossrail 2 can come forward, it is essential that development proposals provide adequate protection and do not present unreasonable barriers to their implementation. In providing this protection, the Plan's policies also require particular priority to be given to a limited number of schemes that have been identified as strategically important to directly unlocking significant levels of housing and employment growth, including Crossrail 2.

The incremental implication of sites being required for the delivery of Crossrail 2 being further developed will result in significant challenges to the project. Not only is it increasingly difficult to find alternative suitable worksites, but an alternative is likely to add financial costs to the project. This could be a direct financial cost arising from the purchase of additional properties that would be required to deliver the railway, or additional measures to mitigate the impacts on existing residential development. There could also be costs to the project in terms of having to accept a sub-optimal scheme design and cost implications arising from delays to the project.

It is acknowledged that the site has an extant planning permission, which was granted in 2018 and could be implemented. An objection to this application was raised with regards to the site being required for the Crossrail 2 project, owing to the points outlined in the previous paragraphs. Even though the current application would not entirely prevent the delivery of Crossrail 2, if the current proposal were to be granted the likelihood is that it will further add to the cost and challenges for the construction and future delivery of Crossrail2. If this is repeated over multiple sites it will incrementally create barriers to the future delivery of the Crossrail 2 project.

Based on the above, TfL would support the Council with a decision to refuse planning permission.

5.13 *Additional response by TfL (in relation to land required for Crossrail 2):*

The land in question currently does not fall under the extent of the Crossrail 2 safeguarding directive. However as stated in TfL's previous comments, the term 'safeguarding' as stated in draft London Plan Policy T3 should not be confused with the Secretary of State Safeguarding Directions, and

should be applied based on the definition to protect the delivery of the schemes outlined in Table 10.1 (including Crossrail 2). Since the submission of application 16/P1098, the Crossrail 2 scheme has developed further, and TfL are now in a position to confirm that the land will be required for the worksite for the delivery of Crossrail 2. The cumulative impact of sites such as this one being further redeveloped will result in significant challenges and increased costs for the delivery of the project. As such the proposals are not compliant with the strategic transport policies of the draft London Plan, as they impact on the ability to deliver Crossrail 2 (one of the major schemes outlined in Table 10.1).

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 states that development plan policies are material to an application for planning permission the decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise. It should therefore be recognised that the proposals are not compliant with the strategic transport policies of the draft London Plan, including draft London Plan Policy T3. However, the weight given to these policies is ultimately up to the decision maker.

5.14 Metropolitan Police – Designing out Crime Officer:

I strongly recommend the architects contact the Designing out crime office – South West to discuss Secured by Design at an early stage in design process.

The communal entrances ST7, ST8 and ST9 appear to be hidden by refuse stores these areas should be designed to allow the chance of natural surveillance of the doors and so reduce crime and the fear of crime.

All of the communal entrances should incorporated an airlock access controlled entrance lobby to prevent the ease of tailgating by those with possible criminal intent.

A zoned, programmable encrypted fob controlled entry system should be installed to control the access throughout the site. This can assist with the management of the entire development and allow access to specific designated areas only.

As bicycles and their parts are extremely attractive to thieves robust security measures should be incorporated into the design of the storage areas. There should be no linking door between the cycle store and the bin store. The doors should be to LPS1175 or equivalent standards, the store should be within coverage of CCTV cameras and be appropriately lit at night. The locking system must be operable from the inner face by use of a thumb turn to ensure that residents are not accidentally locked in by another person. The cycle storage should incorporate stands or racks secured into concrete foundations, which should enable cyclists to use at least two locking points so that the wheels and crossbar are locked to the stand rather than just the crossbar.

Any landscaping should allow opportunity for natural surveillance by shrubs being selected to have a mature growth height no higher than 1 metre, and trees should have no foliage, or lower branches below 2 metres thereby allowing a 1 metre clear field of vision.

The lighting across the entire development should be to the required British Standards and meet the current council requirements, avoiding the various forms of light pollution (vertical and horizontal glare). It should be as sustainable as possible with good uniformity. Bollard lights and architectural up lighting are not considered as a good lighting source for SBD purposes.

Crime Prevention and community safety are material considerations. If London Borough of Merton are to consider granting consent, I would seek that the following conditions details below be attached. This is to mitigate the impact and deliver a safer development in line with Merton Core Strategy, London Plan, Section 17 Crime and Disorder Act 1988 and National Planning Policy Framework (NPPF)

Suggested condition wording:-

The development hereby permitted shall incorporate security measures to minimise the risk of crime and to meet the specific security needs of the development in accordance with the principles and objectives of Secured by Design. Details of these measures shall be submitted to and approved in writing by the local planning authority prior to commencement of the development and shall be implemented in accordance with the approved details prior to occupation.

Reason: In order to achieve the principles and objectives of Secured by Design to improve community safety and crime prevention in accordance with Policy 14 (22.17) of Merton Core Strategy: Design, and Strategic Objectives 2 (b) and 5 (f); and Policy 7.3 Designing out Crime of the London Plan.

Prior to occupation a Secured by Design final certificate shall be submitted to and approved by the Local Planning Authority.

Reason: In order to achieve the principles and objectives of Secured by Design to improve community safety and crime prevention in accordance with Policy 14 (22.17) of Merton Core Strategy: Design, and Strategic Objectives 2 (b) and 5 (f); and Policy 7.3 Designing out Crime of the London Plan.

The appropriate Secured by Design (SBD) requirements can be found in the design guides on the SBD web site (www.SecuredbyDesign.com)

5.15 Thames Water:

- No objection in relation to combined waste water network infrastructure capacity.
- No objection to surface water network infrastructure capacity.
- Thames Water has identified an inability of the existing water network infrastructure to accommodate this development, therefore, a condition to ensure that necessary network upgrades are carried out.
- Conditions recommended relating to work in close proximity to strategic water main and underground water assets.

5.16 Environment Agency:

Thank you for consulting us on the above application. We have reviewed the document 'Desk Study & Ground Investigation Report' by GEA (reference J08267 B dated 12th February 2016). The document summarises previous investigations. Some elevated concentrations of hydrocarbons have been identified but we do not consider these to be a significant risk to Controlled Waters. We therefore have **no objection** to the proposed development.

We consider that planning permission should only be granted to the proposed development as submitted if the following planning conditions are imposed as set out below.

Condition 1

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until

the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved, verified and reported to the satisfaction of the Local Planning Authority.

Reason: There is always the potential for unexpected contamination to be identified during development groundworks. We should be consulted should any contamination be identified that could present an unacceptable risk to Controlled Waters (the site is located above a Secondary Aquifer).

Condition 2

Whilst the principles and installation of sustainable drainage schemes are to be encouraged, no drainage systems for the infiltration of surface water drainage into the ground are permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to Controlled Waters. The development shall be carried out in accordance with the approval details.

Reason: Infiltrating water has the potential to cause remobilisation of contaminants present in shallow soil/made ground which could ultimately cause pollution of groundwater.

Condition 3

Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: The developer should be aware of the potential risks associated with the use of piling where contamination is an issue. Piling or other penetrative methods of foundation design on contaminated sites can potentially result in unacceptable risks to underlying groundwaters. We recommend that where soil contamination is present, a risk assessment is carried out in accordance with our guidance 'Piling into Contaminated Sites'. We will not permit piling activities on parts of a site where an unacceptable risk is posed to Controlled Waters.

5.17 Network Rail:

Thank you for forwarding me Network Rail's comments regarding the current planning applications for this site. The two applications seek to secure permission for an increase in the number of residential units proposed to 118 and 124 respectively. The site has planning permission to enable redevelopment of the site to provide 99 residential units and as such, the current proposals would result in an increase of 19 and 25 units respectively.

The Transport Statements that accompanied the planning applications provided trip generation calculations to determine the number of additional trips to and from the site during weekday morning and evening peak hour periods attributable to the additional units. The increase in trips as associated with both schemes is detailed below.

Period	+ 19 Units		+ 25 Units	
	Total Person Arrivals	Total Person Departures	Total Person Arrivals	Total Person Departures

Morning Hour	Peak	3	11	4	14
Evening Hour	Peak	6	2	8	2

The modes of transport used by future residents of the development was presented in the Transport Statement that accompanied the planning application for the approved 99 unit scheme. Travel modes were estimated based upon travel to work data for the local population taken from the 2011 census. The census indicates that some 37% of local residents travel to work by train and on this basis, it is considered that for the 124 unit scheme could result in an additional 5 or 6 people travelling from Raynes Park Station during the morning peak hour and 1 or 2 people arriving on trains stopping at the station during the same period. Raynes Park Station is served by northbound and southbound trains every few minutes during the peak hour periods and as such, an increase of up to 8 passengers per hour would not affect the operation as it would likely be within fluctuations that would occur on a daily basis in any event.

5.18 Network Rail (further comments):

I would like to refer to TFL's most recent comments regarding applications 19/P1675 & 19/P1676 and Network Rail's comments from the application 16/P1208 for the same site location where concerns were raised that a development on this site posed challenges for the delivery of Crossrail 2 (CR2).

Crossrail 2 has had some further design work returned recently which indicates that the site is still in conflict with CR2 delivery although potentially only during construction. As such, it may be that Crossrail 2 can reach agreement with Merton and the developer that the site is constructed in such a way that allows for future access to the railway through the site to support Crossrail 2 works.

We therefore ask that Merton and the applicant consider these concerns, and contact Crossrail 2 to discuss.

5.19 Merton Green Party:

Policy CS8 in the Council's Core Strategy sets a borough-wide affordable housing target of 40% for developments of 10 or more units. The applicant's planning statement states (paragraph 4.38) that NONE of the units will be affordable housing. We note that the previous application (16/P1208) approved for this site envisaged 27 out of 99 units being affordable. We ask the Council to require that its 40% target be met.

5.20 External Financial Viability Consultant (Summary of comments):

From our analysis of the applicant's viability assessment we conclude that an affordable housing contribution is not currently possible from the proposed development.

We recommend that the council applies the viability review mechanisms at early and late stages of development as outlined within the Draft London Plan and Mayors SPG based on the conclusions of the Altair appraisal. In line with the Mayor's approach to affordable housing on Build to Rent

schemes, and to ensure that there is no financial incentive to break a covenant, planning permission should also only be granted subject to a clawback agreement.

5.21 Greater London Authority:

The application is not referable to the GLA as a PS1 application.

5.22 Merton Cycling Campaign:

This is a significant scheme for cycling in the Borough. Almost 250 cycle parking spaces are provided 214 being for residents, plus 16 for residential visitors and 30 for the commercial units. The development is placed on what has long been a significant Borough-wide east-west cycle route. Further to the east on the same route more cycling activity is being generated with 239 residential cycle parking spaces on the Old Lamp Works site and this is just the beginning of the High Path Estate and new secondary school schemes.

The draft LIP3 objective LOS says: 'Merton Council will work with developers to deliver an expanded cycle network across the Borough' and promotes cycle routes that are safe and pleasant. At the same time Policy 16.5 of Local Plan 2020 says that 'Merton will work in partnership with development proposals and TfL, to deliver high quality links or the enhancement of existing pedestrian and cycle routes/networks'. Kingston Road is an example of an existing route needing enhancement; between Raynes Park Station and Lower Downs Road it needs to be made safe and pleasant for cycling.

Merton Cycling Campaign would like to make the point that the admirable policy in new schemes of replacing resident's car parking with volumes of cycle parking can only be workable if there is safe and pleasant cycling connectivity for residents. At present Kingston Road, Raynes Park Town Centre and Lower Downs Road need attention to meet safe and pleasant cycling criteria. The workable solution to such residential complexes must be that funding from Community Infrastructure Levy and Section 106 should be used to prepare the local infrastructure for the high volume of cycle journeys that can potentially emanate from the development at 579-589 Kingston Road. If this is not done what does Merton working in partnership with development proposals as in Policy T6.5 mean?

5.23 Wimbledon Swift Group:

Given the national recognition of global species loss and climate change, this major development presents unique opportunities to incorporate features beneficial to nature and the environment. We would like to formally request that the development incorporates new artificial nest sites for swifts, through the inclusion of swift bricks in the fabric of the proposed buildings. We would also like to see follow-up maintenance and monitoring of the nest sites, and measures to maximise occupation by swifts. These actions will help to address the drastic and worrying loss of the UK's swift population, which has declined by a staggering 53% between 1995 -2016, whilst also appealing to the local community.

Following the Public Consultation on the 579 Kingston Road development on 7/03/2019, there were exchanges between yourself, as representative of the planning company, and some local residents, regarding swifts. This

resulted in a goodwill agreement that swift nesting sites would be incorporated into their proposed buildings (as per email below). We sincerely hope and expect that this agreement still stands, and that we can look forward to some positive action for our precious swifts, while they are still returning to the UK. Due to the scale of the proposed development, it is hoped that there will be a large number of swift bricks incorporated and that a swift call attraction system be included in the project.

5.24 The Wimbledon Society:

The Wimbledon society would like to object to both schemes.

Though Scheme A has received planning approval, the Society would like to point out that the Chancellor's Spring Statement introduced a Future Homes Standard by 2025 to ensure that new building homes are future-proofed with low carbon heating and world-leading levels of energy efficiency. A development of this size on Kingston Road should be designed from the outset to be as energy efficient and low carbon as possible. Also, the Society would like to emphasise that the development fails to provide any social housing.

In its representation to the previous application (16/P1208) of 25 May 2016, the Society objected to the number of single aspect flats. This number will increase with the current application. Furthermore, the additional floor will bring out of scale with the wider surrounding area, despite the height of the planning approval next door. Also, the additional floor will cast a shadow and therefore have an adverse effect on properties along Stanton Road. Finally, with a proposed density figure of nearly 700 hrph, the proposal puts the development at the extreme upper end of the matrix, and this matrix only applies if the wider area around the site could be classed as urban instead of suburban in the Society's view. We would therefore consider the additional proposals as over-development.

6. POLICY CONTEXT

6.1 National Planning Policy Framework (2019)

5. Delivering a sufficient supply of homes
6. Building a strong, competitive economy
7. Ensuring the vitality of town centres
8. Promoting healthy and safe communities
9. Promoting sustainable transport
11. Making effective use of land
12. Achieving well-designed places
14. Meeting the challenge of climate change, flooding and coastal change

6.2 London Plan (2016)

- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.6 Children and young people's play and informal recreation facilities
- 3.8 Housing choice
- 3.9 Mixed and balanced communities
- 3.10 Definition of affordable housing
- 3.11 Affordable housing targets

- 3.12 Negotiating affordable housing on individual private residential and mixed use schemes.
 - 3.13 Affordable housing thresholds
 - 4.1 Developing London's economy
 - 4.7 Retail and town centre development
 - 4.8 Supporting a successful and diverse retail sector and related facilities and services
 - 5.1 Climate change mitigation
 - 5.2 Minimising carbon dioxide emissions
 - 5.3 Sustainable design and construction
 - 5.7 Renewable energy
 - 5.10 Urban greening
 - 5.11 Green roofs and development site environs
 - 5.13 Sustainable drainage
 - 5.15 Water use and supplies
 - 5.17 waste capacity
 - 6.3 Assessing effects of development on transport capacity
 - 6.9 Cycling
 - 6.10 Walking
 - 6.13 Parking
 - 7.2 An inclusive environment
 - 7.3 Designing out crime
 - 7.4 Local character
 - 7.5 Public realm
 - 7.6 Architecture
 - 7.8 Heritage assets and archaeology
 - 7.14 Improving air quality
 - 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.
 - 7.21 Trees and woodland
 - 8.2 Planning obligations
 - 8.3 Community Infrastructure Levy
- 6.3 Merton Core Planning Strategy (July 2011)
- CS8 Housing Choice
 - CS9 Housing Provision
 - CS11 Infrastructure
 - CS12 Economic Development
 - CS13 Open Space, Nature Conservation, Leisure and Culture
 - CS14 Design
 - CS15 Climate Change
 - CS16 Flood Risk Management
 - CS17 Waste Management
 - CS18 Active Transport
 - CS19 Public Transport
 - CS20 Parking, Servicing and Delivery
- 6.4 Sites and Policies Plan and Policies Map (July 2014)
- DM H2 Housing mix
 - DM H3 Support for affordable housing
 - DM D1 Urban design and the public realm
 - DM D2 Design considerations in all developments
 - DM D7 Shop front design and signage
 - DM E1 Employment Areas in Merton
 - DM E3 Protection of scattered employment sites
 - DM E4 Local employment opportunities

DM O2	Nature Conservation, trees, hedges and landscape features
DM EP2	Reducing and mitigating noise
DM EP3	Allowable solutions
DM F2	Sustainable urban drainage systems (SuDS) and; Wastewater and Water Infrastructure
DM T1	Support for sustainable transport and active travel
DM T2	Transport impacts of development
DM T3	Car parking and servicing standards
DM T5	Access to the road network

6.5 Supplementary planning guidance.

London Housing SPG – 2016

London Town Centres SPG – 2014

London Affordable Housing and Viability SPG – 2017

London Play and Informal Recreation SPG – 2012

London Sustainable Design and Construction - SPG 2014

London Character and Context SPG - 2014

GLA Guidance on preparing energy assessments - 2018

DCLG: Technical housing standards - nationally described space standard
March 2015

Merton's Design SPG 2004

7. **PLANNING CONSIDERATIONS**

7.1 Key Issues for consideration

7.1.1 The key issues in the assessment of this planning application are:

- Principle of development
- Need for additional housing, residential density and housing mix
- Affordable Housing
- Design and impact upon the character and appearance of the area
- Impact upon neighbouring amenity
- Standard of accommodation
- Transport, highway network, parking and sustainable travel
- Biodiversity
- Sustainability
- Air quality and potentially contaminated land
- Flooding and site drainage
- S.106 requirements/planning obligations
- Other matters

7.2 Principle of development

7.2.1 The National Planning Policy Framework 2019, London Plan 2016 policy 3.3 and the Council's Core Strategy policy CS9 all seek to increase sustainable housing provision where it can be shown that an acceptable standard of accommodation will also provide a mix of dwelling types.

7.2.2 The principle of development has largely been established by the granting of application 16/P1208. The key areas for assessment will be the changes that are currently proposed.

7.2.3 It is of note that planning permission 16/P1208 has established the principle of a mixed use commercial and residential scheme on the site and remains extant until 10th October 2021.

7.2.4 A key aspect of the previous proposal was the re-provision of employment floor space, to meet the requirements of Policy DM E3. The current scheme would also re-provide employment floor space and as such does not conflict with the requirements of Policy DM E3.

7.2.5 The principle of development is therefore considered to be acceptable.

7.3 Need for additional housing, residential density and housing mix

7.3.1 The National Planning Policy Framework (March 2018) requires Councils to identify a supply of specific 'deliverable' sites sufficient to provide five years' worth of housing with an additional buffer of 5% to provide choice and competition.

7.3.2 Policy 3.3 of the London Plan states that the Council will work with housing providers to provide a minimum of 4,107 additional homes in the borough between 2015 and 2025. Within this figure of 4,107 new homes, the policy states that a minimum of 411 new dwellings should be provided annually. This is an increase from the 320 dwellings annually that was set out in the earlier London Plan and in Policy CS9 of the Core Strategy. The policy also states that development plan policies should seek to identify new sources of land for residential development including intensification of housing provision through development at higher densities.

7.3.3 The Council's planning policies commit to working with housing providers to provide a minimum of 4,107 additional homes in the borough between 2015 and 2025 (a minimum of 411 new dwellings to be provided annually). This is an increase from the 320 dwellings annually that was set out in the earlier London Plan and in Policy CS9 of the Core Strategy. The emerging London Plan is likely to increase this annual target, however, only limited weight can be attributed at this stage.

7.3.4 Merton's overall housing target between 2011 and 2026 is 5,801 dwellings (Authority's Monitoring Report Draft 2017/19, p12). The latest (draft) Monitoring report confirms:

- All the main housing targets have been met for 2017/18.
- 665 additional new homes were built during the monitoring period, 254 above Merton's target of 411 new homes per year (London Plan 2015).
- 2013-18 provision: 2,686 net units (813 homes above target)
- For all the home completions between 2004 and 2017, Merton always met the London Plan target apart from 2009/10. In total Merton has exceeded the target by over 2,000 homes since 2004.

7.3.5 The current housing target for the London Borough of Merton is 411 annually. Last year's published AMR figures are: "688 additional new homes were built during the monitoring period, 277 above Merton's target of 411 new homes per year (in London Plan 2015)."

7.3.6 The draft London Plan includes a significantly higher figure of 1328 new homes annually. However, this is at draft stage and in addition the London Borough of Merton is disputing the small sites methodology. Therefore, only limited weight should be attached to this figure.

7.3.7 Table 3.2 of the London Plan identifies appropriate density ranges based on a site's setting and PTAL rating.

7.3.8 The approved development (16/P1208) had a residential density of 458 habitable rooms per hectare. The proposed density would be above this at around 695 habitable rooms per hectare. However, it is noted that this is still within the London Plan guideline for an urban setting of 200-700 habitable rooms per hectare.

7.3.9 However, notwithstanding this numerical density calculation, it is considered that the overall quantum of development could be argued to be appropriate for the context of the site. This matter is addressed in more detail later in this report, under the title heading 'Impact on visual amenity and design'.

7.3.10 In terms of housing mix, the scheme provides 6 x 3 bedroom units (5.17% of the overall provision of 116 units), whereas the previous scheme proposed 6.1% provision of 3 bedroom units (6 units on a 99 unit scheme).

7.3.11 The LBM Housing Strategy Manager has reviewed the housing mix element of the proposal and does not support the mix which reduces the proportion of three bed units across the site. The Housing Manager advises that many three bed homes in Merton's existing housing supply are not available for families needing three bed accommodation, as there is a high rate of under-occupation in the owner-occupied sector which makes up 60% of all tenures in Merton. There is also an emerging trend across London that large homes in the private rented sector are increasingly occupied by house-sharers. In terms of demand for family-sized homes, the Council's Housing Register (c. 10,000 households or 12% of all Merton households) shows 29% of households with 'reasonable preference' (as defined by the Housing Act 1996) require three bed homes. Although these households are applying for housing owned by housing associations (social housing), in reality most will have to continue to rely on private sector housing, as only around 20% of social housing available for let are family-sized homes with three beds or above, and only between 300-400 social homes are available for let annually. In addition, the Housing manager recommends that 35% of all new housing (all tenures) should be three bed or above. The percentage remains consistent with the recommended percentage of units of 3 bedrooms and above in the table at paragraph 2.34 of the Merton Sites and Policies Plan.

7.3.12 The Housing Strategy Manager has further commented that the existing housing mix across the borough cannot reasonably be used as a justification for an under-provision of three bed units in a new development but must be informed by current and projected future demand (which takes into account the existing provision of family sized dwellings in the borough).

