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Merton Council

Planning Applications Committee Agenda

Membership

Councillors:

Dave Ward (Chair)
Stephen Crowe (Vice-Chair)
Stephen Alambritis MBE
Billy Christie
David Dean
Nick Draper
Joan Henry
Simon McGrath
Carl Quilliam
Peter Southgate

Substitute Members:

Eloise Bailey
Ben Butler
Edward Foley
Edward Gretton
Najeeb Latif
Dennis Pearce

Date: Thursday 21 October 2021

Time: 7.15 pm

Venue: Council Chamber, Civic Centre, London Road, Morden, SM4 5DX

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Planning Applications Committee Agenda

21 October 2021

- 1 Apologies for absence
- 2 Declarations of Pecuniary Interest
- 3 Minutes of the previous meeting 1 - 4
- 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 Garage Block, Heyford Avenue, Land rear of 145 & 147 Springfield Avenue, Raynes Park 5 - 40
Application No: 21/P1463
Ward: Cannon Hill
Recommendation: Grant planning permission subject to conditions.
- 6 52B Russell Road, Wimbledon, London, SW19 1QL 41 - 58
Application No: 21/P2673
Ward: Abbey
Recommendation: Grant Planning Permission subject to conditions
- 7 Eddie Katz, 42 Station Road, Colliers Wood, London, SW19 2LP 59 - 150
Application No: 21/P1907
Ward: Colliers Wood
Recommendation: Grant planning permission subject to any direction from the Mayor of London the completion of a S106 agreement and conditions
- 8 Planning Appeal Decisions
A report will be brought to the next meeting.
- 9 Planning Enforcement - Summary of Current Cases 151 - 158
Officer Recommendation:
That Members note the contents of the report.

Note on declarations of interest

Members are advised to declare any Disclosable Pecuniary Interest 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. For further advice please speak with the Managing Director, South London Legal Partnership.

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Agenda Item 3

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PLANNING APPLICATIONS COMMITTEE

23 SEPTEMBER 2021

(7.15 pm - 8.18 pm)

PRESENT Councillors Councillor Dave Ward (in the Chair),
Councillor Stephen Crowe, Councillor Stephen Alambritis,
Councillor Billy Christie, Councillor Nick Draper,
Councillor Joan Henry, Councillor Simon McGrath,
Councillor Carl Quilliam and Councillor Peter Southgate

Andrew Robertson (Head of Democracy and Electoral Services)

ATTENDING REMOTELY Sarah Stevens (Interim Building and Development Control
Manager), Jonathan Lewis (Development Control Team Leader
South), Tim Bryston (Development Control Team Leader North)
and Amy Dumitrescu (Democracy Services Manager)

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies for absence were received from Councillor David Dean. Councillor Najeeb Latif attended as substitute.

2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

Councillor Draper declared that he was previously involved as Cabinet Member in starting the Wimbledon Park Lake Project but this would not prevent him from participating on that item.

3 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

RESOLVED: That the minutes of the meeting held on 19 August 2021 were agreed as an accurate record.

4 TOWN PLANNING APPLICATIONS (Agenda Item 4)

The Committee noted the amendments and modifications to the officers' report. The Chair advised the items would be heard in agenda order.

5 WIMBLEDON PARK LAKE, WIMBLEDON PARK, HOME PARK ROAD, WIMBLEDON, LONDON, SW19 7HX (Agenda Item 5)

Proposal: Engineering works to the lake, spillways and embankment to improve lake safety, in accordance with the reservoir act 1975 as amended.

The Committee noted the officer's report and presentation.

The Committee received a verbal representation from one objector who made points including:

- Whilst the work to the dam and addition of sleeping policeman were welcome, 'significant problems remained'
- A condition had been requested to include a site specific flood risk assessment
- The current proposals didn't meet the requirements
- An open channel in the crazy golf area would be better with an open channel for the whole length

The Committee received a verbal presentation from the Agent who made points in response including:

- The design had been refined to balance the engineering works requirements against the impact to the landscape
- The design had been developed with key stakeholders and consultation undertaken with monthly steering groups since 2017
- Flood modelling work had been undertaken and the proposed scheme did not lead to increased flood risks

In response to member questions, the Development Control Team Leader (North) advised that:

- The flood risk officer was satisfied the design was suitable in planning terms subject to conditions.
- The dredging of the lake was not part of this application.
- The river links up to the existing part behind the café building after the crazy golf section.

Members made comments that the rockery and cascade area were currently taped off and in disrepair and that analysis on the assumption that the culvert was blocked would be beneficial. The Chair responded that the Cabinet Member responsible should be contacted on both points.

RESOLVED

The Committee voted to GRANT Planning permission subject to conditions.

6 21 NEATH GARDENS, MORDEN, SM4 6JN (Agenda Item 6)

Proposal: Erection of a new single storey end of terrace dwelling house and single storey rear extension to the existing house.

The Committee noted the officer's report and presentation.

In response to member questions, the Development Control Team Leader South advised that bedrooms must meet certain standards and sizings and the proposed single bed bedroom would fall below the double bed standard.

In relation to the shared path, this would remain as shared and could be adjusted to ensure better access for disabled users.

In response to member comments, the Development Control Team Leader advised that a condition could be added to ensure that the construction work only be undertaken Monday to Saturday for limited hours. It was noted that a construction logistics plan had been included.