7.3.13 The applicant argues that the housing mix has been carefully selected for the following reasons:

- In August 2017, the Mayor of London adopted supplementary planning guidance, "Homes for Londoners" which includes advice specifically on Build to Rent schemes. The SPG notes that to encourage the development of this type of housing, the London Plan has made clear that LPAs should recognise the distinct economics of the sector relative to mainstream 'build for sale' market housing, and should take account of this when considering planning applications for Build to Rent schemes. One distinct aspect of BtR schemes is unit mix and

design, in which the aim is to utilise the flexibilities that already exist in London Plan policies to support high quality BtR developments. Paragraph 4.31 notes:

“Build to Rent can be particularly suited to higher density development within or on the edge of town centres or near transport nodes. Local policies requiring a range of unit sizes should be applied flexibly to Build to Rent schemes in these locations to reflect demand for new rental stock, which is much greater for one and two beds than in owner-occupied or social/affordable rented sector.”

- The mix of units has been carefully considered in the context of the development site and its location. Given the urban location, adjacent to commercial units, the railway line and Kingston Road, a flatted development is considered to be entirely appropriate. It would be inappropriate to provide private amenity space on the site, and this leads to the provision of 1- and 2-bedroom flats, rather than a significant number of 3 bed units which would require the provision of such external amenity space.
- In addition, the site is located opposite the Apostles, where a very substantial number of 3-bed properties are found. The Core Strategy describes Raynes Park as a whole as a “relatively affluent, high quality suburban area” (paragraph 14.2). It is also an area of “high public transport accessibility” (paragraph 14.2), and on the Kingston Road, is characterised by a substantial amount of commercial property. In considering the mix of units within the approved scheme, the officer’s report noted that, the 2011 Census data for the Merton area identifies the following unit size mix – 7.1% 1 bed, 14.4% 2 bed and 78% 3 bed. There is a very high proportion of larger dwellings in Merton, thus the proposal would contribute to balancing the housing choice in Merton as a whole.

7.3.14 Given the move away from prescribed housing mix figures in the emerging London Plan and the arguments put forward by the applicant, it is considered that the failure to provide three bedroom units is sufficiently justified.

7.4 Affordable Housing

7.4.1 The Council’s policy on affordable housing is set out in the Core Planning Strategy, Policy CS8. For schemes providing over ten units, the affordable housing target is 40% (of which 60% should be social rented and 40% intermediate), which should be provided on-site.

7.4.2 In seeking this affordable housing provision, officers will have regard to site characteristics such as site size, site suitability and economics of provision such as financial viability issues and other planning contributions.

7.4.3 The Mayor’s SPG on affordable housing and viability (Homes for Londoners) 2017 sets out that:

“Applications that meet or exceed 35 per cent affordable housing provision (by habitable rooms) without public subsidy, provide affordable housing on-site, meet the specified tenure mix, and meet other planning requirements and obligations to the satisfaction of the LPA and the Mayor where relevant, are not required to submit viability information. Such schemes will be subject to an early

viability review, but this is only triggered if an agreed level of progress is not made within two years of planning permission being granted (or a timeframe agreed by the LPA and set out within the S106 agreement)...

... Schemes which do not meet the 35 per cent affordable housing threshold, or require public subsidy to do so, will be required to submit detailed viability information (in the form set out in Part three) which will be scrutinised by the Local Planning Authority (LPA).”

- 7.4.4 Therefore, provided that the scheme meets the 35% provision, meets the tenure split set out in policy CS8 and demonstrates that the developer has engaged with Registered Providers and the LPA to explore the use of grant funding to increase the proportion of affordable housing, then the proposal could be dealt with under the Mayor’s Fast Track Route, which would not require the submission of additional viability information.
- 7.4.5 If the proposal does not meet this 35% provision, it will be necessary to submit a full viability assessment in order to demonstrate that the scheme is delivering as much affordable housing as is financially viable.
- 7.4.6 The previous scheme was accompanied by a viability statement and provided 27 affordable housing units peppered throughout the development.
- 7.4.7 The current scheme offers no affordable housing whatsoever, on the basis that it is not financially viable to do so.
- 7.4.8 The Council has employed an external financial viability consultant who has considered the argument put forward by the applicant and concludes that no provision of on-site or off-site commuted sum would be financially viable. Therefore, despite officers’ reservations over this matter, the scheme has reasonably justified that no affordable housing contribution is financially viable. Officers recommend that the s.106 agreement include viability review mechanisms at early and late stages of the development, to ensure that if the situation changes, any contribution can be captured.
- 7.4.9 Subject to a suitable claw-back mechanisms in the s.106 legal agreement, it is considered that the proposal has justified its acceptability in terms of affordable housing.

7.5 Impact on visual amenity and design

- 7.5.1 The National Planning Policy Framework (NPPF) states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. London-wide planning policy advice in relation to design is found in the London Plan (2015), in Policy 7.4 - Local Character and 7.6 - Architecture. These policies state that Local Authorities should seek to ensure that developments promote high quality inclusive design, enhance the public realm, and seek to ensure that development promotes world class architecture and design.
- 7.5.2 Policy DM D2 seeks to ensure a high quality of design in all development, which relates positively and appropriately to the siting, rhythm, scale, density, proportions, height, materials and massing of surrounding buildings and existing street patterns, historic context, urban layout and landscape features of the surrounding area. Core Planning Policy CS14 supports these SPP Policies.

- 7.5.3 The original submitted scheme, 16/P1208, included a seven storey block - Block C. This was amended to form a six storey building because the height of Block C was considered unduly dominant and overly prominent to the detriment of the visual amenities of the wider area and would have exacerbated a sense of enclosure for future occupiers within the development.
- 7.5.4 Whilst, the extent of the 6th floor is larger in the current application than the previously approved scheme and the applicant has submitted design analysis and drawings to illustrate the proposed bulk and massing and officers conclude that the additional height would result in some additional impact on the character of the area. However, the tallest buildings would be set back from the highway, adjacent to the railway line and whilst there would be public views of the building, it is considered that the additional height from 6 storeys to 7 would not be so visually dominating and intrusive as to warrant a refusal of planning permission.
- 7.5.5 It is noted that the Council's Urban Design Officer has raised some concern regarding the creation of a 'canyon' effect along the railway line and Members should carefully consider whether they consider the additional floor of accommodation and other design changes would be acceptable given the site's context and character.
- 7.5.6 In terms of the proposed Block D, it is noted that a scheme incorporating terrace style dwellings in this location was withdrawn following officer concern (under application ref. 17/P2529). This concern primarily related to the interface between the private and public areas and the requirement for high fencing adjacent to the central courtyard area and the potential harmful impact on realising the development of the adjacent site (Dundonald Church).
- 7.5.7 However, it is noted that the circumstances have materially altered since that time, in that planning permission has been granted at the adjacent site (Dundonald Church) which will result in a three storey flank wall standing on the eastern boundary of the application site boundary (17/P0763). This planning permission represents a material consideration in the assessment process.
- 7.5.8 Part of the concerns raised in relation to the terraced dwellings under 17/P2529 was the interface between the private gardens to the terraced dwellings and the communal courtyard within the development. The relationship would have resulted in unreasonable overlooking of the private gardens (if not enclosed by a high solid form of barrier) and, if a high solid barrier had been proposed, it would have detracted from the quality of the courtyard amenity space by creating an inactive edge.
- 7.5.9 The current scheme has responded to this concern and the intention is to create a suitably planted and landscaped buffer area that would provide some privacy for future occupiers whilst not creating a 'fortress like appearance' when viewed from the courtyard. It is considered that, subject to the details of this landscaped buffer, the impact on both visual amenity and the amenity of future occupiers would be suitably safeguarded.
- 7.5.10 Officers would, under other circumstances, have had some reservations over single aspect units being introduced. However, in this case there is a clear justification for this built form (given the three storey wall that would be

created to the eastern site boundary). The proposed Block D would effectively mask the blank expanse of three storey wall that would be created at the adjacent site. There is no opportunity to provide an outlook to the other three elevations and as such, the proposed provision of single aspect units in this location is considered to be appropriate and would enable this land to be suitably developed.

7.5.11 The changes to the layout and landscaping of the communal courtyard is generally supported by officers in visual term and, the more organic layout of soft landscaping and amenity spaces is considered to contribute to the sense of place that would be created.

7.5.12 The current scheme proposes refuse collection be carried out from the highway with a central bin store, accessed directly from Kingston Road. This would mean that a refuse vehicle is not required to access the site for refuse/recycling collection and therefore an opportunity arises in that the courtyard would be less constrained for pedestrian use, as it would no longer need to regularly accommodate large turning vehicles. This is positive in principle, and is addressed in detailed later in this report.

7.5.13 There are some minor reservations regarding the height of Block C, however, on balance, it is not considered to be materially harmful to visual amenity. In addition, it is considered that the proposed Block D and changes to the landscaping layout have merit.

7.6 Impact on neighbouring amenity

7.6.1 Policy DM D2 seeks to ensure that development does not adversely impact on the amenity of nearby residential properties.

7.6.2 Officers initially raised concern is raised in relation to the additional storey to Block C. There would be an increased sense of enclosure to the courtyard amenity space, which has the potential to detract from the quality of the space and the development as a whole. There would also appear to be a loss of light to the rear facing windows of the residential units on the lower floors.

7.6.3 The applicant has submitted a Daylight/Sunlight Analysis to justify the relationship and whilst officers consider that there would be some degree of overbearing form within the courtyard, it is considered that the difference between the 6 storey approved scheme and current 7 storey scheme would not result in material harm to neighbouring amenity within the site.

7.6.4 The interface between the proposed block D and the courtyard space is a key consideration in the assessment. The landscaped/planted buffer strip would allow for some degree of privacy to be retained by future occupiers, whilst maintaining the quality of the courtyard amenity space. Therefore, with the detailing shown, officers support this element of the proposals.

7.6.5 Neighbouring residents have objected regarding an adverse impact to properties along Stanton Road, to the north of the site beyond the railway line, due to the increased height now proposed.

7.6.6 There would be views of the 7 storey building from the rear windows and gardens of properties along Stanton Road. However, the separation distance of over 50m (window to window) and approximately 26m from the proposed building to the rear boundary of gardens along Stanton Road, is

such that whilst the building would be visible and prominent, it would not be materially harmful when considered against usual development control and urban design principles.

7.6.7 No overriding concern is raised in relation to the remainder of the proposals in terms of the impact on neighbouring amenity.

7.7 Standard of Accommodation

7.7.1 The detailed design of the proposed development should have regard to the requirements of the London Plan (2016) in terms of unit and room sizes and provision of external amenity space. The requirements of SPP Policy DM D2 will also be relevant in relation to the provision of amenity space (see paragraph 6.17 of the supporting text).

7.7.2 The proposed units would meet or exceed the minimum GIA set out in the London Plan.

7.7.3 The amount of private external amenity space provided would meet the minimum requirements of the London Plan and no objection is raised in this regard.

7.7.4 As set out above, the proposed single aspect layout of the proposed units in Block D is considered to be acceptable in this instance. Overall 90% of the proposed units would be dual aspect to some degree. There are no north facing single aspect units proposed.

7.7.5 The provision of external amenity space is considered to be acceptable. The more organic layout is such that the quality of the space is likely to be higher with more visual interest and character created. The overall level of external amenity space is similar to the previous scheme and is not considered to be objectionable.

7.7.6 A scheme for landscaping and to secure the provision of suitable play equipment and ongoing maintenance would be controlled by way of planning condition in the event that planning permission is granted.

7.7.7 At least 10% of units should be wheelchair accessible. In addition, Standard 18 of the Mayor's SPG on Housing sets out that each designated wheelchair accessible dwelling should have a car parking space that complies with Building Regulations Part M4(3). The floor plans show there to be 11 wheelchair accessible units with 11 disabled parking spaces and therefore no overriding objection is raised in this regard.

7.7.8 The standard of accommodation is considered to be acceptable.

7.8 Transport, highway network, parking and sustainable travel

7.8.1 Policy 6.1 of the London Plan (2016) states that the Mayor will support developments, which generate high levels of trips at locations with high levels of public transport accessibility and which improves the capacity and accessibility of public transport, walking and cycling. At a local level Policy CS.19 of the Core Planning Strategy states that the council will ensure that all major development demonstrates the public transport impact through transport assessments. Travel plans will also be required to accompany all major developments. Policy CS.18 promotes active transport and

encourages design that provides attractive, safe, covered cycle storage, cycle parking and other facilities (such as showers, bike cages and lockers).

- 7.8.2 The scheme proposes 33 car parking spaces on site, of which, 11 would be for disabled users. As with the previous scheme, the development would result in the predicted number of vehicles likely to be associated with the number, mix and tenure of dwellings proposed being greater than the number of spaces to be made available (by 13 spaces). As a consequence, planning controls in the form of a S106 agreement to exclude future occupiers from eligibility for parking permits in the surrounding CPZ would be necessary so as to avoid undue additional pressure on kerbside parking locally.
- 7.8.3 Therefore, it will be necessary to enter into a s.106 to restrict the issuing of parking permits, to provide 5 years free car club membership and to provide a dedicated car club bay.
- 7.8.4 At least 20% of parking spaces would have electric charging points, in line with London Plan standards.
- 7.8.5 It is noted that TfL raise objection to the number of parking spaces and assert that less should be provided to meet the aim of 80% of trips within London being made by sustainable modes. However, the ratio of parking is 0.27, which is very low and it would not be reasonable to insist on less parking than that which is proposed.
- 7.8.6 The grouped cycle parking that was proposed in the previous scheme would have provided a number of small cycle stores in close proximity to the stair cores they would serve. These stores were well located and individuals would feel a sense of ownership to these smaller cycle stores. The proposed combined cycle parking areas were initially not supported by officers as it is considered that this could be a large, uninviting space which would not foster good community relations. The London Cycle Design Standards sets out that cycle parking should be convenient, accessible and as close as possible to the destination. However, the applicant has presented arguments to support this arrangement, such as the benefit of providing of a workshop area to serve the users. On balance, it is considered that the larger cycle stores would have some merit in terms of providing a workshop area which would benefit residents.
- 7.8.7 The additional 25 units proposed, over and above the approved scheme, would not justify the highway improvements suggested in representations. The provision of 215 cycle spaces for the residential element and 16 spaces for the commercial element would not warrant off-site improvement works. However, it is possible that pooled CIL monies could be used for this purpose. However, this is not a consideration for this specific planning application.
- 7.8.9 In terms of refuse collection, satellite bin stores would be managed on-site with staff taking the various bins to the main bin store for collection. Provided that a management company is set up to accommodate this arrangement this approach would be acceptable in principle. The management company would need to be secured by way of condition.
- 7.8.10 The Council's Transport Planner had initially raised concern to the principle of on-street servicing for the residential element of the scheme. At the meeting, the concept of providing two on-street lay-bys to accommodate

servicing vehicles was discussed. However, due to the level of kerbside required and the potential conflict with parked cars, the Council's Transport planner has suggested that one of these lay-bys be significantly enlarged. The applicant has responded to this concern and accordingly as enlarged the proposed lay-by. Officers are satisfied that the arrangements would not result in material harm to highway safety.

7.9 Biodiversity

7.9.1 The application site has been cleared for approximately 8 years and consists of hard-standing and loose material; as such the application site is considered to be of negligible intrinsic ecological and nature conservation importance. There is however a SINCR directly to the north of the site, which coincides with the railway land.

7.9.2 As with the previous scheme, no objection is raised in relation to the impact on biodiversity subject to the implementation measures set out in the Ecological Appraisal that accompanied application 16/P1208.

7.9.3 The comments of the Wimbledon Swift Group are noted. The development would provide an opportunity to incorporate swift friendly design features and an informative in this regard is recommended.

7.10 Sustainability

7.10.1 Policy 5.2 Minimising Carbon Dioxide Emissions of the London Plan requires that development proposals should make the fullest contribution to minimising carbon dioxide emissions in accordance with the Mayor's energy hierarchy. Merton's Core Planning Strategy Policy CS15 Climate Change (parts a-d) requires new developments to make effective use of resources and materials, minimise water use and CO2 emissions.

7.10.2 An energy statement has been submitted with the application. This should demonstrate via SAP calculations and an energy report that the scheme has been designed to achieve a 35% improvement on Part L 2013, in accordance with London and Local Plan policy requirements.

7.10.3 The submission made by the applicant does not fully detail how these necessary energy and water savings would be made and therefore, it is intended to impose a pre-commencement condition ensuring that this information is submitted and agreed before construction commences. If the necessary carbon savings cannot be achieved the applicant will be required to amend the scheme as necessary through a variation of condition application, or to provide a carbon offset financial contribution through a subsequent discharge of condition application.

7.10.4 The comments of the Wimbledon Society are noted. However, there is no policy basis to require greater sustainability credentials than that set out in the London Plan.

7.11 Air quality and potentially contaminated land

7.11.1 The whole of Merton is an Air Quality Management Area (AQMA).

7.11.2 It is noted that no air quality assessment was submitted under the previous application, 16/P1208. However, since the 2016 application was submitted the Council has adopted a new validation checklist, which requires the

submission of an air quality statement for proposals introducing residential uses within areas of particularly significant air quality. However, it is considered that subject to the inclusion of conditions requiring a Method of Demolition and Construction Statement, dealing with the control of emissions of dust and dirt, the proposal would be acceptable in terms of air quality, notwithstanding the lack of an air quality statement.

7.11.3 It is noted that this scheme proposes less car parking spaces than the previous scheme, which in itself would be a benefit, albeit limited, in terms of air quality.

7.11.4 Conditions will be imposed on any granting of planning permission to secure a demolition and construction method statement and a limit on noise levels from plant/machinery.

7.11.5 In addition, conditions would be imposed relating to any potential contamination of the land on the site, to include remediation measures if necessary, as was the case under application 16/P1208.

7.12 Flooding and site drainage

7.12.1 London Plan policies 5.12 and 5.13, CS policy CS16 and SPP policies DM F1 and DM F2 seek to minimise the impact of flooding on residents and the environment and promote the use of sustainable drainage systems to reduce the overall amount of rainfall being discharged into the drainage system and reduce the borough's susceptibility to surface water flooding.

7.12.2 The site is within Flood Zone 1 (low probability of flooding) and is not within a critical drainage area. However, notwithstanding that, the scheme would include details of a Sustainable Urban Drainage System and demonstrate a sustainable approach to the management of surface water on site.

7.12.3 The Council's Flood Risk Officer and the Environment Agency have raised no objection and the proposal is considered to be acceptable in terms of surface water runoff and flooding considerations.

7.13 S.106 requirements/planning obligations

7.13.1 The affordable housing requirements are referred to above and will need to be controlled by way of a legal agreement. In addition, it will be necessary for the development to be parking permit free and to provide five years free car club membership, by way of legal agreement, as with the previous permission, 16/P1208. Also, the additional requirements identified under 16/P1208 (bus stop improvements, dedication of land as highway to the Kingston Road frontage, provision of loading bays and potentially carbon off-setting), are also be required in relation to the current scheme.

7.13.2 The proposed development would be subject to the Community Infrastructure Levy (CIL). This would require a contribution of £220 per additional square metre of floor space to be paid to Merton Council and an additional £60 per additional square meter to be paid to the Mayor. Further information on this can be found at:

<http://www.merton.gov.uk/environment/planning/cil.htm>

8. Conclusion

- 8.1 The principle of a major mixed use re-development of the site is established by the previous grant of planning permission. Redevelopment of the neighbouring site has also been endorsed with permission being granted subsequent to the consideration of the 2016 application at the current pre-app site.
- 8.2 The limited loss of employment space is considered to be suitably justified against the requirements of Policy DM E3.
- 8.3 The proposed Block D is considered to be acceptable, as set out above in this report.
- 8.4 There are some reservations over the increase in height of Block C but on balance, it is considered to be acceptable, as set out above in this report.
- 8.5 The housing mix would not meet the indicative proportions of Policy DM H3, however, the justification put forward by the applicant is considered to be reasonable.
- 8.6 The applicant has provided detailed financial viability information to demonstrate that the scheme cannot reasonably provide any contribution towards affordable housing.
- 8.7 The concept of a large shared bicycle store has been justified by the applicant and would result in a benefit to users, over and above the previous scheme.
- 8.8 Refuse management would be required on an on-going basis on the site, which would be controlled by way of condition.
- 8.9 Officers consider that the proposal is acceptable in planning terms. Members should consider the key differences between this scheme and the previously approved 16/P1028 and conclude whether the changes are acceptable in reaching their conclusion as to whether planning permission should be granted.

9. **RECOMMENDATION**

Grant planning permission subject to s106 agreement securing the following:

- Restrict parking permits.
- Car club membership for all eligible adults for five years.
- Bus shelter opposite the site is upgrade contribution of £8,554.94.
- Dedication of land as highway to the Kingston Road frontage.
- Provision of loading bays.
- and cost to Council of all work in drafting S106 and monitoring the obligations.

And the following conditions:

1. Time limit
2. Approved Plans
3. B1 External Materials to be Approved
4. B4 Details of surface treatment
5. B6 Levels

6. C03 Obscured Glazing (Fixed Windows)
7. C07 Refuse & Recycling (Implementation)
8. C06 Waste Management Plan (Details to be Submitted)
9. C08 No Use of Flat Roof
10. C10 Balcony or External Staircase (Screening details to be provided)
11. D09 No External Lighting
12. F01 Landscaping/Planting Scheme
13. F02 Landscaping (Implementation)
14. F13 Landscape Management Plan (including swift bricks number to be agreed)
15. H06 Cycle Parking and workshop facility - Details to be Submitted
16. H01 New Vehicle Access - Details to be submitted
17. H02 Vehicle Access to be provided
18. H04 Provision of Vehicle Parking (including disabled parking and electric vehicle charging)
19. H05 Visibility Splays
20. H08 Travel Plan
21. H10 Construction Vehicles, Washdown Facilities etc (major sites)
22. H13 Construction Logistics Plan to be Submitted (major development)
23. H14 Doors/Gates
24. H11 Parking Management Strategy
25. L2 Code for Sustainable Homes - Pre-Commencement (New build residential)
26. L6 BREEAM - Pre-Commencement (New build non-residential)
27. A Non Standard Condition: The recommendations to protect noise intrusion into the residential dwellings and plant noise criteria as specified in the Sandy Brown, Noise Impact Assessment Report 18404-R01-B, Scheme A, dated 27 March 2019 shall be implemented as a minimum standard for the development. A post construction noise survey shall be conducted within 3 months of occupation and any necessary remedial measures implemented should the submitted criteria fail to be achieved. The remedial measures shall be first agreed in writing by the LPA.
28. A Non Standard Condition: Noise levels, (expressed as the equivalent continuous sound level) LAeq (10 minutes), from any fixed external new plant/machinery shall not exceed LA90-10dB at the boundary with any residential property or noise sensitive premises.
29. A Non Standard Condition: All Non-road Mobile Machinery (NRMM) used during the course of the development that is within the scope of the Greater London Authority 'Control of Dust and Emissions during Construction and Demolition' Supplementary Planning Guidance (SPG) dated July 2014, or any subsequent amendment or guidance, shall comply with the emission requirements therein.
30. A Non Standard Condition: No development approved by this permission shall be commenced until a detailed scheme for the provision of surface and foul water drainage has been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. The drainage scheme will dispose of surface water by means of a sustainable drainage system (SuDS) via infiltration or at the agreed runoff rate (no more than 4.02l/s), in accordance with drainage hierarchy contained within the London Plan Policy (5.12, 5.13 and SPG) and the advice contained within the National SuDS Standards.
31. A Non Standard Condition: The development hereby permitted shall incorporate security measures to minimise the risk of crime and to

- meet the specific security needs of the development in accordance with the principles and objectives of Secured by Design. Details of these measures shall be submitted to and approved in writing by the local planning authority prior to commencement of the development and shall be implemented in accordance with the approved details prior to occupation.
32. A Non Standard Condition: Prior to occupation a Secured by Design final certificate shall be submitted to and approved by the Local Planning Authority.
 33. A Non Standard Condition: No properties shall be occupied until written confirmation has been provided that either:- all water network upgrades required to accommodate the additional flows from the development have been completed; or - a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.
 34. A Non Standard Condition: No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme- for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement
 35. A Non Standard Condition: Thames Water do NOT permit the building over or construction within 5m, of strategic water mains and have contacted the developer in an attempt to agree how the, asset will be diverted / development will be aligned. We have been unable to agree a position in the time available and as such Thames Water request that the following condition be added to any planning permission. No construction shall take place within 5m of the water main. Information detailing how the developer intends to divert the asset/align the development, so as to prevent the potential for damage to subsurface potable water infrastructure, must be submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any construction must be undertaken in accordance with the terms of the approved information. Unrestricted access at be available at all times for the maintenance and repair of the asset during and after the construction works.
 36. A Non Standard Condition: If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved, verified and reported to the satisfaction of the Local Planning Authority.
 37. A Non Standard Condition: No drainage systems for the infiltration of surface water drainage into the ground are permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to

- Controlled Waters. The development shall be carried out in accordance with the approval details.
38. A Non Standard Condition: Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.
39. A Non Standard Condition: The development hereby approved shall not be commenced until a scheme for the provision and management of external amenity space, to include details of children's play equipment, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the agreed facilities and management plan are implemented in accordance with the approved details.
40. A Non Standard Condition: No development above ground level other than demolition shall take place until drawings to a scale of not less than 1:20 and samples and/or manufacturer's specifications of the design and construction details listed below have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out solely in accordance with the approved details.
- i) metal, glass and wood work including to private amenity spaces and balconies;
 - ii) all external window and door systems (including technical details, elevations, plans and cross sections showing cills and reveal depths);
 - iii) copings and soffits and junctions of external materials;
 - iv) rain water goods (including locations, fixings, material and colour).
41. A Non Standard Condition: The development shall be constructed in accordance with a business signage/ external advertising design code which shall inform the location and size of those areas designated for signage, such a design code having first been submitted to and agreed in writing by the local planning authority.
42. J2 Wheelchair Accessible Homes
43. A Non Standard Condition: The development shall be implemented in accordance with the recommendations of the applicant's Ecological Appraisal, submitted under application ref.16/P1208.
44. D11 Construction Times
45. A Non Standard Condition: Unless otherwise agreed in writing by the Local Planning Authority, no part of the development hereby approved shall be used or occupied until evidence has been submitted to the council confirming that the developer has provided appropriate data and information pertaining to the sites Combined Heat and Power (CHP) system to the Greater London Authority (GLA, environment@london.gov.uk) to allow the site to be uploaded to the London Heat Map (<https://www.london.gov.uk/what-we-do/environment/energy/londonheat-map>).
46. A Non Standard Condition: Prior to occupation, the detailed design, specification and planting scheme for any green roof forming part of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The design and planting shall be carried out as approved prior to occupation of the relevant part of the development, retained and maintained in perpetuity thereafter.

47. A Non Standard Condition: [Local employment strategy] Prior to the commencement of development [including demolition] a local employment strategy shall have been submitted to and approved in writing by the Local Planning Authority setting out the measures taken to ensure that the development provides employment opportunities for residents and businesses in Merton during the construction phase.

Informatives:

1. Please note that the Highways section must be contacted prior to any form of construction works being undertaken so that all Highway licences are in place, this includes any temporary works and temporary crossings
2. No surface water runoff should discharge onto the public highway including the public footway or highway. When it is proposed to connect to a public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required (contact no. 0845 850 2777).
3. No waste material, including concrete, mortar, grout, plaster, fats, oils and chemicals shall be washed down on the highway or disposed of into the highway drainage system.

[Click Here](#) for full plans and documents related to this application

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PLANNING APPLICATIONS COMMITTEE 13 February 2020

<u>APPLICATION NO.</u>	<u>DATE VALID</u>
19/P3985	25/11/2019
Address/Site	Flat 1, 29 Merton Hall Road, Wimbledon Chase, London
Ward	Dundonald
Proposal:	Application for variation of condition 2 (approved plans) attached to LBM planning permission 19/p0597 relating to the conversion of existing ground floor flat to create 1 x one bedroom flat and 1 x studio flat. Demolition of existing rear extension and replacement with full width single storey rear extension.
Drawing Nos	0944-PR-01 RevP3
Contact Officer:	Kirti Chovisia (020 8274 5165)

RECOMMENDATION

GRANT Variation of Condition, subject to conditions

CHECKLIST INFORMATION

- Heads of agreement: No
- Is a screening opinion required: No
- Is an Environmental Impact Statement required: No
- Has an Environmental Impact Assessment been submitted: No
- Press notice- Yes
- Site notice-Yes
- Design Review Panel consulted-No
- Number neighbours consulted – 2
- External consultants: None
- Density: n/a
- Number of jobs created: n/a
- Archaeology Priority Zone: No
- Conservation area: Yes

1. INTRODUCTION

- 1.1 This application has been brought to the Planning Applications Committee at the request of Councillor Anthony Fairclough.

2. SITE AND SURROUNDINGS

2.1 The site comprises a two storey (with loft space) mid-terrace dwelling located on the east side of Merton Hall Road. There are two existing single storey rear extensions to the dwelling. The existing building is split into four flats on the upper floors and a single dwelling on the ground floor.

2.2 The site is located within the Merton (Merton Hall Road) Conservation Area.

3. CURRENT PROPOSAL

3.1 Application for variation of condition 2 (approved plans) attached to LBM planning permission 19/p0597 relating to the conversion of existing ground floor flat to create 1 x one bedroom flat and 1 x studio flat. Demolition of existing rear extension and replacement with full width single storey rear extension.

- Revision of drawings to show the main garden level, and the change in level between the new flats and the garden (500mm) which is reached by two sets of steps;
- the retention of a small section of existing flank wall adjacent to no.31 Merton Hall Rd and addition of a small floor area between the existing flank wall and the new extension (1300mm x 1500mm);
- The change of roof material from single-ply membrane to slate.

4. PLANNING HISTORY

4.1 19/P0597 - Conversion of existing ground floor flat to create 1 x one bedroom flat and 1 x studio flat. Demolition of existing rear extension and replacement with full width single storey rear extension - Grant Permission subject to Conditions; 29-03-2019

5. CONSULTATION

5.1 The application has been advertised by site notice and letter of notification to the occupiers of neighbouring properties.

5.2 Two objections have been received on the follow grounds:

- An extension has already been built which is not in accordance with the original application;
- The new Drawing P3 contains misleading information; specifically it misrepresents the height of the property and the heights of neighbouring properties, indicating that the ground is 0.5m lower, which would make the houses some 0.5m higher than they are;
- The application also fails to address several material difficulties;
- The boundary between the properties is shown in the wrong place with the party Walls incorrectly drawn;
- Incorrect drawings.

6. POLICY CONTEXT

- 6.1 London Plan 2016 policy:
 - 7.4 Local Character
 - 7.6 Architecture
 - 7.8 Heritage and Archaeology
- 6.2 Merton Sites and Policies Plan July 2014 policies:
 - DMD2 Design considerations in all developments
 - DMD3 Alterations and extensions to existing buildings
 - DMD4 Managing Heritage Assets
- 6.3 Merton Core Strategy 2011 policy:
 - CS 14 Design
- 6.4 NPPF 2019
- 6.5 Draft London Plan 2018
- 6.6 Draft Local Plan 2020

7. PLANNING CONSIDERATIONS

- 7.1 Material Considerations
- 7.2 The planning considerations for an extension to an existing building relate to the impact of the proposed extension on the character and appearance of the applicant building along with the surrounding area and the impact upon neighbour amenity. Planning permission 19/p0597 is proposed to be varied with the current proposal. The key considerations are the differences between the current proposal and the original planning permission that was granted.

8. Character and Appearance

- 8.1 London Plan policies 7.4, 7.6 and 7.8, Core Strategy policy CS14 and SPP Policies DMD2 and DMD3 require well designed proposals that will respect the appearance, scale, bulk, form, proportions, materials and character of the original building and their surroundings. The extensions should be of a size, type and form such that they do not dominate the original building, the surroundings and respect the prevailing characteristics of the area. SPP Policy DMD4 requires that heritage assets (including listed buildings and conservation areas) are conserved and where appropriate, enhanced.
- 8.2 The amendment proposed relates to the change in level between the new flats and the garden (addition of two steps), retention of a small section of existing flank wall adjacent to no.31 Merton Hall Rd and addition of a small floor area between the existing flank wall and the new extension and change of roof material from single-ply membrane to slate.
- 8.3 It is considered that the proposed works are minor and inconsequentially change to the already approved works. It is considered that this would be acceptable given that the proposed change in height and small addition would

be to the rear of the property and therefore not visible from the public realm. Overall, the amendments will respond to London Plan Policies 7.4 and 7.6, Core Strategy policy CS14 and SPP Policies DMD2, DMD3 and DMD4 and are appropriate. Overall, the proposed changes would not cause material harm to the character and appearance of the Conservation Area.

9. Neighbouring Amenity

- 9.1 SPP policy DM D2 states that proposals must be designed to ensure that they would not have an adverse impact upon the amenity of neighbouring properties in terms of loss of light, quality of living conditions, privacy, visual intrusion and noise.
- 9.2 The depth of the extension has not changed in comparison to the original scheme. The previous application did not account for the drop in levels at the rear and therefore the proposal has been submitted to regularise this. The proposal would still extend beyond the rear building line of number 27 to the south, however, this would be the same as previously approved. Number 27 has a single storey rear conservatory and although part of the proposal would be visible from this neighbouring property, its single storey nature and depth ensures that it would not be materially harmful. Part of the flank wall would therefore be more prominent to the garden space of number 27, however, it would still remain as a single storey structure adjacent to the boundary which is common amongst residential properties. The proposed additional section immediately adjacent to number 31 would be of limited depth (1.5 m) and would not cause a harmful impact on the adjacent rear facing window at number 31. Number 31 benefits from a similar single storey rear extension to that currently proposed and officers raise no concerns in this regard. The proposed amendments are reasonable and the increase (correction) in height of the approved extension, change of roof material and small addition to the approved extension are not considered to result in material harm to the neighbouring properties.
- 9.3 Given the positioning, scale and form, it is not considered to result in any undue harm to the residential amenities of the occupiers of neighbouring properties in terms of loss of light or loss of privacy that would warrant refusal of this application.
- 9.4 Party wall issues are civil matters and are not considered under planning considerations. Taking into account the overall scale, design and built form, officers do not consider the proposal would cause material harm to neighbouring amenity.

10. CONCLUSION

- 10.1 The proposed amendments to the rear extension are not considered to be detrimental to the character and appearance of the applicant property or that of the locality. It is not considered that the changes have an unacceptably detrimental impact on the resident or neighbouring properties that warrants

refusal of the application. Therefore, the amendment accords with the principles of policies DMD2, DMD3 and DMD4 of the Adopted SPP 2014, CS 14 of the LBM Core Strategy 2011 and 7.4, 7.6 and 7.8 of the London Plan 2016.

RECOMMENDATION

Grant Variation of Condition, subject to conditions

1. Time limit (as per 19/P3985)
2. Materials
3. Remove Permitted Development for new windows in side elevations
4. Storage of refuse
5. Cycle parking
6. Climate Change

Amended condition:

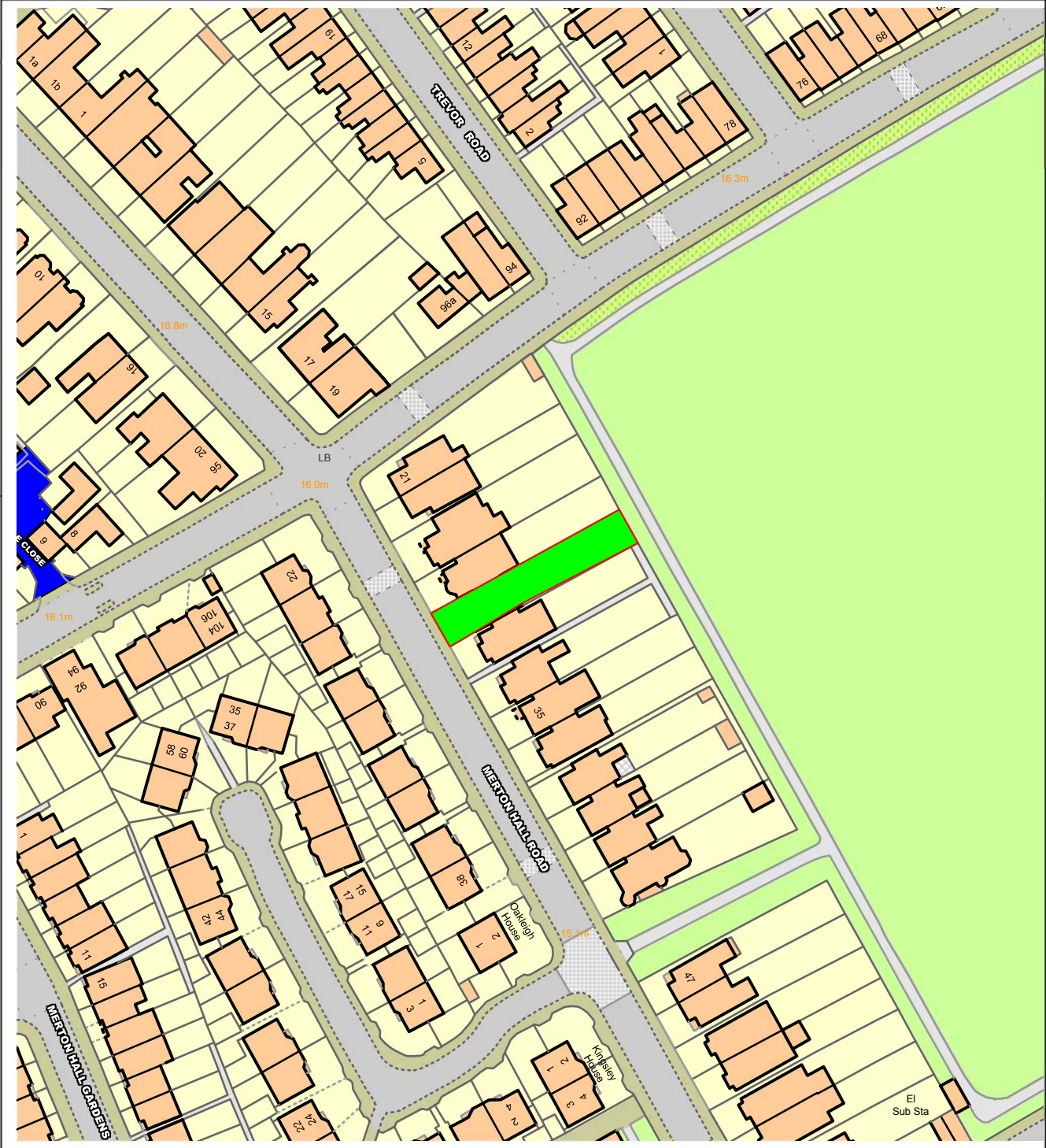
The development hereby permitted shall be carried out in accordance with the following approved plans: 0944-PR-01 RevP3 relating to the conversion of existing ground floor flat to create 1 x one bedroom flat and 1 x studio flat. Demolition of existing rear extension and replacement with full width single storey rear extension.

Please note that all other conditions attached to the substantive Planning Permission LBM Ref: 19/P0597 continue to apply.

[Click Here](#) for full plans and documents related to this application

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NORTHGATE SE GIS Print Template



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PLANNING APPLICATIONS COMMITTEE 13th February 2020

APPLICATION NO.
19/P2127

DATE VALID
24/05/2019

Address/Site: Land adjacent to 2 Park Avenue
Mitcham
CR4 2EL

Ward: Graveney

Proposal: CHANGE OF USE OF SITE FROM FORMER
SCAFFOLD YARD TO RESIDENTIAL USE, AND
ERECTION OF A RESIDENTIAL BLOCK PROVIDING 5
SELF-CONTAINED UNITS

Drawing No.'s: PA p 200 S.P. - Rev A; PA p 100 p0 - Rev C; PA p 100
p1 - Rev C; PA p 100 p2 - Rev C; PA p 100 p3 - Rev C;
PA p 100 e4 - Rev. A; PA p 100 e3 - Rev. B; PA p 100 e1
- Rev. B; PA p 100 e2 - Rev. A; PA p 100 s1 - Rev. B; PA
p 100 s2 - Rev. A; PA p 100 s3 - Rev. A; PA p 50 lsp Rev
A.

Contact Officer: Catarina Cheung (020 8545 4747)

RECOMMENDATION

Grant planning permission subject to Section 106 Obligation and Conditions.

CHECKLIST INFORMATION

- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Statement been submitted: No
- Press notice: No
- Site notice: No
- Design Review Panel consulted: Yes
- Number of neighbours consulted: 58
- External consultations: 0
- Controlled Parking Zone: Currently under consultation, Zone GC3
- Archaeological Zone: No
- Conservation Area: No

1. INTRODUCTION

- 1.1 This application is being brought to the Planning Applications Committee for determination due to the nature and number of objections received.

2. SITE AND SURROUNDINGS

- 2.1 The application site is a triangular shaped plot, a former scaffolding yard, adjacent to 2 Park Avenue.
- 2.2 The immediate surrounds are characterised by residential dwellings. Along Park Avenue are two storey terrace properties, opposite the site (south) is a two storey end of terrace building which is currently occupied by a church. Immediately to the west adjoining the boundary with the scaffold yard is Park Avenue Mews which comprise a number of single storey buildings predominately in commercial/storage use. North-west of the site is Streatham Road, three storey terrace buildings, which forms part of the Streatham Road neighbourhood shopping parade (numbers 196-172B Even & 175-221 Odd).
- 2.3 The site is not located in a Conservation area nor is it in close proximity to a Listed building.
- 2.4 The site is not within a Flood Risk zone.
- 2.5 The site has a PTAL rating of 2.

3. CURRENT PROPOSAL

- 3.1 This application seeks planning permission for the change of use of the existing scaffold site to residential use, and erection of a residential block providing 5 self-contained flats.
- 3.2 The residential block would be joined at the ground floor level, displaying a width of approximately 11.5m toward Park Avenue and a maximum depth of approximately 27m. As a whole the proposals would be read as 3 'pavilion' (stand-alone) buildings. Toward Park Avenue a two storey barrel vaulted structure (A), in the middle a three storey gable roof structure (B) and toward the northern rear of the site, another two storey barrel vaulted structure (C):
(A) – width 11.65m, depth 6.9m, eaves height 4.75m, maximum height 6.68m;
(B) – width 6.1m, depth 7.05m, eaves height 6.79m, maximum height 10m.
(C) – width 5.6m, depth 9.1m, eaves height 4.27, maximum height 5.9m.
- 3.3 The proposed external finishing materials of the development would comprise of brick walls, zinc roofing and aluminium/timber framed windows.
- 3.4 The proposed dwelling mix of the flats would be as follows:

	Type	Storeys	Proposed GIA (sqm)	Amenity area
Unit 1	2b3p	1	69	Communal courtyard
Unit 2	2b3p	1	61	Communal courtyard
Unit 3	1b2p	1	50.8	Communal courtyard
Unit 4	2b4p	2 (with mezzanine level)	73	Communal courtyard + balcony (6sqm)
Unit 5	2b4p	2	90	Communal courtyard

- 3.5 The communal amenity space (not including the shared pathway which also provides access to the rear of the properties along Park Avenue) is 65.8sqm.
- 3.6 A communal refuse area is provided at the front of the development toward Park Avenue.
- 3.7 A communal bike store is provided at the rear of the development providing 10 cycle storage spaces.

4. PLANNING HISTORY

- 4.1 MER838/77: CHANGE OF USE TO STORAGE OF BUILDING AND CIVIL ENGINEERING TOOLS AND EQUIPMENT. – Granted 13/02/1978

5. CONSULTATION

External

- 5.1 Public consultation was undertaken by way of letters sent to 58 neighbouring properties. 5 representations received objected to the proposal, with 1 comment of support.

- 5.2 Summary of objections are as follows:

- The plot is too small for the proposed 3 buildings resulting in potential HMO issues;
- Unacceptably high density development;
- Invasion of privacy and loss of outlook;
- Strain on parking in the street;
- The development would exacerbate the already under-strain waste disposal provisions;
- Building 3 buildings removes open space leaving no possibility for gardens;
- No demand for new properties in the area;
- Pressure on local amenities;
- Disruption to the street caused by building work;
- Damage to neighbouring property and bushes during building work;
- Impact potential for neighbouring properties to develop.

- 5.3 In support:

- Whilst in favour of the site being developed, raises comment to the existing fly tipped rubbish on the site and highlights that residents are to retain a right of way from the side alley of 2 Park Avenue.

Internal

- 5.2 Transport officer – The site lies within an area PTAL 2.

Car Parking: No on-site parking is proposed for the development.

The site is not currently located in a Controlled Parking Zone (CPZ), but, in response to concerns from local residents and having regard to local parking pressure, the Council have undertaken consultation to introduce a CPZ in the area, Zone GC3. Transport officers confirm that this will be implemented later this year. Therefore, when Park Avenue becomes a CPZ, no occupant whilst

residing, using and or occupying the development shall be eligible to purchase or procure a parking permit for a residential Parking Bay within the CPZ.