RESOLVED: That the Committee voted to GRANT planning permission subject to conditions.

7 89 WORPLE ROAD, WIMBLEDON, SW19 4JG (Agenda Item 7)

Proposal: Application for prior approval in respect of the proposed erection of one additional storey on top of existing block of flats to create two additional residential units.

The Committee noted the officer's report and presentation.

In response to questions from the Committee, the Development Control Team Leader North advised that each flat did propose an amount of amenity space at top floor level. The proposal was for a one storey extension and there were no amendments planned for the rest of the building.

RESOLVED: That the Committee voted to GRANT prior approval, subject to conditions and permit free legal agreement.

8 PLANNING APPEAL DECISIONS (Agenda Item 8)

Members noted the Planning Appeal decisions report.

9 PLANNING ENFORCEMENT - SUMMARY OF CURRENT CASES (Agenda Item 9)

Members noted the Planning Enforcement Report.

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PLANNING APPLICATIONS COMMITTEE
21st October 2021

<u>UPRN</u>	<u>APPLICATION NO.</u>	<u>Item No:</u> <u>DATE VALID</u>
	21/P1463	12/04/2021
Address/Site:	Garage Block Heyford Avenue Land rear of 145 & 147 Springfield Avenue Raynes Park	
Ward:	Cannon Hill	
Proposal:	DEMOLITION OF GARAGE BLOCK AND ERECTION OF A 2 BED BUNGALOW WITH HABITABLE ROOFSPACE.	
Drawing No.'s:	LP01; BP01; 103 Rev E; 104 Rev D; 105 Rev D; 106 Rev D; 107.	
Contact Officer:	Catarina Cheung (020 8545 4747)	

RECOMMENDATION

Grant planning permission subject to 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: Yes
- Design Review Panel consulted: No
- Number of neighbours consulted: 52
- External consultations: 0
- Controlled Parking Zone: No
- 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 comprises a single storey garage block structure (5 garage spaces) with a hardstanding forecourt, to its east is an open area of overgrown grassland. It altogether forms an irregular shape of around 282sqm.
- 2.2 The surrounding area is residential in character. Springfield Avenue comprises 2 storey 1930s semi-detached/terraced dwellings; and Heyford Avenue 1950s buildings, a mixture of 2 storey maisonettes (north-east of the site) and 3x 3 storey block of flats (south of the site). The buildings are quite generously set back from the road, providing gardens/small landscaped areas/off-street parking spaces. Buildings are predominantly finished in red-brick and rendered concrete, with hipped roofs and a general sense of symmetry to their appearance.
- 2.4 The site is not located within a Conservation area nor is the property locally or statutorily listed.
- 2.5 The site has a PTAL of 2 and is not located in a Controlled Parking Zone.

3. CURRENT PROPOSAL

- 3.1 This application seeks planning permission for the demolition of the existing garage block and erection of a 2 bed bungalow with habitable roofspace.
- 3.2 The main entrance would be sited on the southern elevation, set back 5m from new brick dwarf wall (1m) proposed along the front of the curtilage. A 2m timber fence is proposed toward the sides and rear of the boundary.
- 3.2 The proposed dwellinghouse would have a width of 9m and depth of 7.3m. The rear dormer would measure a width of 3.9m, height of 2.5m and maximum depth of 3.21m.
- 3.3 The new dwellinghouse would provide a 2bed 4person unit with an internal GIA of 81sqm.
- 3.4 The garden would have an area of 123.6sqm.
- 3.5 Refuse bins would be located within the front garden and the cycle store within the side garden of the dwellinghouse.
- 3.6 2x off-street car parking spaces would be provided.

4. PLANNING HISTORY

- 4.1 18/P1712: DEMOLITION OF LOCK UP GARAGES AND THE CONSTRUCTION OF A 2 STOREY BUILDING CONSISTING OF 1 X 2 BEDROOM FLAT AND 1 X 1 BEDROOM FLAT. – Refused 21/06/2018
Reason 1 - The size, siting and design of the proposed building would represent an unneighbourly and unduly dominant form of development that would appear visually intrusive and fail to relate positively and appropriately to the siting, rhythm, scale, density and massing of surrounding buildings and existing street patterns and would be contrary to London Plan policies 3.5, 7.4 and 7.6, policies CS 13 & CS14 of the Merton LDF Core Planning Strategy (2011) and policy DM D2 of the Merton Sites and Policies Plan (2014).
Reason 2 - The design and layout of the development would result in the provision of a poor quality living environment for future occupiers caused by

poor outlook and limited light for the ground floor amenity area and poor outlook for the occupiers of Flat 2 to the detriment of the amenity of future occupiers and would be contrary to policy CS14 of the Merton LDF Core Planning Strategy (2011) and policy DM D2 of the Merton Sites and Policies Plan (2014).

Reason 3 - The applicant has failed to demonstrate that the proposals would not adversely affect safety, the convenience of local residents and on street parking management as a result of additional traffic, including vehicle movements, generated by the development, contrary to policy CS20 of the Merton Core Strategy 2011.