Cycle Parking: Cycle parking should be installed on site in accordance with London Plan standards on cycle parking for new residential developments. The London Plan and London Housing SPG Standard 20 (Policy 6.9) states all developments should provide dedicated storage space for cycles at the following level: 1 per studio and one bed dwellings and 2 per all other dwellings.

No objection raised in relation to the above subject to following conditions:

1. Cycle parking provision
2. Refuse collection criteria
3. Permit free option – applicant enters into a Unilateral Undertaking which would restrict future occupiers from obtaining an on –street residential parking permit secured via a S106 agreement
4. Demolition/construction logistic plan (including a Construction Management plan in accordance with TfL guidance) should be submitted to LPA for approval before commencement of work

- 5.3 Highways – conditions and informatives to be attached to application if minded for approval. Conditions include to provide details of Construction vehicles and removal of redundant crossovers, and informatives to remind the applicant where any works are on or affect the public highway, these need to be communicated with the Local Authority and Merton’s Highways team.
- 5.4 Climate Change – the applicant has provided an Energy Strategy Report and completed the sustainable design and overheating questionnaire as advised by LBM’s Climate Change officer. Following review and discussion with the applicant, it is considered suitable in this instance to ensure that further information is secured through the attachment of pre-commencement and pre-occupation conditions. The Climate Change officer has provided the appropriate conditions.
- 5.5 Waste Services – for the proposed 5 properties, Waste have recommended bins in a shared facility. Officers confirm that the drawings have been amended in accordance with their recommendations.
- 5.6 Environmental Health – should officers be minded to recommend approval, conditions have been recommended in relation to mitigation measures to deal with any site contamination and noise.
- 5.7 Metropolitan Police - Secure by design – comments and concerns were raised by the Designing out Crime officer, summary of their response as follows:
- there appears to be no defensible space adjacent to any of the buildings allowing anyone to walk up to windows and attack them at ease;
- the entrance to the courtyard is via a low wrought steel garden gate, the gate appears inadequately low and needs access control;
- the bin store design should eliminate its use as seating or climbing;

- the courtyard appears to have limited natural surveillance from the windows and any planting throughout the development should not impede the opportunity for natural surveillance;
- shrubs should be selected to have a mature growth height no higher than 1 metre, and trees should no foliage, epicormic growth or lower branches below 2.4 metres thereby allowing a 1.4 metre clear field of vision;
- planting should avoid the creation of potential hiding places;
- the proposed bench should be designed to include centrally positioned arm rest dividers to assist those with mobility issues;
- recommend CCTV for this proposed development;
- cycle stores appears to have no door or gate so allowing uncontrolled access and is a hidden corner of the site so it is not overlooked;
- lighting across the entire development should be to the required British standards, avoiding various forms of light pollution.

The scheme has been amended to addresses some of the above concerns (this further assessed under paragraphs 7.42-7.44). However, conditions will be attached as appropriate, should the application be minded for approval, to ensure necessary measures will be undertaken before occupation of the development to ensure the safety and security of future occupiers.

5.8 Design Review Panel – the panel considered the proposal (same as that currently proposed in this application, alterations made later include largely internal reconfiguration or glazing details) in September 2019. Their comments as follows:

The Panel were enthusiastic about the proposals and were clear that the changes made since the first review had significantly improved the scheme. The approach, based on separate buildings arranged around a central space, was considered good, but more work was needed to ensure this worked well. For example, the space needed to work for upper floor units as well as having dedicated and defensible space for ground floor units, and the tree canopy needed to be high enough so the space was useable. It was likely a different tree was required.

The areas that were less well resolved centred on details and ensuring the internal arrangements worked successfully, which was considered important by the Panel, in such constrained sites. Currently there were a few such issued that were considered unsatisfactory. The street frontage had bedrooms directly facing the footway. This would be arranged better by using the widened area for defensible planting. Internally the arrangement of spaces seemed inefficient with cramped areas and areas that were spacious but not efficiently useable.

Kitchen areas seemed particularly poorly considered, with a lack of provision for essential equipment and surfaces that did not meet standards. Access into dwellings and positioning of toilets could also be better. The Panel recommended a good rethink on the internal arrangements as they felt there was sufficient space overall, but it was just not well enough arranged. Externally, the bike store needed a door to ensure adequate security.

The research was considered thorough and the precedents were good, but there needed to be a stronger explanation as to how the curved roof forms had evolved from the contextual research. The Panel felt the arrangement of buildings and their style was playful and introduced some delight in to the scheme, though this was not necessarily dependent on the curved roofs. Having said this it was felt the building at the front of the site was quite visually dominant in the westerly view along Park Avenue.

The Panel noted that there were large areas of glazing providing daylight to comparatively small rooms. Issues of overheating were raised and this needed to be clarified and tested using dynamic simulation models. Practical issues like access to all glazing for cleaning needed to be considered. The gable end of the adjacent house was imposing and would benefit from additional greenery.

Overall the Panel felt the scheme was well put together and had the potential to be an attractive place to live, based on the central space, however the detailed issues needed to be resolved in order to make it a place that worked well for the future occupants. The verdict reflects the Panel's cautious view that this was achievable. VERDICT: **GREEN**

6. POLICY CONTEXT

6.1 NPPF - National Planning Policy Framework (2019):

Part 5 Delivering a sufficient supply of homes

Part 9 Promoting sustainable transport

Part 11 Making effective use of land

Part 12 Achieving well-designed places

6.2 London Plan 2016:

3.3 Increasing housing supply

3.4 Optimising housing potential

3.5 Quality and design of housing developments

3.8 Housing choice

3.9 Mixed and balanced communities

5.1 Climate change mitigation

5.2 Minimising carbon dioxide emissions

5.3 Sustainable design and construction

5.17 Waste Capacity

5.21 Contaminated land

6.3 Assessing effects of development on transport capacity

6.9 Cycling

6.13 Parking

7.3 Designing out crime

7.4 Local character

7.6 Architecture

7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes

8.3 Community infrastructure levy

- 6.3 Merton Sites and Policies Plan July 2014 policies:
 DM D1 Urban design and the public realm
 DM D2 Design considerations in all developments
 DM E3 Protection of scattered employment sites
 DM EP3 Reducing and mitigating noise
 DM EP4 Pollutants
 DM H2 Housing mix
 DM T1 Support for sustainable transport and active travel
 DM T2 Transport impacts of development
 DM T3 Car parking and servicing standards
 DM T5 Access to road network
- 6.4 Merton Core Strategy 2011 policy:
 CS 8 Housing choice
 CS 9 Housing provision
 CS 11 Infrastructure
 CS 14 Design
 CS 15 Climate change
 CS 17 Waste management
 CS 18 Transport
 CS 20 Parking servicing and delivery
- 6.5 Supplementary planning documents
 London Housing SPG 2016
 Technical Housing standards – nationally described space standards 2015

7. **PLANNING CONSIDERATIONS**

- 7.1 The key planning considerations of the proposal are as follows:
- Principle of development
 - Design and impact upon the character and appearance of the area
 - Impact upon neighbouring amenity
 - Standard of accommodation
 - Transport, parking and cycle storage
 - Refuse
 - Sustainability
 - Other matters
 - Developer contributions

Principle of development

Loss of scattered employment site

- 7.2 The application site forms part of a former scaffolding yard, and is identified as a scattered employment site. Such sites are suitable for facilitating employment of small and growing business or community uses to ensure there is a diverse mix of size, type, tenure and location of employment facilities which can support a range of employment opportunities towards creating balanced mixed use neighbourhoods in Merton. Policy DM E3 states proposals that result in the loss of scattered employment sites will be resisted except where:

- i) The site is located in a predominantly residential area and it can be demonstrated that its operation has had a significant adverse effect on local residential amenity;
- ii) The size, configuration, access arrangements and other characteristics of the site makes it unsuitable and financially unviable for whole-site employment use; and,
- iii) It has been demonstrated to the council's satisfaction that there is no realistic prospect of employment or community use on this site in the future. This may be demonstrated by full and proper marketing of the site at reasonable prices for a period of 30 months (2½ years).

7.3 The applicant has supported the proposal with a Planning statement which sets out sufficient research into the site's previous use and last occupation in order to justify it is no longer viable as a scaffold yard, hence its proposed conversion for residential use. The last users of the site were 'RAW Scaffolding Ltd', the company was liquidated in 2017. Companies House informs the type of liquidation, Creditors Voluntary Liquidation, so, evident financial distress, with likely little to no opportunity to make profit hence voluntary liquidation. The premises was also vacated in the same year.

7.4 The scaffold yard is located in an area of predominantly residential dwellings where such a use would not be considered entirely in keeping with its surrounds. Following the site being vacated in 2017, it has since remained unused and boarded up. This has encouraged a growing concern with fly-tipping in the area which has a negative impact on the streetscene and surrounding occupiers.

Officers consider the size and irregular shape of the site make it unattractive for a modern readily serviceable light industrial unit. While a development of a more domestic nature might be configured to deliver offices, such a development is likely to be speculative with little guarantee of an end user. In addition vacant units in parades nearby could, more readily, offer lower costs employment space to start-up businesses and thereby maintain a commercial frontage along Streatham Road rather than face conversion to residential use under the "prior approval" planning provisions.

In relation to the possibility of the site being used for community uses, it is noted immediately opposite the application site, 1b Park Avenue, is a former office/workshop which was converted in 2009 for use as a community centre and place of worship (use D1), and a two storey rear extension approved in 2010 to enlarge the worship area (use class D1). The building provides a substantial building for community use to serve the local area.

7.5 Therefore, it is considered the loss of the scattered employment site is not detrimental and its change of use for residential purposes would be more in keeping with the local area. The proposed development would provide an opportunity to enhance the streetscene and reactivate the site, to fill the vacant plot which has become attractive to fly-tippers, and also allow improvements to the shared access path used by occupiers of Park Avenue.

Increasing housing provision

- 7.6 The National Planning Policy Framework, London Plan Policy 3.3 and the Council's Core Strategy Policy CS8 and CS9 all seek to increase sustainable housing provision and access to a mixture of dwelling types for the local community, providing that an acceptable standard of accommodation would be provided. Policy 3.3 of the London Plan 2016 also states that boroughs should seek to enable additional development capacity which includes intensification, developing at higher densities.
- 7.7 The development seeks to make effective use of the site by providing 5 residential units on the former scaffold yard. The principle of doing so is considered acceptable and in line with policies to increase provision of additional homes and seeking opportunities through intensification of the site.
- 7.8 However, the scheme is also subject to all other criteria being equally fulfilled and compliant with the policies referred to above.

Character and Appearance

- 7.9 The NPPF states that developments should function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. Developments should ensure that they are visually attractive and are sympathetic to local character and history, while not preventing or discouraging appropriate innovation or change (such as increased densities).
- 7.10 Policies CS14, DMD1 & DMD2 require that new development reflect the best elements of the character of the surrounding area, or have sufficient distinctive merit so that the development would contribute positively to the character and appearance of the built environment. Policy DM D2 of Merton's Sites and Policies Plan requires development to relate positively and appropriately to the siting, rhythm, scale, density, proportions, height, materials and massing of surrounding buildings and existing street patterns, historic context, urban layout and landscape features of the surrounding area and to use appropriate architectural forms, language, detailing and materials which complement and enhance the character of the wider setting. The requirement for good quality design is further supported by the London Plan London Plan Policies 7.4 and 7.6.
- 7.11 Residential design along Park Avenue comprises of two storey terrace dwellings, though not of particular architectural interest are fairly uniform in appearance, the uniformity continues along the residential streets north and south of the application site. Whereas along Elmhurst Avenue, there is an irregular mixture of one to two storey detached, semi-detached and terraced dwellings built from the 1930s onwards.
- 7.12 On the eastern side of Streatham Road (numbers 193 to 221, north-west of the application site) are two to three storey terrace buildings with impressive facades of red brick, curved arches and small corner turrets, built around the early twentieth century. On the western side of Streatham Road are less detailed and simple two storey terrace buildings built around the 1930s.

- 7.13 The local area has a mix of architectural styles with no distinct heritage dimension. Therefore, officers consider that in overall terms, there is not a strict requirement to adhere to a specific building design that might otherwise characterise the local area. However, the applicant has undertaken extensive site research and compiled precedents in order to inspire a building design and appearance which takes cues from the local building forms and materiality.
- 7.14 The development would comprise of 3 two to three storey buildings. The shape of the barrel vaulted roof forms are interpreted from the arched forms seen, predominately, along Streatham Road. The middle pavilion building displays a gable roof, which is more conventional and an interpretation of the gable roof ends along Park Avenue and Streatham Road.
- 7.15 The roofs would be finished in zinc, a modern industrial finishing which is considered acceptable. A lot of focus has been paid to the external walls with decorative brickwork to evoke the character of the local shopping parade and a number of twentieth century church and residential buildings in the area (presented in the design and access statement), and gives the building an identity without needing to further complicate the building forms.
- 7.16 The 'front' (eastern), and most active elevation of the development would face toward 2 Park Avenue, but separated from the neighbouring building by a private courtyard area. Toward Park Avenue (southern elevation), the building line of the development would sit forward in line with Park Avenue Mews, and at the rear extend beyond the rear building line of 2 Park Avenue.
- 7.17 As the building line projects forward to match Park Avenue Mews, when approaching along Park Avenue from the east, this would present a new viewpoint. However, with the sufficient set back of around 5m from 2 Park Avenue, there is no intention to obscure the rhythm of the uniform terrace properties and the new development would present itself as a new entity and purposeful intervention to add a new interest to the views of the streetscene.
- 7.18 The roof lines in the surrounding area remain clearly defined and legible, and it is not considered the new development would inappropriately overshadow or obscure these. The height of the two storey barrel vaulted buildings would not exceed the height of the terraces, in fact, sitting at the level of their eaves. The three storey central gable structure would also not exceed that of the terraces, nor the Streatham Road parade.
- 7.19 The varying heights and roof forms of the development break up a potentially bulky singular mass and all facades have been carefully detailed so as to avoid 'plain' elevations when viewed from various neighbouring viewpoints.
- 7.20 Overall, it is considered the development would be an attractive addition to the Park Avenue streetscene. It would not inappropriately overwhelm the surrounding buildings and has taken a modern and playful approach to detailing and moulding the building form, led by research of appropriate local precedents.

Neighbouring Amenity

- 7.21 SPP Policy DM D2 states that proposals must be designed to ensure that they would not have an undue negative impact upon the amenity of neighbouring properties in terms of loss of light, quality of living conditions, privacy, visual intrusion and noise.

Flat 1 and Flat 2, 2 Park Avenue

- 7.22 The rearmost block of the development would project further than the rear building line of the Park Avenue terraces. The upper level windows of the first floor flat of 2 Park Avenue serves a bathroom (obscured glass) and bedroom. However, bedroom windows on the eastern elevation of the proposed development (facing toward the 2 Park Avenue's garden) would be obscure glazed, removing overlooking concerns, and windows on the southern elevation would have, at best, oblique views toward 2 Park Avenue.

Park Avenue (southern side)

- 7.23 There would be a distance of 9m between the residential dwellings along the southern side of Park Avenue and the front building line of the proposed development. This is considered sufficient and would not raise overlooking issues from the proposed bedroom windows.

Park Avenue Mews

- 7.24 The first and second level of the development would have windows on the side (western) elevation toward Park Avenue Mews. The Park Avenue Mews units adjoining the boundary with the application site do not have rooflights, aside from one at number 2a. Therefore, it is considered windows serving the upper level of units 4 and 5 would unlikely overlook the mews. There is one window serving the single bedroom of unit 2 with further high level windows, which cannot be viewed out of. These would unlikely conflict or look into the rooflight over unit 2a Park Avenue Mews.

Streatham Road

- 7.25 Windows toward Streatham Road on the first floor level of the development would be positioned around 14m from the rear outrigger windows and 23m from the main rear building line. However, as mentioned above, there would be no views out from the high level windows of unit 2 and the two windows on the first floor of unit 4 and unit 5 serve hallway/landing areas. There would be views out from the second floor bedroom of unit 4, however, given the reasonable separation distance, it is not considered there would be an unacceptable loss of privacy. It is also noted the drawings have been amended to further reduce the glazing area of the second floor bedroom in unit 4.

1a Caithness Road

- 7.26 There is approximately 14.7m separation distance between the rear building line of Unit 5 and the rear building line of 1a Caithness Road. The first floor windows of the proposed development would serve a bedroom but all these

would be obscure glazed to prevent overlooking into the rear neighbouring property and garden.

Standard of accommodation

Internal

- 7.28 Policy 3.5 of the London Plan 2016 requires housing development to be of the highest quality internally and externally, and should satisfy the minimum internal space standards (specified as Gross Internal Areas –GIA) as set out in Table 3.3 of the London Plan. Table 3.3 provides comprehensive detail of minimum space standards for new development; which the proposal would be expected to comply with. Policy DMD2 of the Adopted Sites and Policies Plan (2014) also states that developments should provide suitable levels of sunlight and daylight and quality of living conditions for future occupants.

	Type	Storeys	Proposed GIA (sqm)	Required GIA (sqm)	Compliant
Unit 1	2b3p	1	69	61	Yes
Unit 2	2b3p	1	61	61	Yes
Unit 3	1b2p	1	50.8	50	Yes
Unit 4	2b3p	2	73	70	Yes
Unit 5	2b4p	2	90	70	Yes

- 7.29 As demonstrated by the table above, the flats would comply with the minimum space standards.

External

- 7.30 In accordance with the London Housing SPG and Policy DMD2 of the Council's Sites and Policies Plan, it states that there should be 5sqm of external space provided for private outdoor space for 1-2 person dwellings and an extra 1sqm provided for each additional occupant.

	Type	Storeys	Proposed amenity (sqm)	Required GIA (sqm)	Compliant
Unit 1	2b3p	1	Communal courtyard, 65.8	6	Yes
Unit 2	2b3p	1	Communal courtyard, 65.8	6	Yes
Unit 3	1b2p	1	Communal courtyard, 65.8	5	Yes
Unit 4	2b3p	2	Communal courtyard, 65.8	6	Yes
Unit 5	2b4p	2	Communal courtyard, 65.8	7	Yes
				Total = 30	

- 7.31 The required amenity area for the number of occupiers is provided in the table above, altogether totalling a need of 30sqm. The proposed communal courtyard of 65.8sqm would be considered an acceptable area.

Transport, parking and cycle storage

- 7.32 Core Strategy Policy CS20 requires that development would not adversely affect pedestrian or cycle movements, safety, the convenience of local residents, street parking or traffic management. Cycle storage is required for all new development in accordance with London Plan Policy 6.9 and Core Strategy Policy CS18. It should be secure, sheltered and adequately lit and Table 6.3 under Policy 6.13 of the London Plan stipulates that 1 cycle parking space should be provided for a studio/1 bedroom unit and 2 spaces for all other dwellings.
- 7.33 The site has a PTAL of 2 which is considered poor, and is located in an area currently under consultation for adoption as part of a Controlled Parking Zone, Zone GC3.
- 7.34 The proposed development would provide no on-site parking. In the event Park Avenue becomes a CPZ, no occupant whilst residing, using and or occupying the development shall be eligible to purchase or procure the purchase of a parking permit for a residential parking bay within the CPZ. Transport officers have recommended that the applicant enters into a Unilateral Undertaking (UU) to restrict this. The applicant has agreed to this and the UU has been signed.
- 7.35 The proposal requires 6 cycle spaces to satisfy the proposed number of dwellings, the bike storage shed at the rear of the site would offer 10 storage racks so would satisfy policy requirement.

Refuse

- 7.36 Waste Services have recommended bins in a shared facility for the proposed 5 self-contained flats. A communal refuse bin store has been provided at the front of the site toward Park Avenue, this is considered an appropriate and convenient location for access and collection. This would provide 4x 360L bins (two for general waste and two for recycling), with additional space should a further bin if required. There is also space on site for recycling boxes and kitchen caddies to be presented at the front on collection days. Therefore, the proposal is considered to accord with Policy 5.17 of the London Plan and Policy CS 17 of the Core Strategy.

Sustainability

- 7.37 All new developments comprising the creation of new dwellings should demonstrate how the development will comply with Merton's Core Planning Strategy (2011) Policy CS15 Climate Change (parts a-d) and the policies outlined in Chapter 5 of the London Plan (2016). As a minor development proposal, the development is required to achieve a 19% improvement on Part L of the Building Regulations 2013 and water consumption should not exceed 105 litres/person/day.

- 7.38 The applicant has provided an Energy Strategy Report and completed the sustainable design and overheating questionnaire as advised by LBM's Climate Change officer. Following review and discussion with the applicant, it is considered suitable in this instance to ensure that further information is secured through the attachment of pre-commencement and pre-occupation conditions. The Climate Change officer has provided the appropriate conditions should the application be approved.

Other matters

Contamination

- 7.39 Policy DM EP4 seeks to minimise pollutants and to reduce concentrations to levels that have minimal adverse effects on people, the natural and physical environment in Merton. Industrial activity, waste disposal, accidental spillages and transportation can cause contamination of land. Often, this contamination is associated with industrial processes or activities which are now not active. Past dispersed sources of pollution, such as fall out from vehicle emissions and past industrial use can also be a contributing factor in land pollution and contamination.
- 7.40 The application is accompanied with a Land Contamination Report which undertook: 'Phase 1 Land Quality Assessment' of the site. The findings show generally there is a low risk of contamination but concludes '*Given the nature of the historical land use and therefore the potential for contamination to be present at the Site, it is recommended that a proportionate programme of site investigation and monitoring works be undertaken in order to establish the presence or absence of contamination and to enable a quantitative assessment of the associated environmental risks*', this forms: Phase 2 intrusive investigation.
- 7.41 The Council's Environmental Health officer has reviewed the report and provided conditions to be attached which relate to undertaking Phase 2's investigation and assessment. However, prior to this, the site would require cleaning and removal of existing debris, and during this process, if any contamination or risk of contamination is found/expected, the Council should be notified immediately. A condition has been attached relating to contamination being found on site before and during works.

Secure by design

- 7.42 The Met Police Secure by Design Officer has been consulted and provided a number of comments to aid the security of the development.
- 7.43 The scheme has been amended and addresses some of those concerns raised, such as:
- Defensible space has been introduced at the front of the development which provides a buffer for the bedroom windows of Unit 1;
 - Pathway lights are proposed around the courtyard to improve visibility in the night;
 - The bike store has been provided with a front gate to control access;
 - The courtyard provides only one large tree and there would be plentiful natural surveillance from the windows of the 5 units over this area.

- 7.44 To ensure that necessary safety measures are incorporated in the development to minimise the risk of crime, appropriate conditions are to be attached should the application be minded for approval to ensure this. These are to include providing details of the lighting scheme for the courtyard with suitable surfacing (including along the shared pathway).

Developer Contributions

- 7.44 The proposed development would be subject to payment of the Merton Community Infrastructure Levy and the Mayor of London's Community Infrastructure Levy (CIL).

8. CONCLUSION

- 8.1 The scheme seeks to creatively infill the irregular triangular plot, presenting a new typology and modern architectural form to Park Avenue which takes inspiration from its local surrounds. The scale, form, design, positioning and materials of the proposed new development have been carefully considered and would not have an undue detrimental impact toward the character and appearance of the streetscene or on neighbouring amenity. The buildings would not be excessive and carefully orientated and detailed so as to minimise negative harm to surrounding residential amenity. Therefore, the proposal is considered to comply with the principles of policies referred to in Section 6 and it is recommended to grant planning permission subject to a section 106 legal undertaking.

RECOMMENDATION

Grant planning permission subject to a S106 obligation to secure a car free development in the event a parking zone is implemented and the following conditions are recommended:

1. A1 Commencement of Development
2. A7 Approved Plans
3. B1 External Materials to be approved
4. B4 Details of surface treatment – Prior to occupation of development, details of the surfacing of all those parts of the site not covered by buildings or soft landscaping, including any parking, service areas or roads, footpaths (including the upgrading of the shared pathway along 2a Park Avenue), hard and soft shall be submitted in writing for approval by the Local Planning Authority. The development shall not be occupied until the details have been approved and works to which this condition relates have been carried out in accordance with the approved details.
5. Non-standard condition – Details of the lighting scheme for the shared garden/courtyard to be submitted to the LPA for approval prior to occupation of the development.
6. B5 Details of Walls/Fences/Gates – Prior to occupation of development,

details of boundary walls or fences and gates shall be submitted in writing for approval to the Local Planning Authority. No works which are the subject of this condition shall be occupied until the details are approved and carried out in accordance with the approved details. The walls, fencing and gates shall be permanently retained thereafter.

7. C03 Obscure Glazing – before the development is first occupied, windows on the lower panel of the ground floor of the southern elevation (Unit 1) and lower panels on the first floor of the northern and eastern windows (Unit 5) shall be obscure glazed, and permanently maintained as such thereafter.
8. C07 Refuse & Recycling – implementation
9. D11 Construction hours – No demolition or construction work or ancillary activities such as deliveries shall take place before 8am or after 6pm Mondays - Fridays inclusive, before 8am or after 1pm on Saturdays or at any time on Sundays or Bank Holidays.
10. H06 Cycle Parking – implementation
11. H13 Construction Logistics Plan – Prior to the commencement of the development hereby permitted, a Construction Logistics Plan (including a Construction Management Plan in accordance with TfL guidance) shall be submitted to and approved in writing by the Local Planning Authority.
12. D10 External lighting – Any external lighting shall be positioned and angled to prevent any light spillage or glare beyond the site boundary.
13. F01 Landscaping/Planting Scheme – No development shall be occupied until full details of a landscaping and planting scheme has been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved before the occupation of the buildings hereby approved, unless otherwise agreed in writing by the Local Planning Authority. The details shall include on a plan, full details of the size, species, spacing, quantities and location of proposed plants, together with any hard surfacing, means of enclosure, and indications of all existing trees, hedges and any other features to be retained, and measures for their protection during the course of development.
14. A Non-standard condition (Sustainability, pre-commencement) – No part of the development hereby approved shall commence until evidence has been submitted to and approved in writing by the Local Planning Authority confirming that the development will achieve a CO₂ reduction of not less than a 19% improvement on Part L Regulations 2013, and internal water usage rates of no greater than 105 litres per person per day.
15. A Non-standard condition (Sustainability, pre-occupation) – No part of the development hereby approved shall be occupied until evidence has been submitted to, and approved in writing by, the Local Planning Authority

confirming that the development has achieved CO2 reductions of not less than a 19% improvement on Part L regulations 2013, internal water consumption rates of no greater than 105 litres per person per day and demonstration of how the risk of overheating will be mitigated in the development.

16. A Non-standard condition (Contamination) – No development, other than demolition, shall take place until a Phase II site investigation and assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.
17. A Non-standard condition (Contamination) – Subject to the site investigation for contaminated land, if necessary, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
18. A Non-standard condition (Contamination) – Any approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, unless otherwise agreed in writing by the Local Planning Authority.
19. A Non-standard condition (Contamination) – Following the completion of any measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.
20. A Non-standard condition (Contamination) – In the event that contamination is found at any time prior to carrying out works or when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and

where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority.

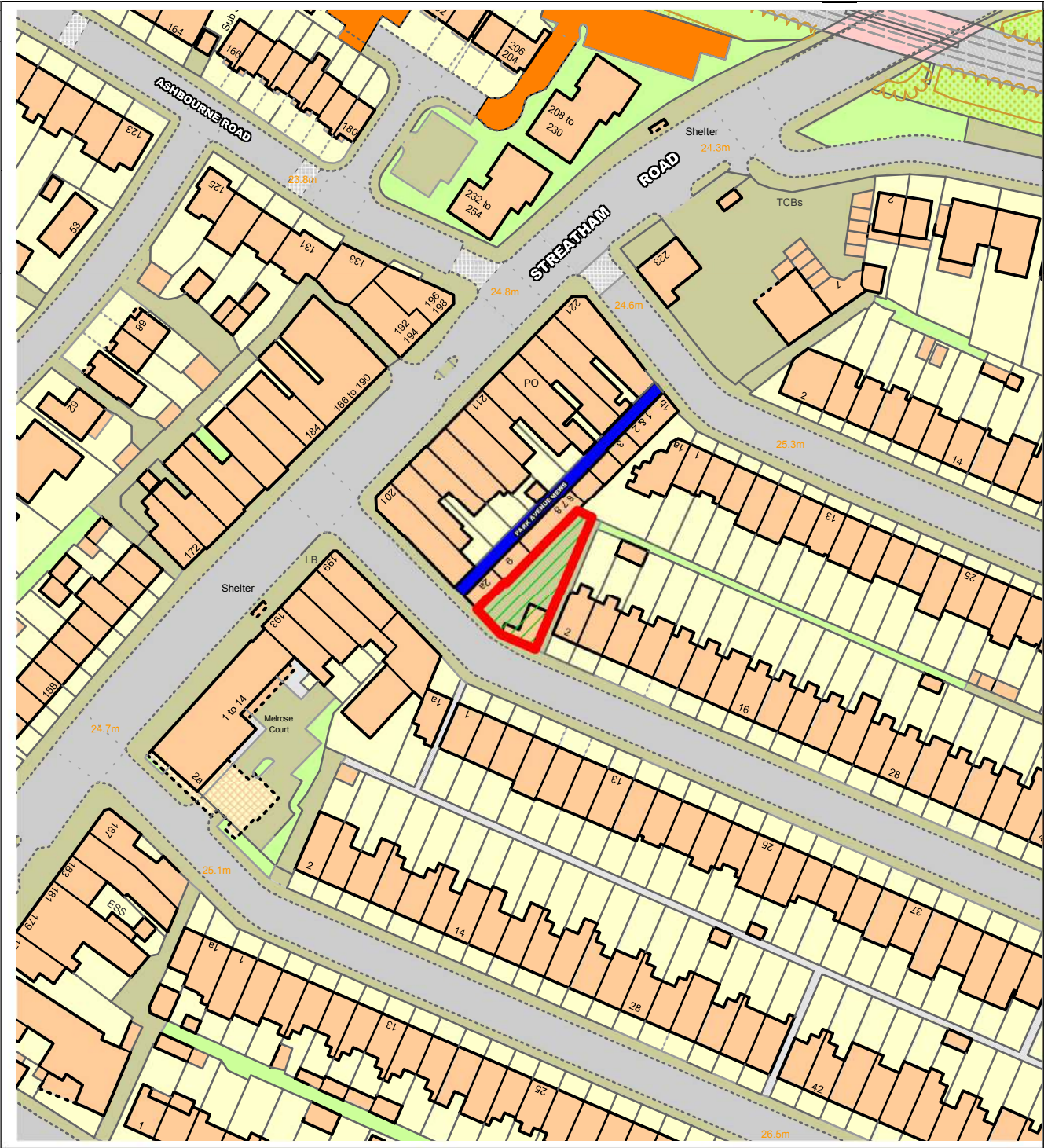
21. A Non-standard condition (Noise) – No development shall take place until a Construction Management Plan for noise and vibration has been submitted to, and approved in writing by, the Local Planning Authority. The agreed measures shall be implemented throughout the duration of construction the development.

Informatives:

1. H3 Redundant Crossovers
2. H9 Construction Vehicles
3. H14 Garage doors/Gates
4. INF 01 Party Walls Act
5. INF 09 Works on the Public Highway
6. INF 12 Works affecting the public highway
7. INF 20 Street naming and numbering
8. Note to Applicant – approved schemes

[Click Here](#) for full plans and documents related to this application

NORTHGATE SE GIS Print Template



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PLANNING APPLICATIONS COMMITTEE **13th February 2020**

<u>APPLICATION NO.</u>	<u>DATE VALID</u>
19/P4326	03/12/2019
Address/Site	51 Princes Road, Wimbledon, SW19 8RA
Ward	Trinity
Proposal:	Alterations and extensions to existing building including change of use of doctor's surgery to residential (5 x 2 bed flats) and associated landscaping, parking, cycle storage and bin storage
Drawing Nos	PL01 Rev E, PL02 Rev C, PL03 Rev A and 0020PL04 Rev D
Contact Officer:	Stuart Adams (0208 545 3147)

RECOMMENDATION

GRANT Planning Permission subject S106 agreements and conditions.

CHECKLIST INFORMATION.

Heads of agreement: - Permit Free
Is a screening opinion required: No
Is an Environmental Statement required: No
Has an Environmental Impact Assessment been submitted – No
Press notice – Yes
Site notice – Yes
Design Review Panel consulted – No
Number of neighbours consulted – 56
External consultations – No.
PTAL score – 6a
CPZ – VOs

1. INTRODUCTION

- 1.1 The application has been brought before the Planning Application Committee for consideration due to the number of objections received and the application being called in by Councilor Ormrod.

2. **SITE AND SURROUNDINGS**

- 2.1 The application site comprises a two storey end of terrace building located on the south side of Princes Road on the south-west corner of the junction with Trinity Road, Wimbledon. The building is currently vacant, however it was formerly used as a doctors practice. The building has been extended with a large single storey rear extension. Car parking is provided on both the Princes Road and Trinity Road street frontages.
- 2.2 The application site is located adjacent to the South Park Gardens Conservation Area.

3. **CURRENT PROPOSAL**

- 3.1 Alterations and extensions to existing building including change of use of doctor's surgery to residential (5 x 2 bed flats) and associated landscaping, parking, cycle storage and bin storage.

Unit	Dwelling type (bedroom (b)/ persons-bedspaces (p))	GIA (sq m)	London Plan standard
Flat 1	2b4p	75	70
Flat 2	2b4p	70	70
Flat 3	2b3p	62	61
Flat 4	2b3p	61	61
Flat 5	2b3p	61	61

4. **PLANNING HISTORY**

- 4.1 19/P2165 - Demolition and change of use from existing doctors surgery and erection of two storey building comprising 6 residential flats (3 x 1 and 3 x 2 bedroom flats) including associated car parking, bicycle storage, bin storage and landscaping – Refused on

The proposed development by reason of its design, height, massing, detailing and siting would be an overly bulky and dominant form of development resulting in an overdevelopment of the site, which falls to respect the character and appearance of the Princes Road and Trinity Road street scenes, general pattern of development within the area and would fail to preserve or enhance the setting of the adjacent South Park Gardens Conservation Area, contrary to Policies DM D2 (Design Considerations in all developments) and DM D4 (Managing heritage assets) of Merton's Adopted Sites and Policies Plan (July 2014), CS14 (Design) of Merton's adopted Core Planning Strategy (July 2011) and Policy

7.4 (Local Character) of the London Plan (2016).

&

The proposed development, located in an area with a PTAL score of 6a (very good), would generate additional pressure on parking in the area, and in the absence of a signed legal agreement securing a 'car free' agreement, the proposal would be contrary to contrary to Policies DM T1 (support for sustainable transport and active travel), DM T3 (Car parking and servicing standards) of Merton's Adopted Sites and Policies Plan (July 2014) and CS20 (Parking, Servicing and Delivery) of Merton's Adopted Core Planning Strategy (July 2011).

&

The proposed development by reason of its design and layout would fail to achieve a high standard of residential accommodation as a result on communitive shortfalls in cycle parking, bin storage, lack of private amenity space, lack of natural bathroom ventilation and overlooking/loss of privacy to the bathroom of flat 1. The proposal would therefore be detrimental to the amenities of future occupiers contrary to policies DM D2 (Design considerations in all developments) and DM T1 (support for sustainable transport and active travel) of Merton's Sites and Policies Plan CS 14 (Design) and CS 18 (active Transport) of Merton's Core Planning Strategy (July 2011).

&

The applicant has failed to demonstrate that there is no viable demand for any other community uses on the site. The proposal would therefore be contrary to policy DM C1 Community facilities of Merton's Sites and Policies Plan (July 2014) and CS 11 Infrastructure of Merton's Core Planning Strategy (July 2011).

- 4.2 19/P0160 - Change of use from existing doctors surgery to residential accommodation (7 flats) involving construction of part two/part three storey extension at front/side of existing building – Withdrawn
- 4.3 15/P0009 - Change of use from existing doctors surgery to residential accommodation (7 x 2 bedroom flats) involving construction of part two/part three storey extension at front/side of existing building – Refused on 13/03/2015 for the following reasons:

The applicant has failed to demonstrate that the loss of the existing

doctor's surgery would not create, or add to, a shortfall in provision for the specific community uses and that there is no viable demand for any other community uses on the site. The proposal would therefore be contrary to policy DM C1 Community facilities of Merton's Sites and Policies Plan (July 2014) and CS 11 Infrastructure of Merton's Core Planning Strategy (July 2011).

&

The proposed building due to its design, height, siting, massing and bulk would result in an overly dominate, incongruous and uninspiring addition to the street scene, creating a sense of enclosure and harming the visual amenities of the street scene by failing to relate positively and appropriately to the design, siting, rhythm, scale, proportion, height, materials and massing of surrounding buildings and existing street patterns, historic context of the surrounding area and would therefore fail to either conserve or enhance the setting of the adjacent South Park Gardens Conservation Area. The proposal would therefore be contrary to policies DM D2 Design considerations in all developments of Merton's Sites and Policies Plan, DM D3 Alterations to existing buildings, DM D4 Managing heritage assets and CS 14 (Design) of Merton's Core Planning Strategy (July 2011).

&

The proposed two bedroom flat (flat 2) would result a cramped form of development, failing to achieve an adequate standard of accommodation with poorly designed internal layouts resulting in narrow living spaces, limited quality amenity space and poor outlook and light from the main habitable room (combined living area). The proposal would therefore be detrimental to the amenities of future occupiers contrary to policies DM D2 Design considerations in all developments of Merton's Sites and Policies Plan, CS 14 (Design) of Merton's Core Planning Strategy (July 2011 and the Mayor of London's Housing Supplementary Planning Guidance (Nov 2012) and The London Housing Design Guide (August 2010).

&

The proposed two bedroom flat (flat 3) would fail to achieve an adequate standard of accommodation with limited quality amenity space and poor outlook and light from both bedrooms. The proposal would therefore be detrimental to the amenities of future occupiers contrary to policies DM D2 Design considerations in all

developments of Merton's Sites and Policies Plan and CS 14
(Design) of Merton's Core Planning Strategy (July 2011.)

- 4.4 14/P1235 - Change of use from existing doctors surgery to residential (6 x 2 bedroom flats and 1 x 3 bedroom house) involving construction of part two/part three storey extension at front/side of existing building and formation of basement – withdrawn
- 4.5 10/P0878 - Application for a discharge of conditions 3, 4, 5, 6, and 9 attached to LBM planning application 04/P2630 dated 12/05/2005 relating to the construction of part two/part three storey extension at front/side of existing building involving the formation of basement and internal alterations - discharged - 29/04/2010
- 4.6 04/P2630 - Construction of part two/part three storey extension at front/side of existing building involving the formation of basement and internal alterations - Grant - 12/05/2005
- 4.7 04/P1817 - Construction of part two/part three storey extension at front/side of existing building involving the formation of basement and internal alterations – Withdrawn
- 4.8 89/P1078 - Alterations and erection of a single storey front and side extension - Grant - 12/11/89
- 4.9 MER485/67 - Erection of single storey rear extension and use in connection with change of use of ground floor to group Doctors practice - Grant - 3/8/67
- 4.10 MER349/67 - Use of ground floor of house as doctors surgery - Grant - 11/5/67

5. **CONSULTATION**

- 5.1 The application has been advertised by site notice procedure and letters of notification to the occupiers of neighbouring properties.
- 5.1.1 In response to the consultation, 5 letters of objection have been received. The letters raise the following objections (based on the original set of plans):
- Over-development of the site
 - Too big in terms of the scale, design, mass and bulk of the proposed development and adverse impact on the existing street scene.
 - The existing building lines in Trinity Road and Princes Road are not respected.

- The proposal makes the flawed comparison with the family home at 62 Princes Road.
- Over-dominant
- Reduce right to light
- Loss of privacy and overlooking
- Visual intrusion
- Noise from bin storage via the alleyway
- Noise and disturbance from an increased number of people living in such close proximity to existing dwellings.
- Set precedent
- Unit 5 appears to be incredibly restricted, especially bedroom 2 and the kitchen dining space, which are both under the sloping roof. Should be changed to a 1 bedroom flat
- The kitchen layouts and space available for food preparation and storage is very inadequate.
- Many bedrooms appear very small and would require occupants to have only the bare minimum of furniture and beds no bigger than a standard double.
- Overshadowing
- Damp issues with bathrooms having no ventilation
- Removal of hedge and overlooking from car parking spaces to bedroom.

5.1.2 Following amendments to the plans. 3 letters of objection received. The letters raise the following points:

- The removal of 1 car parking space will mean an increase in pressure on local on street parking.
- The removal of the 5th flat should be done in tandem with the removal of the 5th parking space.
- Original objections still stand
- The Valuation Surveyor letter looked at the property solely from outside does not address refusal reason 4 of the previous application. The applicant still fails to demonstrate that there is no viable demand for any other community use on the site.
- 4 parking spaces for 5 flats will not be sufficient to cater for the parking demands of 17 residents.
- Severe impact on highway safety
- Increased traffic congestion on Trinity Road.
- The development will drastically worsen the visibility for oncoming traffic at the junction of Trinity Road and Princes Road, increasing the risk of accidents.

5.2 Transport Planning

Observations

- 5.2.1 The application site has a PTAL rating of 6a, which means it has excellent access to public transport.
- 5.2.2 CPZ: The streets in the vicinity of the Site fall in the W3 Controlled Parking Zone with restrictions in place between 8:30am and 11pm Monday through Saturday and between 2pm and 6pm on Sunday.

Car Parking:

- 5.2.3 Previous use as a surgery had the benefit of off street vehicle access on to both Trinity Road and Princes Road.
- 5.2.4 The amended plans shows 4 off street parking spaces for the proposed 5 units. The car parking layout as shown is satisfactory. Permit free option would be acceptable subject to the applicant enters into a Unilateral Undertaking which would restrict future occupiers of the units from obtaining an on-street residential parking permit to park in the surrounding controlled parking zones to be secured by via S106 legal agreement.

Safety

- 5.2.5 The parking spaces off Trinity Road and Princes Road is unlikely have a significant impact on the free flow of traffic on both roads. There will be less traffic movement due to the proposal compared to a surgery, which would have generated continuous flow of traffic during the day.
- 5.2.6 Those cars that would wish to turn towards Broadway would need to undertake similar precautionary measures as existing. The proposed two spaces are unlikely to have a detrimental impact on the Princess Road.

Cycle Parking

- 5.2.7 The cycle store has been moved to the north east of the site off Trinity Road which overcomes the previous objection to visibility splays.
- 5.2.8 The London Plan and London Housing SPG Standard 20 (Policy 6.9) states all developments should provide dedicated storage space for cycles at the following level:
- 1 per studio and one bed dwellings;
 - 2 per all other dwellings and
- 5.2.9 In order to meet the standards, set out in the London Plan, the proposal should provide 9 long term cycle parking spaces (secure & undercover).

Refuse:

5.2.10 It is proposed to provide allocated refuse storage area to the rear of the property accessed via the side alley.

5.2.11 Waste collection points should be located within 30 metres of residential units and within 20 metres of collection vehicles.

5.2.12 Recommendation: Raise no objection subject to:

- The applicant enters into a Unilateral Undertaking which would restrict future occupiers of the units from obtaining an on-street residential parking permit to park in the surrounding controlled parking zones to be secured by via S106 legal agreement.
- Parking maintained as shown on plan.
- Condition requiring cycle parking.
- Condition requiring Refuse collection.

6. **POLICY CONTEXT**

6.1 Adopted Sites and Policies Plan (July 2014)

DM H2 Housing Mix

DM H3 Support for affordable housing

DM D2 Design Considerations in All Developments

DM D3 Alterations and extensions to existing buildings

DM D4 Managing Heritage Assets

DM.EP2 Reducing and Mitigating Noise

DM T1 Support for sustainable transport and active travel

DM T2 Transport impacts of development

DM T3 Car parking and servicing standards

DM C1 Community facilities

6.2 Adopted Core Planning Strategy (July 2011)

CS8 - Housing Choice

CS9 - Housing Provision

CS11 – Infrastructure

CS14 - Design

CS15 - Climate Change

CS18 - Active Transport

CS19 - Public Transport

CS20 - Parking, Servicing and Delivery

6.3 London Plan (2016):

3.3 (Increasing Housing Supply),

3.4 (Optimising Housing Potential),

3.5 (Quality and Design of Housing Developments),

- 3.8 (Housing Choice),
 - 5.1 (Climate Change Mitigation),
 - 5.3 (Sustainable Design and Construction).
 - 7.3 (Designing Out Crime)
 - 7.4 (Local Character)
 - 7.6 (Architecture)
 - 7.8 (Archeology and Heritage)
- 6.4 Other
- National Planning Policy Framework 2019
 - National Planning Practice Guidance 2014
 - Planning and Compulsory Purchase Act – 2004
 - London Plan 2016 - Housing SPG 2016
 - Draft London Plan 2018
 - Draft Local Plan 2020

7. **PLANNING CONSIDERATIONS**

- 7.1 The main considerations regarding this development are the design and appearance of the proposed building in relation to the wider setting, impact on the amenities of the residential neighbours, loss of doctors surgery, standard of residential accommodation, traffic and highways,

7.2 **Principle of Development**

- 7.2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that when determining a planning application, regard is to be had to the development plan, and the determination shall be made in accordance with the development plan, unless material considerations indicate otherwise.