- 4.2 17/P1716: DEMOLITION OF EXISTING GARAGES AND THE ERECTION OF A 3 STOREY BUILDING CONSISTING OF 2 X 2 BEDROOM RESIDENTIAL UNITS AND 1 X 1 BEDROOM RESIDENTIAL UNIT. – Refused 16/06/2017, and appeal dismissed 19/01/2018

Reason 1 - The size, siting, materials and design of the proposed building would represent an unneighbourly and unduly dominant form of development that would appear visually intrusive and fail to relate positively and appropriately to the siting, rhythm, scale, density and massing of surrounding buildings and existing street patterns and would be contrary to London Plan policies 7.4 and 7.6, policies CS 13 & CS14 of the Merton LDF Core Planning Strategy (2011) and policy DM D2 of the Merton Sites and Policies Plan (2014)

Reason 2 - The applicant has failed to demonstrate that the proposals would not adversely affect safety, the convenience of local residents and on street parking management as a result of additional traffic generated by the development, contrary to policy CS20 of the Merton Core Strategy 2011.

- 4.3 MER926/72(O): OUTLINE APPLICATION FOR SEMI-DETACHED HOUSE AND GARAGE FRONTING ONTO HEYFORD AVENUE ON LAND REAR OF 143, 145 AND 147 SPRINGFIELD AVENUE – Refused 09/11/1972

- 4.4 MER322/77: FIVE LOCK-UP GARAGES WITH ACCESS ONTO HEYFORD AVENUE – Refused 15/12/1977, Appeal allowed 31/12/1978.

- 4.5 MER212/66: ERECTION OF FIVE LOCK-UP CONCRETE GARAGES AND CONCRETE APRON WITH ACCESS – Granted 30/06/1966.

5. CONSULTATION

External

- 5.1 Public consultation was undertaken by way of letters sent to 52 neighbouring properties and site notice displayed. 12 representations were received (10 different address points), their objections are summarised below:

Design and appearance

- The proposal is out of character with the area and neighbouring properties, really badly-planned location for a new building;
- Negative/adverse visual impact – particularly on the landscape as this is a green space;
- The building will not be positive contribution to the area as described in the application;
- The precedents provided in the application do not reflect the situation in Heyford Avenue.

Impact on neighbouring amenity

- Block sunlight;

- Overlooking into neighbouring bathroom and garden;
- Disagree that lighting will not be affected;
- Do not want construction noise/disturbance, traffic and congestion;
- If the development proceeds, any plans to reduce spread of dirt/dust from the site?
- Personal safety of older residents.

Transport/highways/parking/servicing

- The application states there is currently 5 parking spaces available. That is not true as cars would not be able to park outside each garage as other cars would not be able to gain entry to other garages further on;
- Heyford Avenue is a narrow residential road, emergency vehicles have a problem getting access. Will cause problem with large lorries and trucks carrying building supplies, and vehicles living and visiting the proposed property;
- Rubbish collection trucks would not be able to get in the street;
- Traffic generation and increased pressure on existing car parking on the pavement;
- The new development reduces the driveway down;
- The proposed fence would result in existing residents being unable to park in their existing spaces (on the pavement);
- Limited parking;
- Increase in traffic volume will cause danger to residents and deny children playing in this quiet cul de sac;
- Unrealistic to insinuate that all parking will be on site for this proposed development as many households have 2 cars, frequent visitors, carers or childcare;
- With a new build, the entrance (into Heyford Avenue) will be far more used than at present, and to allow a sufficient turning circle into/out of the proposed entrance will limit parking space in the immediate vicinity;
- Where will skips be sited?

Other

- There is no anti-social behaviour in Heyford Avenue as stated in the application;
- The application states there no trees or bushes are affected. A tree has already been cut down by the application without permission;
- New dwelling will cause pressure on drainage;
- Thought Merton cared about the environment, why are you taking away a lovely environmentally friendly green grassed area full of wildlife;
- Two BT telegraph poles are sited on/adjacent to the land;
- Telephone pole will be removed and positioned elsewhere, will cause disruption to communication;
- Heyford Avenue is over populated. The new build will cause over-crowding;
- The condition of the existing garages are fine, they have been built to last and are not in poor condition as described in the application;
- Do not like the wording "This new purpose built residential dwelling will assist the Council in meeting their housing targets". Current residents thoughts should be at the forefront, the wording is inconsiderate to residents;
- Any comment on anti-social behaviour, garages not fit for purpose or being untidy should be removed from application as it is not painting the correct picture of our area, the state of the garage or the incompetence of the owner to not look after their land;
- Did not receive a notification letter;
- No mention in report of connection to water, gas, sewage and electricity for the new build.

5.2 2 representations, whilst raising concerns also noted the potential benefits of the scheme:

- There is merit in the scheme mostly because the current location is an eyesore and not well kept, the grass is extremely overgrown, the garages are not kept to a good standard and unsightly trash kept on site.
- Accept that the existing garage complex is somewhat unused in recent times and dilapidated, the additional grass verge which is to be incorporated into the development is often overgrown and strewn with litter, so a new development would be better use of space and visually more pleasing than now, especially as external finishes would blend with existing properties and privacy is going to be maintained.

5.3 The scheme was amended and a 14 day re-consultation carried out 08/09/2021, 6 representations were received (5 different address points). Representations reiterated their original concerns (para 5.1), new comments included below:

- Should this building go ahead, it will be impossible to park and come in and out while all the works are going on;
- An ambulance regularly collects one of the residents, how would they come through with a large lorry delivery materials;
- How is it possible to tarmac a little bit of green that they would use as parking when, the residents, are not allowed to convert our front gardens into driveways;
- Parking difficulties. The applicant has said that residents are parking incorrectly which is against Merton rules. This is the only way residents can park to enable cars, refuse collection and most importantly emergency vehicles to gain entry.