Residential

- 7.2.2 The requirement for additional homes is a key priority of the London Plan which seeks to significantly increase the ten year minimum housing target across London from 322,100 to 423,887 (in the period from 2015 to 2025), and this equates to an associated increase in the annual monitoring target across London to 42,389. The minimum ten year target for Merton is 4,107, with a minimum annual monitoring target of 411 homes per year. Paragraph 58 of the 2018 NPPF emphasised the Governments objective to significantly boost the supply of homes.
- 7.2.3 The planning application seeks to create 5 new residential units which will make a modest contribution to meeting housing targets and provides a good range of unit sizes that will assist in the delivery of a mixed and balanced community in a sustainable location. New housing is considered

to be in accordance with the objectives of the NPPF, London Plan targets, and LBM policies.

Change of Use

- 7.2.4 The property original was a single dwellinghouse. The original planning use of the building therefore came under a Class C3 use. The proposal seeks to reintroduce a more intensive residential use in the building. In principle, the conversion of the building back to its original use is considered acceptable, subject to the loss of the former community use (currently vacant).

7.3 **Loss of Community Facility**

- 7.3.1 Planning policy DM C1 Community facilities of Merton's adopted Sites and Policies Plan seeks to ensure the provision of sufficient, accessible, well-designed community facilities.

The policy states:

- b) Any redevelopment proposals resulting in a net loss of existing community facilities will need to demonstrate that:
- i. the loss would not create, or add to, a shortfall in provision for the specific community uses; and
 - ii. that there is no viable demand for any other community uses on the site.

The planning policy justification for DM C1 Community facilities states that:

"As stated in Merton's Core Planning Strategy policy CS 11 Infrastructure, community and social infrastructure covers a wide range of facilities from healthcare, children's play, services for the elderly and disabled, libraries and museums, public toilets and places of worship as defined in the London Plan. The council will require new development to ensure facilities are easily accessible, well connected and will resist the net loss of these facilities".

Loss of community facilities

"There may be circumstances where the redevelopment of an existing viable community facility will bring about other benefits in the area. In such instances the council will seek to ensure that suitable replacement community facilities for which there is demand are included as part of the proposals, either on the site or nearby".

"Applications proposing a loss of a community facility will have to show that full and proper marketing has been undertaken to demonstrate that community uses (D1 Use Class) are no longer viable on the site. Applicants will have to demonstrate that:

- the site has been marketed for 30 months unless otherwise agreed with the council;
- all opportunities to re-let the site have been fully explored;
- the site has been marketed using new (on the internet) and traditional marketing tools available; and
- the site has been marketed at a price which is considered reasonable (based on recent and similar deals or transactions)".

Health

"Redevelopment or change of use of sites used for health facilities should not result in inadequate provision or poor accessibility to healthcare for residents. Locations for new health developments should be in accessible locations that are well served by public transport, commensurate with the numbers of trips the facility is expected to generate and the need to locate facilities throughout the borough".

- 7.3.2 The planning application submission demonstrates that alternative health facilities has already been provided off site at the nearby community health facility (Patrick Doody Clinic in Pelham Road). Therefore, the proposed development is considered to be compliant with part b) i of planning policy DM C1 (Community facilities) of Merton's adopted Sites and Policies Plan as the proposal would not create, or add to, a shortfall in provision for the specific community uses.
- 7.3.3 The applicant has demonstrated that there would be no shortfall in provision of a community use as required by planning policy DM C1 (Community facilities) of Merton's adopted Sites and Policies Plan.
- 7.3.4 Planning policy DM C1 (Community facilities) of Merton's adopted Sites and Policies Plan also states that marketing evidence is required to demonstrate that there is no other viable community use for the site. The applicant has provided no marketing evidence with the application, however, the applicant has provided a valuation letter from Harding Chartered Surveys which highlights the poor layout of the building (small rooms and lack of amenity space) and the high cost to bring the building up to modern standards. In this instance, officers are in agreement that the site would offer limited scope for an alternative community use, particularly given the constraints of the site, building and lack of amenity space.

7.3.5 In conclusion, there has been no loss of a community facility as this has already been provided elsewhere in the local vicinity. The proposal would also convert the building back into a residential use as originally intended. Whilst there is no direct marketing evidence, there is no loss of a community use and the scheme offers a number of planning benefits, including a well design building and much needed new residential units. Therefore, in this instance the lack of marketing is not considered to outweigh the other planning benefits to warrant refusal of planning permission or sufficient grounds to defend this matter at appeal given the circumstances discussed above.

7.4 **Design**

History

7.4.1 There has been a number of planning application to redevelop the site. A number of recent applications have either been refused permission or withdrawn. The current state of the building remains vacant and has recently been occupied by squatters.

7.4.2 It should be noted that planning permission 04/P2630, granted in 12/05/2005 was for the construction of part two/part three storey extension at front/side of existing building involving the formation of basement and internal alterations in connection with improved health facilities. In terms of the design of the building approved under this permission, it was significantly different to the current scheme. However, it must be stressed that the approval was based on enhance community facilities. Nevertheless, the 2005 permission is considered to be a material planning consideration in the assessment of the current application before members of the planning committee.

Design

7.4.2 The overarching principle of national and local planning policy is to promote high quality design. Planning policy DM D2 (Design considerations in all development) of Merton's Sites and Policies Plan states that amongst other considerations, that proposals will be expected to relate positively and appropriately to the siting, rhythm, scale, density, proportions, height, materials and massing of surrounding buildings and existing street patterns, historic context, urban layout and landscape features of the surrounding area.

7.4.3 In terms of the surroundings, the application site is predominately surrounded by traditional two storey terrace or semi-detached houses along Trinity Road and residential streets parallel with Trinity Road. The

- application site is also located adjacent to the South Park Gardens Conservation Area (opposite side of Princes Road). The proposed design is now considered to have a positive impact on the street scene and character of the area and would therefore overcome concerns relating to design.
- 7.4.4 Officers and the applicant has spent considerable time ensuring that the traditional design approach of the new building replicates the form and detailing of the adjoining terrace and surrounding terraces. Planning conditions requiring full details of building materials and detailing will ensure that the development contributes positively to the terrace and creates a well designed bookend.
- 7.4.5 The proposed building would move forward of the Trinity Road building line, however the proposed building would respond to the building on the opposite corner of Princes Road. Therefore, it is considered that there would be no harm to the visual amenities of the street scenes, particularly given the existing context and the retention of suitable soft landscaped open space to the rear and side of the building. It should also be noted that the 2005 approval (04/P2630) had a much larger building form/height on the street corner and was in fact closer to the Trinity Road street scene compared to the current proposal. Therefore, the current scheme is considered to be an improvement on that previous decision.
- 7.4.6 The proposal would also improve the visual amenities of the area by removing the large and unsightly areas of hard standing to the front and side of the building. Following amendments to the scheme, the applicant has introduced a good amount of soft landscaping on the site, which is considered to override the currently negative hard standing elements on the site.
- 7.4.7 The design of the building includes 4 car parking space to the front and side of the building, however, the proposal retains a reasonable balance between hard and soft landscaped areas. An on-site car parking space was removed during the course of the application in order to provide suitable bin and cycle storage. The new communal cycle storey has been placed in the former car parking space, which will encourage cycle use given its close proximity to the buildings entrance. The applicant has provided details of the proposed cycle store in the front garden which is considered to be high quality and of a low height in order to reduce its presence when viewed from the street scene. A new boundary wall, gate and planting bed have also been added to the frontage which will help screen the cycle store and provide a defined boundary to the site.
- 7.4.8 All bin storage has been located to the rear of the site. This would be accessed via the rear alleyway and would ensure that that these storage

areas have a limited impact on the visual amenities of the street scene. An objection have been received in regards to noise from the bin storage, however it must be noted that the development is a modest sized development (only 5 flats) in a highly urban area. The bins are located predominately to the flank of 18 Trinity Road and to the rear of adjoining neighbouring rear gardens. It is noted that naturally there would be some noise activity from the use of the bins, however this would only be for a short period of time and would not be materially different (increased noise) than how other bins would be used in the vicinity (normally located in front gardens).

South Park Gardens Conservation Area

- 7.4.9 The proposed development would achieve a high quality design that responds positively to the character and appearance of the street scenes. It is therefore considered that the proposed development would preserve the setting of the adjacent South Park Gardens Conservation Area.

7.5 **Neighbour Amenity**

49 Princes Road

- 7.5.1 The adjoining neighbour to the west remains in its original form externally, but has been converted into two flats.
- 7.5.2 The proposed building would extend beyond the rear wall of this neighbouring property at ground, first and roof levels.
- 7.5.3 The proposed single storey element is considered to be a modest sized extension being 2.675m deep by 2.7m in height. As a standalone extension, this would be smaller than a permitted development extension; therefore, it is considered that there would be no undue loss of amenity.
- 7.5.4 The two storey rear extension would project 5.9m beyond the neighbour, however the extension would be inset 2.314m from the side boundary and 5.610m from the rear boundary. In addition, the extension has been designed with a low eaves level (5.265m), which would sit below the eaves line of the main roof. The ridge level would be set well away from the neighbour (6.1m from the side boundary).
- 7.5.5 The proposed extension would sit to the east of the neighbouring property. Given the southern orientation of the site, some morning sun light would be affected, however, it should be noted that the proposal would include the removal of the existing full depth single storey rear extension and two storey rear extensions. The neighbouring ground and first floor flat would still receive unaffected light levels in the afternoon as a result of the

development given the orientation of the site. It is therefore considered that there would be no undue loss of light to warrant refusal of planning permission.

- 7.5.6 A number of rear facing windows are proposed at each level, however these are directed towards the rear garden of the application site. This is a common arrangement in a terrace situation and therefore there would be no undue loss of privacy or overlooking. A planning condition preventing side-facing windows in the upper levels without further planning permission being required would ensure that there would be no overlooking of the neighbouring property and garden.
- 7.5.7 It should also be noted that the proposal is considered to be an improvement when compared to the extension approved under 04/P2630. Unlike this 2005 permission, which included a full depth two storey rear extension (noted with a catslide roof), the proposed rear extensions would not project the full depth of the site. It should be noted that the proposed would result in the removal of the full depth rear extension and therefore the proposal would create a sense of openness to the rear of the site.
- 7.5.8 Given the design, size of the extension and the level of separation from the neighbouring boundaries it is considered that the proposed development would not result in undue loss of this neighbours amenity.

62 Princes Road

- 7.5.9 This neighbouring property is located on the opposite concern of Princes Road. The property has recently been extended with a two storey side extension and rear extensions. The proposed building would be located on the opposite of the street, therefore the neighbours are separated by the public highway and there would remain a good level of separation to ensure that there would be no undue loss of amenity.

18 Trinity Road

- 7.5.10 This neighbouring property is located directly to the rear of the application site. The neighbour is situated at a right angle to the application site, therefore there are no concerns with loss of light or privacy.

7.6 **Standard of Residential Accommodation**

- 7.6.1 London Plan policies 3.5, 3.6, 3.7 & 3.8, CS policy CS 14, and SPP policies DM D1 and DM D2 seek to ensure that new residential development is of a high standard of design both internally and externally and provides accommodation capable of adaptation for an ageing population and for those with disabilities, whilst offering a mix of unit size

reflective of local need.

- 7.6.2 In terms of the quality of the accommodation, the proposed flats would meet or exceed the London Plan Gross Internal Area minimum standards; each room would be capable of accommodating furniture and fittings in a suitable manner. Each habitable room would have adequate levels of outlook and natural light.
- 7.6.3 The two ground floor flats would have direct access to private amenity space, which exceeds London Plan Space Standards. The three upper floor flats would have no direct access to private amenity space. Whilst this is unfortunate, lack of private amenity space for upper floor flats is not uncommon in these situations as this can often lead to adverse impact on neighbours from overlooking. In this instance, the lack of private amenity space for the upper floor flats would not warrant refusal of planning permission. It should also be noted that South Park Gardens open space, which has ample outdoor space, is within a short walking distance of the application site.

Housing Mix

- 7.6.4 Planning policy DM D2 (Housing Mix) seeks to create socially mixed communities, catering for all sectors of the community by providing a choice of housing with respect to dwelling size and type in the borough. London Plan Policy 3.8, seeks to promote housing choice and seek a balance mix of unit sizes in new developments, with particular focus on affordable family homes. Family sized accommodation is taken in the London Plan and LBM policy to include any units of two bedrooms or more.
- 7.6.5 The borough level indicative proportions concerning housing mix (as set out below) will be applied having regard to relevant factors including individual site circumstances, site location, identified local needs, economics of provision such as financial viability and other planning contributions.

Table in Planning policy DM D2 (Housing Mix) of Merton's Sites and policies plan 2014

Number of Bedrooms	Percentage of units
One	33%
Two	32%
Three +	35%

Proposal – 5 x 2 bedroom flats

Number of Bedrooms	Percentage of units
Two	100%

7.6.6 The proposed housing mix of the site, whilst not meeting the Council percentage ratio set out in Policy DM H2 (Housing Mix), are only indicative targets. The proposal is a modest sized development where meeting housing mix targets is often problematic due to constraints of sites. The proposed housing mix would still offer 100% family type accommodation (2 bedroom or more) which is welcomed. Further, the site is close to a town centre location where smaller flats would likely be occupied by couples or independent people, who want good access to the town centre amenities and public transport. The proposed two bedroom flats are considered acceptable.

7.7 **Traffic and highways**

Car Parking

7.7.1 The site is located within a CPZ and has a PTAL rating of 6a, indicating a very good level of accessibility to public transport. The amount of expected vehicle movements to and from the site and trip generation are likely to be low given the modest size of the development and therefore it is not anticipated that this would create adverse harm to traffic conditions in and around the area.

7.7.2 The development would provide 4 car parking spaces onsite. The level of car parking would provide suitable off street car parking to meet the needs of future occupiers. In terms of additional overspill onto the surrounding streets, the Council would require that the development be subject of a permit free development secured via legal agreement.

7.7.3 The Councils Transport Planner has confirmed that they have no objection to the application on highway safety grounds.

Transport Planner comments (car parking and safety)

Car Parking

7.7.4 Previous use as a surgery had the benefit of off street vehicle access on to both Trinity Road and Princes Road.

7.7.5 The amended plans shows 4 off street parking spaces for the proposed 5 units. The car parking layout as shown is satisfactory.

7.7.6 Permit free option would be acceptable subject to the applicant enters into a Unilateral Undertaking which would restrict future occupiers of the units

from obtaining an on-street residential parking permit to park in the surrounding controlled parking zones to be secured by via S106 legal agreement.

Safety

7.7.7 The parking spaces off Trinity Road and Princes Road are unlikely to have a significant impact on the free flow of traffic on both roads. There will be less traffic movement due to the proposal compared to a surgery, which would have generated continuous flow of traffic during the day.

7.7.8 Those cars that would wish to turn towards Broadway would need to undertake similar precautionary measures as existing. The proposed two spaces are unlikely to have a detrimental impact on the Princess Road.

Cycle Parking

7.7.9 The London's Plan states that each 2 bedroom flats should have a minimum of 2 long stay cycle spaces. In addition, there should be 1 short stay space. Therefore, the proposal should have at least 11 cycle spaces.

7.7.10 The applicant has shown 10 long stay cycles spaces and 2 short stay spaces on the submitted plans. The level of proposed cycle parking would therefore exceed London Plan minimum standards. The ground floor flats would have their own cycle storage within their own rear gardens which are easily access from Trinity Road. The communal cycle store (6 cycles) for the three upper floor flats is located in the front garden. This is considered to promote the use of cycling travel, as this is conveniently located within close proximity of the building entrance.

7.8 **Sustainability**

7.8.1 Planning policy CS15 (climate Change) of Merton's adopted Core Planning Strategy (2011) seeks to tackle climate change, reduce pollution, develop low carbon economy, consume fewer resources and use them more effectively.

7.8.2 Planning Policy 5.2 of the London Plan (2016) states that development proposals should make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:

1. Be lean: use less energy
2. Be clean: supply energy efficiently
3. Be Green: use renewable energy

7.8.3 The applicant has not submitted an energy statement, but the Design and

Access Statement states that the proposal takes into account the technical standard expected of a new build property by meeting and where possible exceeding current building regulations requirements and installing renewable energy technologies where practical as well as reducing its carbon emissions and water consumption. The applicant has therefore committed to sustainable principles. Therefore, the application would be subject to the following planning condition on any approval:

“No part of the development hereby approved shall be occupied until evidence has been submitted to, and approved in writing by, the Local Planning Authority confirming that the development has achieved CO2 reductions of not less than a 19% improvement on Part L regulations 2013, and internal water consumption rates of no greater than 105 litres per person per day”.

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply with the following Development Plan policies for Merton: Policy 5.2 of the London Plan 2015 and Policy CS15 of Merton's Core Planning Strategy 2011

8 **Local Financial Considerations**

- 8.1 The proposed development is liable to pay the Merton and Mayoral Community Infrastructure Levy (CIL), the funds for which will be applied by the Mayor towards the Crossrail project. Merton's Community Infrastructure Levy was implemented on 1st April 2014. This will enable the Council to raise, and pool, contributions from developers to help pay for things such as transport, decentralised energy, healthcare, schools, leisure and public open spaces - local infrastructure that is necessary to support new development. Merton's CIL has replaced Section 106 agreements as the principal means by which pooled developer contributions towards providing the necessary infrastructure should be collected.

9. **Sustainability and Environmental Impact Assessment Requirements**

- 9.1 The application does not constitute Schedule 1 or Schedule 2 development. Accordingly, there are no requirements in terms of EIA submission.

10. **CONCLUSION**

- 10.1 The proposed development will provide 5 new residential dwellings. The design of the development is considered to be of high quality in terms of appearance and accommodation being proposed. The proposed building

would respect the context of the site and would have no undue impact upon neighbouring amenity, trees or highway considerations. The proposal is considered to be an enhancement over the previous planning approval and would bring the site back into use. The proposal is considered to be in accordance with Adopted Sites and Policies Plan, Core Planning Strategy and London Plan policies. The proposal is therefore recommended for approval subject to conditions and S106 agreements.

RECOMMENDATION

GRANT PLANNING PERMISSION

Subject to the completion of a Section 106 Agreement covering the following heads of terms:-

1. Designation of the development as permit-free and that onstreet parking permits would not be issued for future residents of the proposed development.
2. The developer agreeing to meet the Councils costs of preparing, drafting and monitoring the Section 106 Obligations.

And the following conditions:

1. A1 Commencement of Development (full application)
2. A7 Approved Plans
3. B.1 Materials to be approved, including detailed plans at a scale of 1;20 of some of the typical details
4. B.4 Details of Surface Treatment
5. B.5 Details of Walls/Fences
6. C.02 Permitted development (windows)
7. C07 Refuse & Recycling (Implementation)
8. D11 Construction Times
9. Landscaping
10. H07 Hardstanding

11. H07 Cycle Parking to be implemented
12. H14 Garages doors/gates
13. No part of the development hereby approved shall be occupied until evidence has been submitted to, and approved in writing by, the Local Planning Authority confirming that the development has achieved CO2 reductions of not less than a 19% improvement on Part L regulations 2013, and internal water consumption rates of no greater than 105 litres per person per day".

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply with the following Development Plan policies for Merton: Policy 5.2 of the London Plan 2015 and Policy CS15 of Merton's Core Planning Strategy 2011
14. Construction Management Plan
15. Car Parking as shown on plans

Planning Informative

1. Carbon emissions evidence requirements for Post Construction stage assessments must provide:
 - Detailed documentary evidence confirming the Target Emission Rate (TER), Dwelling Emission Rate (DER) and percentage improvement of DER over TER based on 'As Built' SAP outputs (i.e. dated outputs with accredited energy assessor name and registration number, assessment status, plot number and development address); OR, where applicable:
 - A copy of revised/final calculations as detailed in the assessment methodology based on 'As Built' SAP outputs; AND
 - Confirmation of Fabric Energy Efficiency (FEE) performance where SAP section 16 allowances (i.e. CO2 emissions associated with appliances and cooking, and site-wide electricity generation technologies) have been included in the calculation

Water efficiency evidence requirements for Post Construction Stage assessments must provide:

 - Documentary evidence representing the dwellings 'As Built'; detailing:
 - the type of appliances/ fittings that use water in the

- dwelling (including any specific water reduction equipment with the capacity / flow rate of equipment);
- the size and details of any rainwater and grey-water collection systems provided for use in the dwelling;

AND:

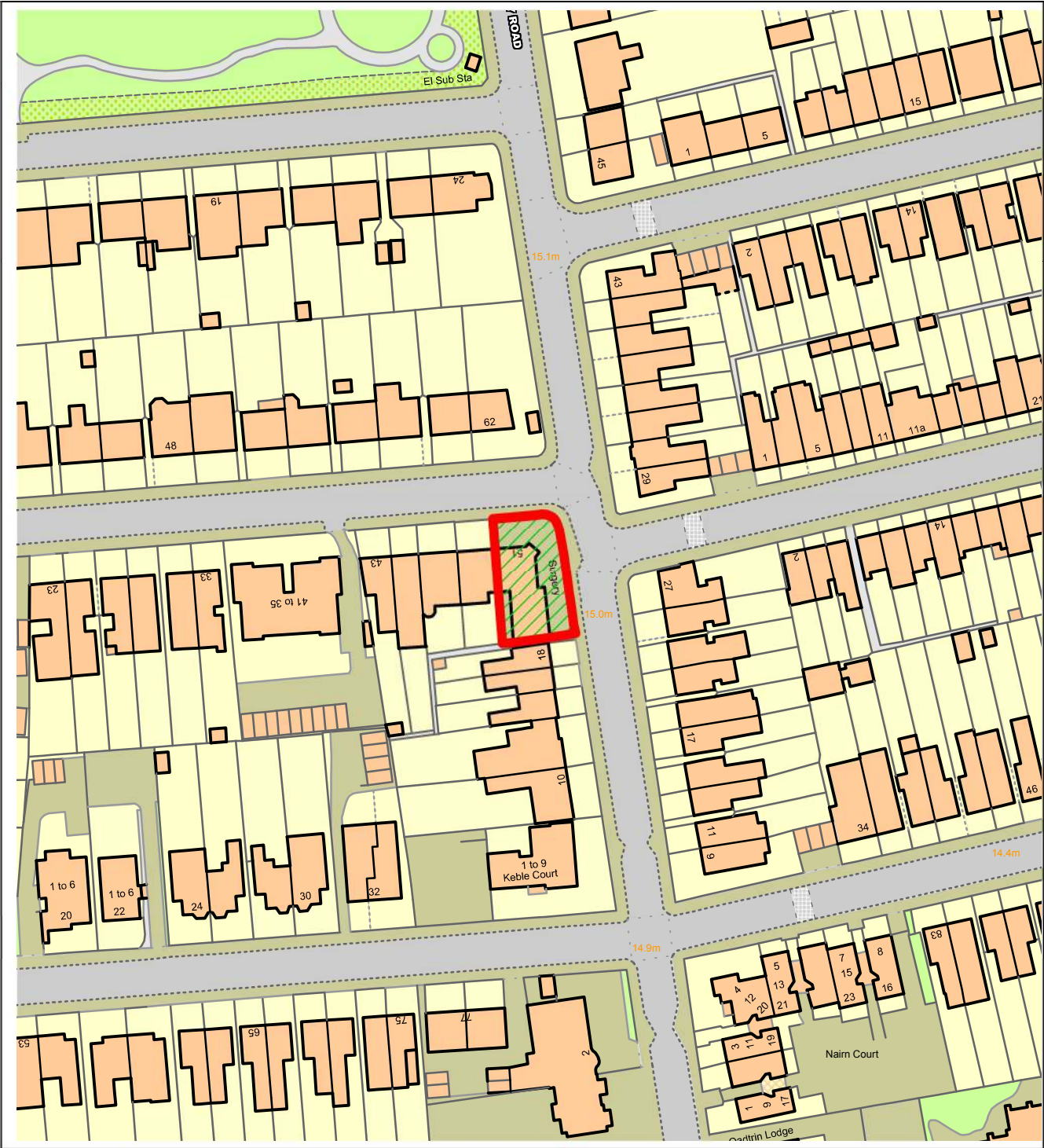
- Water Efficiency Calculator for New Dwellings; OR
- Where different from design stage, provide revised Water Efficiency Calculator for New Dwellings and detailed documentary evidence (as listed above) representing the dwellings 'As Built'

2. Carbon emissions evidence requirements for Post Construction stage assessments must provide:

- Detailed documentary evidence confirming the Target Emission Rate (TER), Building Emission Rate (BER) and percentage improvement of BER over TER based on 'As Built' BRUKL model outputs; AND
- A copy of the Building Regulations Output Document from the approved software. The output documents must be based on the 'as built' stage of analysis and must account for any changes to the specification during construction.