Internal

5.4 LBM Transport officer – The site lies within an area PTAL 2 which is considered to be poor. A poor PTAL rating suggests that only a few journeys could be conveniently made by public transport. However, South Merton Railway Station lies approximately 100m of the site through a staircase at the junction of Martin Way and Mostyn Road.

The site is not located within a Controlled Parking Zone and consequently the surrounding streets do not contain parking restrictions.

The proposal provides two car parking spaces in accordance with the London Plan standards. The proposal would require 2 cycle spaces (secure & undercover) in accordance with the London Plan.

Refuse collection will take place from the Heyford Avenue carriageway in the same manner as the existing nearby premises.

Recommendation: Raise no objection subject to car parking as shown maintained, cycle parking provision (2 spaces, secure & undercover) and refuse provision.

5.5 LBM Highways – conditions and informatives recommended. Including an informative reminding the applicant that Highways must be contacted prior to works being carried out to ensure all relevant licenses are in place.

6. POLICY CONTEXT

6.1 National Planning Policy Framework (2021)

Section 5 – Delivering a sufficient supply of homes

Section 9 – Promoting sustainable transport

Section 11 – Making effective use of land

Section 12 – Achieving well-designed places

Section 14 – Meeting the challenge of climate change, flooding and coastal change

6.2 London Plan (2021)

Relevant policies include:

- D1 London's form, character and capacity for growth
- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- D5 Inclusive design
- D6 Housing quality and standards
- D7 Accessible housing
- D8 Public realm
- D11 Safety, security and resilience to emergency
- D12 Fire safety
- D13 Agent of Change
- D14 Noise
- H1 Increasing housing supply
- H2 Small sites
- G7 Trees and woodlands
- SI 2 Minimising greenhouse gas emissions
- SI 3 Energy infrastructure
- SI 4 Managing heat risk
- SI 5 Water infrastructure
- SI 7 Reducing waste and supporting the circular economy
- SI 8 Waste capacity and net waste self-sufficiency
- SI 13 Sustainable drainage
- T1 Strategic approach to transport
- T4 Assessing and mitigating transport impacts
- T5 Cycling
- T6 Car parking
- T6.1 Residential parking
- T7 Deliveries, servicing and construction

6.3 Merton Local Development Framework Core Strategy (2011)

Relevant policies include:

- CS 8 Housing choice
- CS 9 Housing provision
- CS 14 Design
- CS 15 Climate change
- CS 17 Waste management
- CS 18 Transport
- CS 20 Parking servicing and delivery

6.4 Merton Sites and Policies Plan (2014)

Relevant policies include:

- DM D1 Urban design and the public realm
- DM D2 Design considerations
- DM EP2 Reducing and mitigating noise
- DM O2 Nature conservation, trees, hedges and landscape features
- 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 considerations

Merton's Explanatory Note: Approaches to Sustainable Design and Construction 2020
London Plan Housing SPG – 2016
DCLG 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
- Others

7.2 Principle of development

Loss of the garage

7.2.1 The garages were erected around the 1960-70s (see planning history, Section 4). Though they initially functioned as lock-up garages, they most recently have been used for storage purposes. The garage block was created from the purchase of the rear end of the gardens at 145 and 147 Springfield Avenue, this together with the irregular grassed area forms a larger plot for redevelopment. So originally, the site was a residential backland garden plot, and demolishing the garages to erect a new dwellinghouse would be reverting it to its previous land use.

7.2.2 The garage structure is of no particular architectural merit or significance, so its demolition would not be considered detrimental to the character of the area.

Provision of housing

7.2.3 The National Planning Policy Framework, London Plan Policy H1 and the Council's Core Strategy Policies CS8 and CS9 all seek to optimise the potential of suitable sites for housing delivery in order to increase sustainable housing provision and access to a mixture of dwelling types for the local community, providing that proposals are well designed and provide an acceptable standard of accommodation.

7.2.4 London Plan Policy H1 sets the ten-year targets for net housing completions that each local planning authority should plan for. Merton's annual housing target has been increased to 918 from 411 in the previous Plan. For London to accommodate the growth identified in the new Plan in an inclusive and responsible way, Policy D3 seeks to ensure that every new development needs to make the most efficient use of land by optimising site capacity, this means ensuring the development's form is the most appropriate for the site.

7.2.5 Further, London Plan Policy H2 encourages boroughs to support well-designed new homes on small sites (below 0.25 hectares in size), so to recognise that local character evolves over time and will need to change in appropriate locations to accommodate additional housing on small sites.

7.2.6 The development seeks to provide an additional residential unit on the site through the demolition of the garage block and erection of a new detached dwellinghouse. The principle of doing so is considered acceptable and in line with policies seeking to increase provision of additional homes and through intensification of the site.

7.2.7 However, whilst the principle of the development is considered acceptable, the scheme is also subject to the following criteria being equally fulfilled and compliant with the relevant policies set out in the London Plan, Merton's Core Strategy, Merton's Sites and Policies Plan and supplementary planning guidance.

7.3 Character and Appearance

7.3.1 London Plan Policy D3 requires development proposals to enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions. Development proposals should be of high quality, with architecture that pays attention to detail and gives thorough consideration to the practicality of use, flexibility, safety and building lifespan through appropriate construction methods and the use of attractive, robust materials which weather and mature well.

7.3.2 Local Policies CS14, DMD1 & DMD2 further supports this, requiring new developments to 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, by using appropriate architectural forms, language, detailing and materials which complement and enhance the wider setting.

7.3.3 The NPPF is encouraging of developments which are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities). As mentioned in para 7.2.3, London Plan Policy H2 encourages boroughs to support well-designed new homes on small sites, highlighting the need to recognise that local character evolves over time and will need to change in appropriate locations to accommodate additional housing on small sites.

7.3.4 To understand the evolution of the design, it is helpful to revisit the previously refused permissions in 2017 (17/P1716 – also dismissed at appeal) and 2018 (18/P1712 – also dismissed at appeal):

- 17/P1716 – The development proposed a flatted building of 2-3 storey height, providing 3x self-contained units. Refer to para 4.2 for the full reasons for refusal.

The officer's delegated report describes under the "Design impact on the street scene" section: "From the pre application stage the applicant was advised that officers considered that building a block in this location would be at odds with the predominant housing forms and layouts in the area. This is because the building form is in essence a mixture of either suburban interwar style houses/maisonettes or the large three storey blocks of flats, where all the housing is aligned along similar axis lines and exhibit a commonality of materials. It is considered that placing a one off block that uses materials such as artificial foliage and Rockpanel cladding in this position would not reflect the context and character of the local street scene and as such fails to accord with these policies and is consequently recommended for refusal".

- 18/P1712 – The development proposed a flatted building of 3 storey (2+roof) height, providing 2x self-contained units. Refer to para 4.1 for the full reasons for refusal.

The officer's report re-highlights the concerns above about a stand-alone building, "Whilst this proposal is smaller than the previous refusal and uses more appropriate materials it remains obvious that the design form matches neither of the predominant forms in the area".

7.3.5 The mutual concerns in both applications were the design of the proposals and impact on existing street parking – the transport/parking issues shall to be discussed in Section 7.6. In relation to the design, officers consider that the new proposals deliver a significantly reduced scale of development and are a marked improvement.

- 7.3.6 The proposals move away from attempting a large detached flatted building, reducing the scale to a bungalow style dwelling with roof level accommodation. The reduced height and massing are considered appropriate, relatively modest in scale and would respect the local context and not appear as an unduly dominant or excessive form within the plot.
- 7.3.7 The set back of the dwelling from the boundary/street helps to mitigate its visual impact toward the streetscene and is in keeping with the layout of the neighbouring houses and flats which are also set back from the pavement providing a pleasant openness to the public realm. This is complimented with a 1m dwarf brick wall along the front boundary to increase visibility and also increased natural surveillance. A taller fence would be introduced toward the side/rear of the garden to offer appropriate security and privacy.
- 7.3.8 The building presents a modest hipped roof form with small dormer details, finished in red bricks and slate roof tiles to match the prevailing roof character and materiality of the area. Overall, the dwelling would blend in with the character of the local area and would not create the impression of inappropriate overdevelopment of the site like the previous refusals.

7.4 Neighbouring Amenity

- 7.4.1 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. London Plan Policy D3 states that development should deliver appropriate outlook, privacy and amenity.

143, 145, 147 Springfield Avenue

- 7.4.2 The new dwellinghouse would be set away around 30m from the rear of 143, 145 and 147 Springfield Avenue – or approximately 26m measured from the single storey element at 145 Springfield Avenue. The separation distances are considered sufficient and would unlikely result in undue harm toward neighbouring amenity in terms of light or outlook. Further, the proposed side window on the western elevation would be obscure glazed (stairwell) so as to mitigate overlooking concerns.
- 7.4.3 Currently, along the boundary between the application site and rear garden area of 143 Springfield Avenue is a thick screen of tall trees. Nonetheless, the proposed dwelling would be set back 2m from the boundary and the proposed first floor rear dormer bedroom windows would be obscure glazed up to 1.7m.

Heyford Avenue – two storey dwellings (north-east of the application site)

- 7.4.4 The Heyford Avenue dwellings would be separated from the application site by the public highway (Heyford Avenue).
- 7.4.5 Measuring between the proposed dwelling and 1-4 Heyford Avenue would be around a 25m separation distance, and 5-8 Heyford Avenue around 21m. Given the distances provided, it is considered the proposed dwelling would not unduly impact these dwellings in terms of outlook or light.

Heyford Avenue flats (south of the application site)

- 7.4.6 Similarly, the flatted blocks are also separated from the application site by the public highway. Between the block immediately south of the application site and the new dwelling would be around a 16m separation, and the flatted block positioned at an angle (facing toward the corner of Heyford Avenue) 19m. Given the proposed

separation and height of the new building, this would unlikely be viewed as an excessive form which would inappropriately shade/encroach on the light and outlook from the flats' windows and balconies.

7.4.7 Overall, it is considered the proposed development would not have a negative impact toward neighbouring amenity.

7.5 Standard of accommodation

Internal

7.5.1 Policy D6 of the London Plan 2021 requires housing developments to be of the highest quality design and provide adequately-sized rooms with comfortable and functional layouts which are fit for purpose and meet the needs of Londoners without differentiating between tenures, and should provide at least the gross internal floor area and built-in storage area set out in Table 3.1. Policies DMD2 and D6 require housing developments to provide an appropriate quality of living condition with sufficient daylight and sunlight to new and surrounding housing.