[Click Here](#) for full plans and documents related to this application

NORTHGATE SE GIS Print Template



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PLANNING APPLICATIONS COMMITTEE February 2020

APPLICATION NO. **DATE VALID**
19/P3893 31.10.2019

Address/Site 7 Rural Way, Streatham, SW16 6PF

Ward Graveney

Proposal: DEMOLITION OF EXISTING BUILDING AND ERECTION OF 3
x 3 BED TERRACED HOUSES. ASSOCIATED LANDSCAPING
AND CREATION OF AMENITY AREAS, PARKING AND CYCLE
STORAGE

Drawing Nos: 01; 1477-04; 1477-05; 1477-07; 1477-08; 1477-08; 1477-09 Rev
A; 1477-10 Rev A; 1477-11; 1477-12; 1477-13; Flood Risk
Assessment – prepared by Ashfield Solutions Group, dated
17/10/2019.

Contact Officer: Jourdan Alexander (020 8545 3122)

RECOMMENDATION

Grant planning permission subject to the completion of a S106 planning undertaking and relevant conditions.

CHECKLIST INFORMATION.

- Heads of agreement: No
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Impact Assessment been submitted: No
- Design Review Panel consulted: No,
- Number of neighbours consulted: 13
- Press notice – No
- Site notice – Yes
- External consultations: Environment Agency
- Conservation area – No
- Listed building – No
- Tree protection orders - No
- Archaeological Priority Zone – No
- Flood risk zone – Yes, Zones 1, 2 and 3
- Controlled Parking Zone – Yes, Zone GC1
- PTAL 2

1 INTRODUCTION

- 1.1 The application has been brought before the Committee due to the number of objections received and their scope.

2 SITE AND SURROUNDINGS

- 2.1 The application site comprises a single storey detached bungalow which is located on the south-western side of Rural Way. The site is regular in shape and is 443sq.m. To the rear, the property has a private garden and is enclosed by 1.8m high close board fencing.
- 2.2 Rural Way is characterised by mixed architecture, both in terms of scale and design. The street comprises a mixture of terraced, semi-detached and detached properties, ranging from single storey, two storey and three storey dwellings, on a variety of plot sizes. The two neighbours on either side boundaries of the site are single storey buildings.
- 2.3 The site is not located within a conservation area. The site is located partially within Flood Zone 2 and 3 (to the front of the property). The remaining parts of site are Flood Zone 1. The site is located within a controlled parking zone.

3 CURRENT PROPOSAL

- 3.1 This application seeks planning permission for the demolition of the existing building and the redevelopment of the site to provide a terrace row of three dwellings, each with three bedrooms. The proposed terrace building would be two-storey with a loft, and tapered at each level. The first floor would be recessed approximately 1.5m from the rear ground floor level and the top third floor of accommodation is within the roofspace where the terrace is designed with the roof hipped at each end.
- 3.2 This proposed building would have a ridge height of 8.55m and an eaves height of 5m. A 1.45m gap would be retained between the flank wall of 9 and the terrace and 1.65m between the flank of 5 and the opposite end of the terrace. Facing materials are shown to be facing brick up to cill level with white render to the walls, with brick header courses above windows and clay tiles to the roofs. Surfacing materials are stated to be “permeable”.
- 3.3 The front of the building would employ a similar design approach to that used on the recently completed two storey properties at No. 8 and No 10 Rural Way, which are situated on the opposite side of the street. The rear of the building would exhibit a single storey rear projection of 2.0 metres in depth. A pitched roof dormer window to each dwelling would also feature at upper level, and at first floor rear level Juliet openings would be formed.
- 3.4 In terms of the building’s footprint within the site, the front elevation would be slightly recessed within the site than that of the current building to allow sufficient space for parking at front. Whilst the building’s rear elevation would protrude slightly deeper within the site, which is predominantly due to the building’s ground floor extension. The rear ground floor level of the building would sit approximately 2.4m back from the rear elevation of No 5, and approximately level with the other boundary neighbour at No.11 Rural Way.
- 3.5 The frontage of the site would be laid out as individual driveways for each property, incorporating soft landscaped strips, which would also accommodate

bin storage enclosures. Cars would be required to reverse in or out of the driveways.

- 3.6 Each dwelling would have a rear garden measuring 50m², with parking spaces for two bicycles.

4. **RELEVANT PLANNING HISTORY**

- 4.1 19/P1298 (7&9 Rural Way) - DEMOLITION OF EXISTING TWO DWELLINGS. ERECTION OF 6 x THREE BEDROOM TERRACED HOUSES SPLIT INTO TWO SEPERATE BUILDINGS. SURROUNDING SITE TO BE LANDSCAPED AND CREATION OF AMENITY AREAS, PARKING AND CYCLE STORAGE. Refused August 2019.

The proposed development, due to its size, siting and design would: a) fail to respect the rhythm, scale, spacing and massing of surrounding buildings, giving rise to an overly dominant and cramped appearance in the context of the Rural Way streetscene, resulting in material harm to the character of the area and; b) fail to provide sufficient outdoor amenity space, which would fail to provide a satisfactory standard of accommodation; The proposals would be contrary to policies CS14 of the Core Planning Strategy 2011 and policy DMD2 of the Merton Sites and Policies Plan 2014.

In the absence of a completed S106 undertaking to ensure that the future occupiers of the development are prevented from being able to obtain parking permits for the Controlled Parking Zone, the proposal would result in an increased demand for on street parking which would lead to increased kerbside parking, resulting in a detrimental impact on highway and pedestrian safety. The proposals would be contrary to policy 6.13 of the London Plan 2016, Policy DM T3 of the Sites and Policies Plan 2014 and Policy CS20 of the Core Planning Strategy 2011.

It is important to note that the previously refused application covered two plots of land, 7 & 9 Rural Way. The principle of more intensive residential development was considered by the planning officer to be acceptable. However, the quantum of development across the site, involving narrow building plots was considered to be harmful to the visual character. In addition, the gardens for each dwelling were below the minimum area as prescribed by Policy DM D2.

5. **CONSULTATION**

- 5.1 The application was advertised by means of a site notice and letters to 16 neighbouring occupiers. Six letters of objection were received towards the application, as summarised:
- Overlooking and loss of visual privacy to the surrounding residential properties including gardens from the development.
 - Loss of established trees, as well as the negative impact that this would have on bird species.
 - The garden removal and hard landscaping will cause flood risk.

- Scale of buildings is out of character with the appearance of surrounding development.
- The size of the dwellings would be substandard for a family to live
- Development would increase noise and parking congestion
- The application is similar to that previously refused by the Council (ref 19/P1298).
- The plot space is not suitable for three dwellings
- The buildings will have an adverse and overbearing visual impact on neighbouring rear gardens

5.2 The Environment Agency:

No objections subject to conditions relating to contaminated land, sustainable drainage, piling and to ensure the mitigation measures set out in the submitted Flood Risk Assessment are implemented.

5.3 LBM Flood Risk Officer:

No objections subject to a condition relating to surface and foul water drainage.

5.3 LBM Environmental Health:

No objections subject to the following condition:

No development shall take place until a Demolition and Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the demolition and construction period.

The Statement shall provide for:

- hours of operation
- the parking of vehicles of site operatives and visitors
- loading and unloading of plant and materials
- storage of plant and materials used in constructing the development
- the erection and maintenance of security hoarding including decorative - displays and facilities for public viewing, where appropriate
- wheel washing facilities
- measures to control the emission of noise and vibration during construction.
- measures to control the emission of dust and dirt during construction/demolition
- a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: To protect the amenities of those in the local vicinity during the development.

5.4 LBM Highways:

No objections were received towards the application from highway's officers subject to suitable conditions pertaining to construction.

5.5 LBM Transport Planning

No objection. A suitable level of car parking and cycle parking is provided. Loss of 2 on-street parking bays is not objectionable from a parking management point a view. The Traffic Management Order will need to be modified to allow for the highway works to include yellow line marking between the proposed vehicle crossovers, and the additional units made parking permit free.

6 POLICY CONTEXT

6.1 NPPF (2019). Key sections:

- 5. Delivering a sufficient supply of homes
- 8. Promoting healthy and safe communities
- 9. Promoting sustainable transport
- 11. Making effective use of land
- 12. Achieving well-designed places
- 14. Meeting the challenge of climate change, flooding and coastal change

6.2 Relevant policies in the London Plan 2016 are:

- 2.6 Outer London: Vision and strategy
- 2.8 Outer London: Transport
- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.8 Housing choice
- 3.9 Mixed and balanced communities
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.12 Flood risk management
- 5.13 Sustainable drainage
- 5.17 Waste capacity
- 6.9 Cycling
- 6.10 Walking
- 6.12 Road network capacity
- 6.13 Parking
- 7.1 Lifetime neighbourhoods
- 7.2 An Inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.6 Architecture
- 7.14 Improving air quality
- 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
- 8.2 Planning obligations
- 8.3 CIL

6.3 Relevant policies in the Core Strategy 2011 are:

- CS 8 Housing choice
- CS 9 Housing provision
- CS 11 Infrastructure
- CS 14 Design
- CS 15 Climate change
- CS 16 Flood risk management
- CS 17 Waste management
- CS 18 Transport
- CS 19 Public transport
- CS 20 Parking servicing and delivery

6.6 The relevant policies in the Sites and Policies Plan 2014 are:

- DM D1 Urban Design
- DM D2 Design considerations
- DM F1 Support for flood risk management
- DM F2 Sustainable urban drainage systems
- DM T2 Transport impacts of development
- DM T3 Car parking and servicing standards
- DM T4 Transport infrastructure

6.6 Supplementary planning considerations

- London Housing SPG – 2016
- DCLG - Technical Housing Standards: Nationally Described Space Standards - 2016

7. PLANNING CONSIDERATIONS

7.1 The key issues in the assessment of this planning application are:

- Principle of development.
- Design and impact upon the character and appearance of the area.
- Standard of accommodation.
- Impact upon neighbouring amenity.
- Transport, highway network, parking and sustainable travel.
- Refuse storage.
- Sustainable design and construction.
- Flood risk and drainage.

Principle of the development

7.2 Policy 3.3 of the London Plan 2016 states that development plan policies should seek to identify new sources of land for residential development including intensification of housing provision through development at higher densities.

7.3 The proposal would result in the provision of 2 additional homes, which is generally supported by Core Strategy policies CS8 & CS9 which seek to encourage proposals for well-designed and conveniently located new housing that will create socially mixed and sustainable neighbourhoods through physical regeneration and effective use of space.

- 7.4 Therefore, notwithstanding the need to carefully consider design, transport and other technical aspects of the proposal in more detail, officers consider that a more intensive residential development could be supported in principle.

Character and appearance

- 7.5 The National Planning Policy Framework (NPPF) states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Metropolitan planning policy advice in relation to design is found in the London Plan (2016), in Policy 7.4 - Local Character and 7.6 - Architecture. These policies state that Local Authorities should seek to ensure that developments promote high quality inclusive design, enhance the public realm, and seek to ensure that development promotes world class architecture and design.
- 7.6 Policy DM D2 seeks to ensure a high quality of design in all development, which relates positively and appropriately to the siting, rhythm, scale, density, proportions, height, materials and massing of surrounding buildings and existing street patterns, historic context, urban layout and landscape features of the surrounding area. Core Planning Policy CS14 supports this SPP Policy.
- 7.7 Rural Way is characterised by architecturally varied residential buildings in terms of their size and scale. The street exhibits a mixture of dwelling designs, ranging from detached single storey dwellings on large plots, to semi-detached and terrace dwellings of 2 to 3 storeys in height.
- 7.8 In recent years a number of detached single storey dwellings, similar to that of the applicant building, have been demolished with much larger two storey buildings erected comprising multiple dwellings. Examples of this re-development include both No. 8 and No. 10 Woodstock Way (directly opposite the site). Planning permission was granted by Planning Committee in March 2018 at No 21 Woodstock Way for a similar form of development than that proposed here, comprising the erection of three x three bed terraced houses (ref:17/P3153). In this context the design, scale and density of the proposal is appropriate and reflects similar developments approved and built within the immediate area.
- 7.9 The footprint of the proposed terrace dwellings presents a consistent and sympathetic appearance of the development in the context of the existing street scene in Rural Way. The front setback of the dwellings are consistent with surrounding dwellings, and the presentation of the buildings as a row of two storey (with loft) terrace dwellings with hipped pitched roofs is consistent with other buildings along this street. The central dwelling, within the terrace row of three dwellings, would be articulated slightly forward of the dwellings at either side and have a pitched part roof above. This design would help to break up the visual massing of the building, and responds to the designs used on many buildings along Rural Way.
- 7.10 It is acknowledged that the proposed dwellings will represent an increase in the bulk and appearance of development when compared with the existing single storey bungalow on the application site. However, it is considered that

its scale and appearance would be consistent with the appearance of development in the surrounding area. Gaps would be retained between the proposed building and neighbouring residential properties so that the new dwellings and neighbouring buildings are visually separate. It would also ensure that permeability of views to the rear of the site is largely retained.

- 7.11 The proposed materials show that the buildings are to be finished with brick along the bottom of the buildings with white render above. The roof is to be clay tiles and openings in white pvc. These materials are suitable for the residential character of the area, although a condition has been recommended to secure the precise appearance of these materials before development commences.
- 7.12 Additional conditions have also been included to secure details for hard and soft landscaping as well as the details of walls, fences, railings or other means of enclosures to the front boundary. These conditions are necessary to ensure that the frontage of the properties has an appropriate fit for the suburban residential street, and prevents the entire frontage of the properties being used for forecourt parking.
- 7.13 By reason of the appearance, materials and scale of the proposed dwellings, the development is considered to contribute positively to the residential character at Rural Way. The proposal is therefore consistent with London Plan Policies 7.4 and 7.6, Core Strategy CS14 and SPP Policies DM D2.

Standard of accommodation

- 7.14 London Plan Policy 3.5 states that all new housing developments should be of the highest quality internally, externally and in relation to their context. In order to ensure that such development provide an adequate level of internal amenity, Table 3.3 of the London Plan sets out the minimum floor areas which should be provided for new housing. The DCLG publication: "Technical housing standards - nationally described space standard" (2016) provides further guidance, which has been adopted by the Mayor for London.
- 7.15 Sites and Policies Plan Policy DM D2 seeks to ensure good quality residential accommodation with adequate levels of privacy, daylight and sunlight for existing and future residents, the provision of adequate amenity space and the avoidance of noise, vibration or other forms of pollution.
- 7.16 The scheme proposes the following unit sizes:

House	Type	GIA (sqm)	London Plan requirement for GIA (sqm)	External amenity space (sqm)
1	3b/6p	117	108	56
2	3b/6p	130	108	50
3	3b/6p	117	108	50

- 7.17 All the dwellings would exceed minimum Gross Internal Floor Areas (GIA) required by the London Plan/National Housing Standards. The proposed dwellings offer dual outlook and are considered to contribute to a high standard of living due to having both an efficient and logical internal layout. All habitable rooms would be serviced by windows. Each dwelling would comprise three bedrooms, each of the bedrooms are of good size for their intended occupancy.
- 7.18 In terms of external amenity space, Policy DM D2 requires an area of 50sqm, set out as a single useable regular shaped amenity space, per house. All three homes would meet external space requirements and are appropriately configured for family use.
- 7.19 Overall the proposal is considered to provide a high standard of accommodation for future occupiers, satisfying Policy 3.5 & Table 3.3 of the London Plan 2016, the Nationally Described Space Standards (2016), Policy DMD2 of Merton's Adopted Sites and Policies Plan 2014.

Neighbouring Amenity

- 7.20 Policy DM D2 seeks to ensure that development does not adversely impact on the amenity of nearby residential properties.
- 7.21 The proposed building would feature a ground floor projection with a depth of 2.0m with sloped roof to 2.5m in height. This extension would project beyond the rear building line of the neighbouring property, No.5 Rural Way, by approximately 2.4m. The building is tapered inwards between ground and upper level. Given that the protrusion of the building is relatively minor it would not result in the loss of outlook, daylight / sunlight or create a sense of enclosure that would be considered harmful to occupiers at No 5 Rural Way.
- 7.22 With respect to No. 11 Rural Way, the proposed dwelling's ground floor extension would sit approximately level with the rearward wall of the existing rear extension at No 11. Given the relationship of the building with No 11 Rural Way the proposed development would not result in the loss of outlook, daylight / sunlight or create a sense of enclosure that would be considered harmful to occupiers the neighbouring occupier.
- 7.23 There are no side facing windows to No.5 or No.11, which would be affected by the proposed development.
- 7.24 The proposed development would introduce rear facing Juliet openings at first floor and at roof level (dormer windows), whereby there are currently no rear facing windows above ground floor level at the site. The separation distance from the proposed windows to the rear facing windows of properties to the rear, along Rustic Avenue, is approximately 22m. This separation distance would be sufficient to ensure that future occupiers to the dwellings would not gain close or penetrative views into neighbouring habitable rooms. As such, the proposal would not result in a materially harmful loss of privacy. This conclusion is further supported by the Council's guidelines for development which have historically indicated that a separation distance of over 20m is acceptable in terms of overlooking.

- 7.25 Whilst the provision of two-storey buildings, with a dormer window above, would result in new views towards neighbouring gardens, this is not considered unusual within a suburban setting. No objections towards this are raised.
- 7.26 It is noted that the proposed development would involve the removal of several trees from the site's rear garden, which do provide some screening benefits. However, these trees are not protected and could be removed at any time. It is not considered reasonable to insist on their retention, or an alternative form of screening to be erected.
- 7.27 The use of the site would remain as residential and there is no indication that the use of the proposed houses and gardens would result in materially harmful noise disturbance to neighbouring properties.
- 7.28 For the reasons set out above the proposal is considered to be acceptable in terms of residential amenity and would comply with Policy DM D2.

Highway, traffic and parking considerations

- 7.29 Core Strategy Policy CS 20 considers matters of pedestrian movement, safety, servicing and loading facilities for local businesses and manoeuvring for emergency vehicles as well as refuse storage and collection. Core Strategy Policy CS 18 promotes active means of transport.
- 7.30 The increase in traffic generated by the two additional homes would not have a material impact on the local highway network.
- 7.31 The application proposes a single off-street parking space for each dwelling and given the low PTAL rating of 2, car parking should be provided. The level of car parking proposed, one off-street car park per dwelling, is suitable for the development and location. Cars would be required to either reverse in or reverse out onto the highway, but given the low level of traffic along the street, this arrangement is not considered to result in material harm to highway safety.
- 7.32 Whilst the level of car parking proposed is acceptable, it will be necessary to ensure that highway safety is not adversely affected by way of displacement parking as a result of the increase in dwelling numbers. To address the impact upon parking in the area, it is recommended that permission be granted subject to permit free restrictions which would be set out in a planning agreement, which would ensure that the future occupiers of two of the three proposed dwellings are not eligible to obtain a parking permit (this allows for the fact that the existing dwellings on site is eligible to obtain parking permits and therefore the restriction relates only to the increased number of dwellings on site).
- 7.33 Subject to the above, the proposal is considered to result in an acceptable impact on the surrounding parking and traffic management network, consistent with London Plan policies 6.3 and 6.12, CS policies CS18 and CS20 and SPP policy DM T2.

- 7.34 The London Plan requires one cycle parking space for 1 bed units and two spaces for all other dwellings. The cycle spaces to be provided within the rear gardens would meet policy requirements and no objection is raised. A condition has been recommended requiring that details are submitted of the proposed cycle enclosures to the Council before development commences to satisfy policy requirements that enclosures are secure and covered.
- 7.35 Servicing arrangements would be acceptable, with refuse collected from refuse storage to the frontage of the site.
- 7.36 The Council's Transport Planner has assessed the proposed arrangements and raises no objection in terms of the level of car and cycle parking. It is noted that the scheme would result in the loss of two on-street parking bays but this would not warrant a refusal of planning permission due to the level of available parking in the vicinity. The existing Traffic Management Order would need to be modified in order to secure the necessary highway markings, to remove the bays and provide yellow lines on the highway between the proposed vehicle crossovers, where there is not sufficient space to re-incorporate a parking bay. An informative has been included to advise the applicant to contact the Council's Highway Team prior to any work.