7.5.2 The dwellinghouse would provide a 2bedroom 4person unit over 2 storeys with an internal GIA of 81sqm. The London Plan and Technical housing standards requires 79sqm. The proposal would comfortably accord with the required internal space standards.

External

7.5.3 Policy DMD2 of the Council's Sites and Policies Plan requires new houses to provide a minimum garden area of 50 sqm as a single usable regular shaped amenity space.

7.5.4 The proposed garden would provide an area of 123.6sqm, screened along the boundary with a timber fence.

7.5.5 The proposed garden size would comfortably exceed policy requirements.

7.6 Transport, parking and cycle storage

7.6.1 Merton SPP Policy DM T2 seeks to ensure that development is sustainable and has minimal impact on the existing transport infrastructure and local environment. Policy DM T3 seeks to ensure that the level of residential and non-residential parking and servicing provided is suitable for its location and managed to minimise its impact on local amenity and the road network.

7.6.2 Core Strategy Policy CS20 and SPP Policy DM T5 requires that development would not adversely affect pedestrian or cycle movements, safety, the convenience of local residents, street parking or traffic management, that that they minimise any impacts on the safe movement of people or goods, are appropriately located and connected to the road hierarchy; respect the streets character and environment.

7.6.3 As set out in para 7.3.5, the previous permissions raised concerns in relation to the impact of the proposals on the existing street parking:

- 17/P1716 – No offer of off-street parking spaces. Refer to para 4.2 for the full reasons for refusal.

Officers concluded from the findings of the Parking Stress Survey submitted that there would not be sufficient capacity on-street in the local vicinity to accommodate

additional vehicles. The site is also not located within a CPZ so there would be no mechanism to control parking by making the scheme permit free. The Inspector concluded: "The appellant's survey suggested that there were significant numbers of parking spaces available in neighbouring streets within 200 metres or so of Heyford Avenue. However, future occupiers would be likely to want to park close to where they live as evidenced by the existing over-parking problem. While alternative parking might be available some distance away it is more likely that the proposal would result in additional parking in Heyford Avenue and thereby increasing the risk to pedestrians and the difficulties for large emergency vehicles".

- 18/P1712 – Provision of 2 off-street parking spaces, one would be located beneath an overhang structure and require the construction of a new dropped kerb. Refer to para 4.1 for the full reasons for refusal.

The officer's report: "Whilst the swept path shows that it is theoretically possible to manoeuvre to and from the two parking bays much of that movement would need to cross the pathways on site and risk conflict with the undercroft support pillars and the soft planting areas as well as the cars parked opposite... The constraints of the site are such that the usability of the provided bays is such that it is considered unlikely to be a practical solution for car parking and that there would be more temptation for future occupiers to park on the street".

7.6.4 Paragraph 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

7.6.5 The latest proposals would provide off-street parking spaces unlike application 17/P1716. And unlike application 18/P1712, there would be no restriction for vehicles manoeuvring/turning in the front garden given the lack of obstructions, so these spaces would be more practical for use and vehicles would more likely be able to navigate the narrow street and other parked vehicles along Heyford Avenue when entering/exiting.

7.6.6 With the provision of 2x off-street parking spaces, it is not considered there would be increased stress to the existing on-street parking availability, where representations have raised concerns about the existing parking pressures; nor would it further compromise the width of the highway as vehicles would not be reliant on following the existing parking pattern (parking wholly/partly on the footpath), thereby not creating further obstruction for large service/emergency vehicles entering into this cul-de-sac.

Cycle

7.6.7 Core Strategy Policy CS18 seeks to promote active transport by requiring new development to provide cycle parking, it encourages design that provides, attractive, safe, covered cycle storage, cycle parking and other facilities (such as showers, bike cages and lockers).

7.6.8 London Plan Policy T5 requires developments to provide appropriate levels of cycle parking which should be fit for purpose, secure and well-located. Developments should provide cycle parking at least in accordance with the minimum standards set out in Table 10.2. In accordance with Table 10.2, residential dwellings should provide 1 space per studio/1 person 1 bedroom dwelling, 1.5 spaces per 2 person 1 bedroom dwelling and 2 spaces per all other dwellings.

7.6.9 The proposal provides 2 cycle spaces which satisfies the London plan standards.

7.7 Refuse

- 7.7.1 Merton Core Strategy Policy CS17 requires new developments to demonstrate integrated, well-designed waste storage facilities that will include recycling facilities.
- 7.7.2 London Plan Policies SI 7 and SI 8 identifies that in order to manage London's waste sustainably, the waste management capacity of existing sites should be optimised and developments should be designed with adequate, flexible, and easily accessible storage space and collection systems that support, as a minimum, the separate collection of dry recyclables (at least card, paper, mixed plastics, metals, glass) and food.
- 7.7.3 Refuse bins would be located toward the front/side of the property, this is considered a suitable location and would be convenient for pulling out onto the highway on collection days. This arrangement is not dissimilar to the manner in which refuse is currently collected along Heyford Avenue and Springfield Avenue.

7.8 Sustainability

- 7.8.1 Merton's Core Planning Strategy (2011) Policy CS15 outlines how all minor and major development, including major refurbishment, should demonstrate: how the proposal makes effective use of resources and materials, minimises water use and CO2 emissions; makes the fullest contribution to minimising carbon dioxide emissions in accordance with the energy hierarchy and designed to withstand the long term impacts of climate change.
- 7.8.2 London Plan Policies SI 2, SI 5 and Merton's Sustainable Design and Construction Explanatory note, expects developments to achieve carbon reductions beyond Part L from energy efficiency measures alone to reduce energy demand as far as possible. For minor residential developments, 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.
- 7.8.3 To ensure that the proposed development will meet the policy standards in accordance with the Local and London plan, the imposition of a pre-occupation condition is recommended to be attached to any grant of planning permission in order to secure these improvements.

7.9 Others

- 7.9.1 Trees – London Plan Policy G7 states that development proposals should ensure that, wherever possible, existing trees of value are retained. Policy DM O2 seeks to protect and enhance biodiversity, particularly on sites of recognised nature conservation interest. To protect trees, hedges and other landscape features of amenity value and to secure suitable replacements in instances where their loss is justified. Representations have raised concerns over the felling of an existing tree on site. However, the site does not lie within a Conservation area nor does it contain any protected trees (TPOs), therefore its removal would not have required a tree work application.
- 7.9.2 Construction – The impact of the construction process itself cannot reasonably form a reason for refusal. However, the impacts can be minimised through the provision of a construction management plan which will be secured by way of condition.
- 7.9.3 Telegraph poles – The amended ground floor plan (103 Rev E) shows the positioning of the 2x telegraph poles within/adjacent to the site. These shall remain in situ and the

boundary fence has been designed to exclude the poles within the curtilage of the proposed dwellinghouse.

8. CONCLUSION

- 8.1 The scale, form, design, positioning and materials of the new dwellinghouse have been well-considered conceiving a suitably reduced scheme to overcome the previous reasons for refusal. Officers consider that the proposals provide an optimal solution to redevelop the underused site to provide further residential accommodation. In addition, the proposed development is considered not to have an undue detrimental impact toward neighbouring amenity, and would offer comfortable internal and external living environments, with adequate storage for refuse and cycle parking and off-street parking spaces.
- 8.2 Therefore, it is considered the proposal complies with the principles of policies referred to above in Section 6 and it is recommended to grant planning permission subject to the attachment of appropriate conditions.

RECOMMENDATION

Grant planning permission subject to the attachment of the following conditions:

1. A1 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.
2. A7 Approved Plans – The development hereby permitted shall be carried out in accordance with the following approved plans: LP01; BP01; 103 Rev E; 104 Rev D; 105 Rev D; 106 Rev D; 107.
3. B1 External Materials as specified – The facing materials to be used for the development hereby permitted shall be those specified in the application form 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 D3 of the London Plan 2021, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

4. B5 Details of Walls/Fences – No development shall be occupied until details of all boundary walls or fences are submitted in writing for approval to the Local Planning Authority. No works which are the subject of this condition shall be carried out until the details are approved, and the development shall not be occupied until the details are approved and works to which this condition relates have been carried out in accordance with the approved details. The walls and fencing shall be permanently retained thereafter.
5. C03 Obscure Glazing – Before the development hereby permitted is first occupied, the dormer windows on the first floor level (north, east and west elevations) shall be glazed with obscure glass and fixed shut up to 1.7m (measured from the internal floor level), and shall be permanently maintained as such thereafter.
6. C01 No permitted development (extensions) – Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order

2015 (or any Order revoking and re-enacting that Order with or without modification), no extensions, other than that expressly authorised by this permission shall be carried out without planning permission first obtained from the Local Planning Authority.

7. C02 No permitted development (windows) – Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no window, door or other opening other than those expressly authorised by this permission shall be constructed on the first floor level without planning permission first being obtained from the Local Planning Authority.
8. C07 Refuse & Recycling – 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.
9. C09 No Use of Flat Roof – Access to the flat roof 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 D3 of the London Plan 2021, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

10. 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.
11. H04 Provision of Vehicle Parking – The vehicle parking area shown on the approved plans shall be provided before the commencement of the building use hereby permitted and shall be retained for parking purposes for occupiers and users of the development and for no other purpose.
12. H07 Cycle Parking – 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.
13. H10 Construction Vehicles, Washdown Facilities etc – Development shall not commence until a working method statement has been submitted to and approved in writing by the Local Planning Authority to accommodate:
 - (i) Parking of vehicles/construction vehicles of all site workers and visitors;
 - (ii) Loading and unloading of plant and materials;
 - (iii) Storage of construction plant and materials;
 - (iv) Wheel cleaning facilities
 - (v) Control of dust, smell and other effluvia;
 - (vi) Control of surface water run-off.

No development shall be carried out except in full accordance with the approved method statement.

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 T4 and T7 of the London Plan 2021, policy CS20 of Merton's Core Planning Strategy 2011 and policy DM T2 of Merton's Sites and Policies Plan 2014.

14. Non-standard condition – 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 usage rates of not more than 105 litres per person per day.