Flooding and drainage considerations

- 7.37 The northern corner of the site is within Flood Zones 2 and 3, meaning that there is an increased probability of flooding. The application is accompanied by a Flood Risk Assessment which sets out that fluvial and groundwater flood risk is considered to be moderate with all other potential sources of flood risk deemed to be low. The client's development approach would look to manage/mitigate any residual flood risk as part of the design. The FRA concludes that the proposed development:
- Is suitable in the location proposed and will be adequately flood resistant and resilient;
 - Is unlikely to place additional persons at risk of flooding; and,
 - Is unlikely to increase flood risk elsewhere through the loss of floodplain storage, impedance of flood flows or increase in surface water run-off.
- 7.38 The following measures would be incorporated:
- Setting of finished floor level to a suitable level, above modelled floor levels - the floor level would be set at 21.47m (above datum) where the minimum permissible height of the floor level must be at least 21.32m.
 - Using construction materials with flood resilient properties.
 - Incorporating non-return valves on any foul water outlet(s) from the development to ensure no back surge of diluted sewage.
- 7.39 The Environment Agency has commented on the proposals and raises no objection subject to conditions relating to sustainable drainage, piling and to ensure the mitigation measures set out in the submitted Flood Risk Assessment are implemented.

- 7.40 The proposal is considered to be acceptable in terms of flood risk. Planning conditions have been recommended to mitigate against any potential impact on flooding and associated risks.
- 7.41 In terms of drainage, the application indicates that it will reduce the extent of non-permeable surfaces on the site. However, this is not detailed in the submission. The Council's Flood Risk Engineer has considered the proposals and concludes that whilst the proposal is acceptable in terms of flood risk, a condition should be imposed, if the application were acceptable in all other respects, to secure the submission and implementation of a detailed scheme for the provision of surface and foul water drainage.

Landscaping and Biodiversity

- 7.43 Policy DMO2 seeks, amongst other things, to protect land of ecological value. The NPPF has a presumption in favour of sustainable development, seeking positive improvements in the quality of the built, natural and historic environment including moving from a net loss of biodiversity to achieving net gains for nature.
- 7.44 The proposed development would result in the loss of a number of garden trees and scrub vegetation. These trees are considered to provide limited public amenity value and are not TPO protected, meaning they could lawfully be removed at any time.
- 7.45 While the site has no formally identified biodiversity value the removal of existing trees and vegetation would result in a minor reduction in biodiversity. In the interests of reducing the potential impact on birdlife, an informative has been recommended detailing that vegetation clearance should avoid the bird nesting and bat roosting season to prevent possible contravention of the Wildlife and Countryside Act 198.
- 7.46 The application also proposes as part of their application to landscape the site. A condition has also been recommended for a plan of landscaping to be submitted to the Council for approval in order to mitigate the loss of trees and vegetation from the works.

Sustainable design and construction

- 7.47 New buildings must comply with the Mayor's and Merton's objectives on carbon emissions, renewable energy, sustainable design and construction, green roofs, flood risk management and sustainable drainage. The most relevant London Plan policies are 5.1 (Climate Change Adaptation), 5.2 (Minimising Carbon Dioxide Emissions) and 5.3 (Sustainable Design and Construction) which seek to minimise energy usage and reduce carbon dioxide emissions.
- 7.48 Policy CS15 sets out minimum sustainability requirements for development proposals.
- 7.49 The application includes supporting information in relation to sustainable design and construction. To achieve this the applicant proposes to apply sustainable design through minimising water consumption, energy supply and

lighting, heating and hot water, fabric heat loss, glazing and renewables. In order to ensure that the development incorporates the sustainable reductions outlined to comply with Council policy a condition has been recommended to secure necessary carbon savings and water usage reductions.

Community Infrastructure Levy

- 7.50 The proposed development would be subject to payment of the Merton Community Infrastructure Levy and the Mayor of London's Community Infrastructure Levy (CIL).

8. Conclusion

- 8.1 The proposal would provide two additional family homes within the borough, in line with planning policy. The scale, form, design, positioning and materials of the proposed two storey (with loft level) terrace dwellings are considered to respond well with the streetscape and the suburban character. The proposed homes would provide a high standard of accommodation, and the provisions for refuse storage and collection are appropriate. Planning conditions and a unilateral agreement (for parking permit free) have been recommended to ensure that the impacts of the development are adequately addressed.

Recommendation

Grant planning permission subject to the completion of a S.106 Agreement covering the following heads of terms: -

1. The new dwellings are to be permit free residential units.
2. The developer agreeing to meet the Council's costs of preparing [including legal fees] the Section 106 Obligations [to be agreed].
3. The developer agreeing to meet the Council's costs of monitoring the Section 106 Obligations [to be agreed].

And subject to the following conditions: -

1. A1 Commencement of development (full application)
2. The development hereby permitted shall be carried out in accordance with the following approved plans: 01; 1477-04; 1477-05; 1477-07; 1477-08; 1477-08; 1477-09 Rev A; 1477-10 Rev A; 1477-11; 1477-12; 1477-13, Flood Risk Assessment – prepared by Ashfield Solutions Group, dated 17/10/2019.
3. C01 No Permitted Development (Extensions)
4. B1 External Materials to be Approved
5. H06 Cycle Parking - Details to be Submitted
6. Demolition and Construction Method Statement submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the demolition and construction period.

7. Hard & Soft Landscaping and Boundary Treatment
No development shall take place until full details of the following have been submitted to and approved in writing by the local planning authority, and these works shall be carried out as approved before the occupation of any buildings hereby approved, unless otherwise agreed in writing by the Local Planning Authority:
 - a) Hard and soft landscaping
 - b) Walls, fences or railings within the site.

8. Surface and foul water drainage
No development approved by this permission shall be commenced until a detailed scheme for the provision of surface and foul water drainage has been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. The drainage scheme will dispose of surface water by means of a sustainable drainage system (SuDS) at a restricted (greenfield) runoff rate in accordance with drainage hierarchy contained within the London Plan Policy (5.12, 5.13 and SPG) and the advice contained within the National SuDS Standards.

9. L3 Sustainability Standard Pre-Occupation

10. C07 Refuse & Recycling (Implementation)

11. F09 Hardstandings

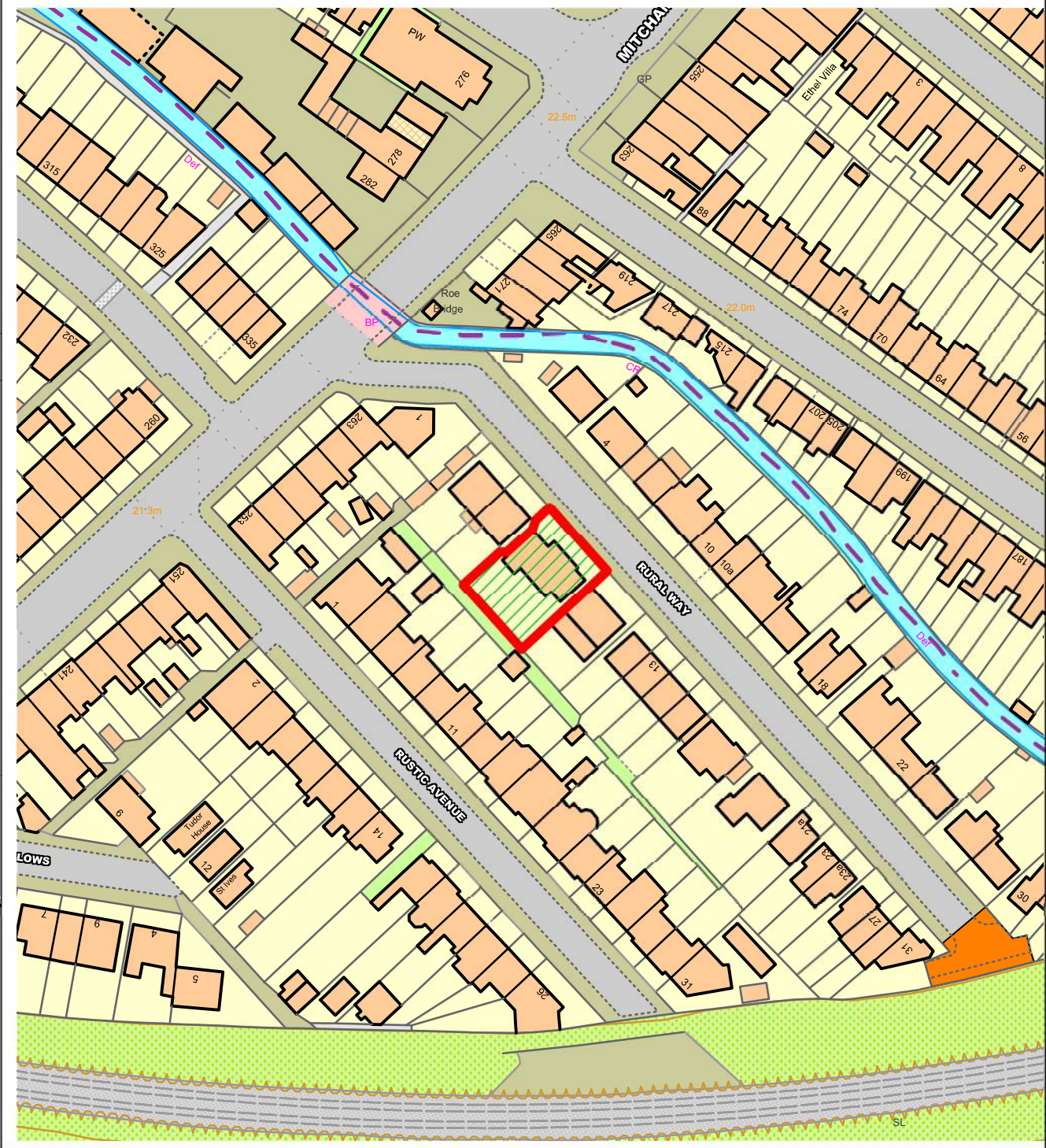
12. H04 Provision of Vehicle Parking

13. Sustainable Drainage
Whilst the principles and installation of sustainable drainage schemes are to be encouraged, no drainage systems for the infiltration of surface water drainage into the ground are permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to Controlled Waters. The development shall be carried out in accordance with the approval details.

14. Development in accordance with Flood Risk Assessment
The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) 17/10/2019/ 103219-F02/ Ashfield Solutions Group Ltd and the following mitigation measures detailed within the FRA: Finished floor levels are set no lower than 21.47m above Ordnance Datum (AOD). The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

[Click Here](#) for full plans and documents related to this application

NORTHGATE SE GIS Print Template



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PLANNING APPLICATIONS COMMITTEE

13 FEBRUARY 2020

Subject: Planning Appeal Decisions

Lead officer: Head of Sustainable Communities

Lead member: Chair, Planning Applications Committee

Recommendation: That Members note the contents of the report.

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 For Members' information recent decisions made by Inspectors appointed by the Secretary of State for Communities and Local Government in respect of recent Town Planning Appeals are set out below.
- 1.2 The relevant Inspectors decision letters are not attached to this report but can be viewed by following each individual link. Other agenda papers for this meeting can be viewed on the Committee Page of the Council Website via the following link:

[LINK TO COMMITTEE PAGE](#)

DETAILS

Application Numbers: **18/P2918**
Site: 188 - 194 The Broadway SW19 1RY
Development: Demolition of buildings and erection of six storey office building
Recommendation: Refuse (delegated decision)
Appeal Decision: **ALLOWED**
Date of Appeal Decision: 23rd January 2020

[Link to Appeal Decision Notice](#)

Application Numbers: **19/P2070**
Site: 344 West Barnes Lane New Malden KT3 6NB
Development: Creation of 2 x 1 bed self-contained flats involving the erection of a single storey rear extension, a rear roof extension and alterations to shop front.
Appeal outcome: **WITHDRAWN**
Date of Appeal Withdrawal: 9th January 2020

Alternative options

- 3.1 The appeal decision is final unless it is successfully challenged in the Courts. If a challenge is successful, the appeal decision will be quashed and the case returned to the Secretary of State for re-determination. It does not follow necessarily that the original appeal decision will be reversed when it is redetermined.
- 3.2 The Council may wish to consider taking legal advice before embarking on a challenge. The following applies: Under the provision of Section 288 of the Town & Country Planning Act 1990, or Section 63 of the Planning (Listed Buildings and Conservation Areas) Act 1990, a person or an establishment who is aggrieved by a decision may seek to have it quashed by making an application to the High Court on the following grounds: -
1. That the decision is not within the powers of the Act; or
 2. That any of the relevant requirements have not been complied with; (relevant requirements means any requirements of the 1990 Act or of the Tribunal's Land Enquiries Act 1992, or of any Order, Regulation or Rule made under those Acts).

1 CONSULTATION UNDERTAKEN OR PROPOSED

- 1.1. None required for the purposes of this report.

2 TIMETABLE

- 2.1. N/A

3 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 3.1. There are financial implications for the Council in respect of appeal decisions where costs are awarded against the Council.

4 LEGAL AND STATUTORY IMPLICATIONS

- 4.1. An Inspector's decision may be challenged in the High Court, within 6 weeks of the date of the decision letter (see above).

5 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 5.1. None for the purposes of this report.

6 CRIME AND DISORDER IMPLICATIONS

- 6.1. None for the purposes of this report.

7 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

- 7.1. See 6.1 above.

8 BACKGROUND PAPERS

- 8.1. The papers used to compile this report are the Council's Development Control service's Town Planning files relating to the sites referred to above and the agendas and minutes of the Planning Applications Committee where relevant.

Planning Applications Committee

13th February 2020

Wards: All

Subject: **PLANNING ENFORCEMENT - SUMMARY OF CURRENT CASES**

Lead officer: **HEAD OF SUSTAINABLE COMMUNITIES**

Lead member: **CABINET MEMBER FOR REGENERATION, HOUSING AND TRANSPORT COUNCILLOR MARTIN WHELTON, and COUNCILLOR LINDA KIRBY, CHAIR, PLANNING APPLICATIONS COMMITTEE**

Contact Officer Ray Littlefield: 0208 545 3911

Ray.Littlefield@merton.gov.uk

Recommendation: That Members note the contents of the report

1. Purpose of report and executive summary

This report details a summary of casework being dealt with by the Planning Enforcement Team and contains figures of the number of different types of cases being progressed, with brief summaries of all new enforcement notices and the progress of all enforcement appeals.

Current Enforcement Cases:	551	¹ (661)	New Appeals:	(1)	(4)
New Complaints	40	(78)	Instructions to Legal	0	(0)
Cases Closed	110		Existing Appeals	5	(5)
No Breach:	18		<hr/>		
Breach Ceased:	10		TREE ISSUES		
NFA ² (see below):	0		Tree Applications Received	48	(55)
Other	82		% Determined within time limits:	97%	
Total	110	(345)	High Hedges Complaint	0	(0)
New Enforcement Notices Issued			New Tree Preservation Orders (TPO)	1	(0)
Breach of Condition Notice:	0		Tree Replacement Notice	0	
New Enforcement Notice issued	0	(3)	Tree/High Hedge Appeal	0	(0)
S.215: ³	0				
Others (PCN, TSN)	0	(0)			
Total	0	(0)			
Prosecutions: (instructed)	0	(0)			

Note (*figures are for the period from 7th January 2020 to 31st January 2020*). The figure for current enforcement cases was taken directly from M3 crystal report.

¹ Totals in brackets are previous month's figures

² confirmed breach but not expedient to take further action.

³ S215 Notice: Land Adversely Affecting Amenity of Neighbourhood.

2.0 New Enforcement Actions

283 Galpins Road CR7 6EY. This is concerning a s215 notice served on untidy land. A s215 notice was issued on 23 December 2019. This notice will require compliance at the end of February 2020 requiring the Land to be tidied up / cleared, unless an appeal is made.

31 Edgehill Road, Mitcham, CR4 2HY. This is concerning a raised platform/garden that has been raised by approximately 90cm. An enforcement notice has been served to remove the raised platform and reduce the garden level by 90cm. The notice would have taken effect on 18/12/19, with a compliance date of 18/03/20, however an appeal has been submitted.

193 London Road CR4 2TJ. This is concerning untidy land to the side and rear of 193 London Road. An initial site visit was carried out, multiple letters have been sent to the property asking for compliance and for them to contact the Council to confirm a compliance schedule of works. Correspondence from the owner has been received. A further visit was made to confirm the site has not been tidied. A s215 enforcement Notice for untidy land has been drafted and is due to be reviewed and signed off by a manager authorising the service of a s215 Notice.

155 Canterbury Road, Morden, SM4 6QG. This is concerning an outbuilding in the rear garden that has had a retrospective planning application refused. An enforcement notice has been served on the property for the outbuilding to be demolished, the notice would have taken effect on 9th December 2019 and the compliance period would have been two months. However it has now been appealed to the Planning Inspectorate. The appeal is now ongoing.

208 Bishopsford Road, Morden, SM4 6DA. This is concerning the erection of a single storey rear extension onto an existing extension on the ground floor. A Planning Enforcement Notice has been issued requiring the demolition of the Extension. The Notice was issued on 4th October 2019, the Notice came into effect on 10th November 2019 with a compliance period of 3 months, unless an appeal was made before 10th November 2019. An appeal was submitted but rejected by the Planning Inspectorate as it was received by The Planning Inspectorate one day late. Compliance date is 10th February 2020.

The former laundry site, 1 Caxton Road, Wimbledon SW19 8SJ. Planning Permission was granted for 9 flats, with 609square metres of (Class B1) office units. 22 flats have been created. A Planning Enforcement Notice was issued on 11th October 2018 requiring either the demolition of the development or building to the approved scheme. The Notice took effect on 18th November 2018 with a compliance period of 12 calendar months. An appeal was made but subsequently withdrawn the following day. The owner decided to comply with the approved permission and is in the process of returning some the residential units back to their authorised office use. Bath and shower units have been removed; the office units are currently being advertised for let. The garage flat is no longer being used for residential and is in the process of being returned to a garage. Planning Application 19/P1527 for Discharge of Conditions has been submitted and is currently being considered.

6 CARTMEL GARDENS, MORDEN SM4 6QN: (Notice 2) This is regarding a side extension not built in accordance with approved plans and being used as a self contained unit of accommodation. A planning Enforcement Notice was subsequently issued on 24th September 2019 and took effect on 24th October 2019. The Notice requires the cessation of the use of side extension as separate self-contained unit, and

the removal of all those fixtures and fittings that facilitate the unauthorised use of the extension including the permanent removal of the facilities in use for cooking facilities, kitchen unit, sink, worktop, appliances, and food preparation areas. This Notice has a compliance period of 3 calendar months.

Some Recent Enforcement Actions

7 Streatham Road, Mitcham, CR4 2AD

The Council served two enforcement notices on 6th June 2019, requiring the outbuilding to be demolished and to clear debris and all other related materials. The second enforcement notice is for an unauthorised front, side and rear (adjacent to Graham Road) dormer roof extensions. An appeal was lost for the dormers to be considered permitted development, the notice requires the owner to demolish the unauthorised front, side and rear roof dormer extensions (adjacent to Graham Road) and to clear debris and all other related materials. Both Notices came into effect on 8th July 2019 unless appeals were made before this date. No appeals were lodged. The compliance date of the Enforcement Notice relating to the outbuilding to be demolished and to clear debris and all other related materials has now passed without compliance. The second enforcement notice was not complied with and now prosecution proceedings are being undertaken.

The plea hearing has now taken place at Lavender Hill Magistrates Court, where the defendant pleaded not guilty and the second hearing is due on the 14th January 2020.

A second hearing was held on 14th January 2020, and adjourned until 4th February 2020 in order for the defendant to seek further legal advice.

3.00 New Enforcement Appeals – 1

6 CARTMEL GARDENS, MORDEN SM4 6QN: (Notice 1) This is regarding a side extension not built in accordance with approved plans. A planning Enforcement Notice was subsequently issued on 24th September 2019 and would have taken effect on 24th October 2019. The notice requires the demolition of the rear extension. This Notice has a compliance period of 3 calendar months. An Appeal was electronically submitted, but not yet started.

183A Streatham Road CR4 2AG. An Enforcement Notice was issued on 1st May 2019 relating to the erection of a rear balcony to the existing rear roof dormer of the property. The Notice requires demolishing the rear balcony to the existing rear roof dormer and restoring the property to that prior to the breach. The Notice would have taken effect on 4th June 2019, with a compliance period of 2 months. An Appeal to The Planning Inspectorate has been made and the Appeal has started.

47 Edgehill Road CR4 2HY. This is concerning a rear extension not being built to the dimensions provided on the prior approval application. A Planning Enforcement Notice was subsequently issued requiring the demolition of the single storey rear extension. The Notice would have taken effect took effect on 16th September 2019, with a compliance period of 3 calendar months. An Appeal has been electronically submitted, and the appeal has started.

33 HASSOCKS ROAD, LONDON. SW16 5EU: This was regarding the unauthorised conversion from a single dwelling into 2 x self contained flats against a refusal planning permission. A planning Enforcement Notice was subsequently issued on 10th September 2019 and would have taken effect on 15th October 2019. This Notice has a compliance period of 3 calendar months, unless an appeal is made to the Planning Inspectorate before the Notice takes effect. An Appeal has been electronically submitted, and the appeal has started.

6 CARTMEL GARDENS, MORDEN SM4 6QN: (Notice 1) This is regarding a side extension not built in accordance with approved plans. A planning Enforcement Notice was subsequently issued on 24th September 2019 and takes effect on 24th October 2019. The Notice requires the cessation of the use of side extension as separate self-contained unit, and the removal of all those fixtures and fittings that facilitate the unauthorised use of the extension including the permanent removal of the facilities in use for cooking facilities, kitchen unit, sink, worktop, appliances, and food preparation areas. This Notice has a compliance period of 3 calendar months, unless an appeal is made to the Planning Inspectorate before the Notice takes effect. An Appeal has been electronically submitted, but not yet started.

76 Shaldon Drive, Morden, SM4 4BH. An enforcement notice was served on 14th August 2019 relating to an outbuilding being used as a self-contained unit. The notice requires the removal of all kitchen facilities, fixtures, fittings, cooker, worktops, kitchen units. The notice takes effect on 16th September 2019, with a compliance period of 1 month. An Appeal has been electronically submitted, but not yet started.

Existing enforcement appeals - 5

Appeals determined - 0

74 Beeleigh Road, Morden, SM4 5JW. An Enforcement Notice was issued on the property on 17th December 2018 for 'Without planning permission the erection of a single story front extension. The notice required the owner to demolish the front extension; and would have taken effect on 21st January 2019 with a compliance period of four months of that date unless an appeal was made. An appeal was made under ground (A) That Planning Permission should be granted. This Appeal was determined by Decision Letter dated 30th September 2019, the appeal was allowed and planning permission granted for the retention of the single story front extension

3.4 Requested update from PAC - none

- 4. Consultation undertaken or proposed - None required for the purposes of this report**
- 5. Timetable - N/A**
- 6. Financial, resource and property implications – N/A**
- 7. Legal and statutory implications – N/A**
- 8. Human rights, equalities and community cohesion implications - N/A**
- 9. Crime and disorder implications – N/A**
- 10. Risk Management and Health and Safety implications. N/A**
- 11. Appendices – None**
- 12. Background Papers - None**