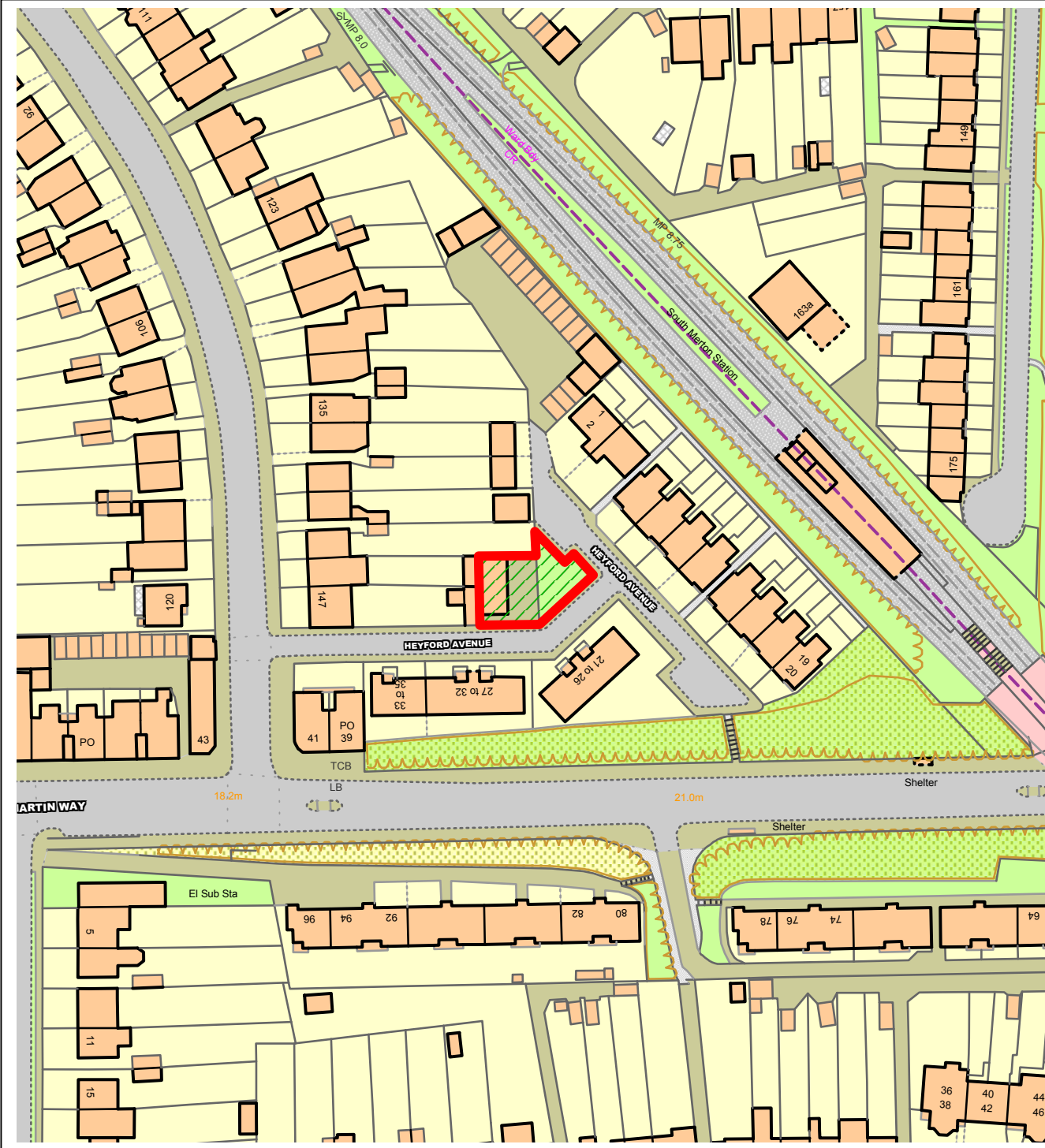
Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply with the following Development Plan policies for Merton: Policy SI 2 and SI 5 of the London Plan 2021 and Policy CS15 of Merton's Core Planning Strategy 2011.

Informatives

15. INF Party Walls Act
16. INF Sustainability
17. INF 09 Works on the Public Highway – You are advised to contact the Council's Highways team on 020 8545 3700 before undertaking any works within the Public Highway to obtain the necessary approvals and/or licences. Please be advised that there is a further charge for this work. If your application falls within a Controlled Parking Zone this has further costs involved and can delay the application by 6 to 12 months.
18. INF 12 Works affecting the public highway – Any works/events carried out either by, or at the behest of, the developer, whether they are located on, or affecting a prospectively maintainable highway, as defined under Section 87 of the New Roads and Street Works Act 1991, or on or affecting the public highway, shall be co-ordinated under the requirements of the New Roads and Street Works Act 1991 and the Traffic management Act 2004 and licensed accordingly in order to secure the expeditious movement of traffic by minimising disruption to users of the highway network in Merton. Any such works or events commissioned by the developer and particularly those involving the connection of any utility to the site, shall be co-ordinated by them in liaison with the London Borough of Merton, Network Coordinator, (telephone 020 8545 3976). This must take place at least one month in advance of the works and particularly to ensure that statutory undertaker connections/supplies to the site are co-ordinated to take place wherever possible at the same time.
19. INF 15 Discharge conditions prior to commencement of work – This planning permission contains certain conditions precedent that state 'before development commences' or 'prior to commencement of any development' (or similar). As a result these must be discharged prior to ANY development activity taking place on site. Commencement of development without having complied with these conditions will make any development unauthorised and possibly subject to enforcement action such as a Stop Notice.
20. INF 16 Trees – You are advised to employ a suitably qualified arboricultural expert for advice on pruning and general works to be undertaken to trees on the site and those in neighbouring properties that are likely to be affected by the scheme. A list of qualified experts can be obtained from the Arboricultural Association at www.trees.org.uk.

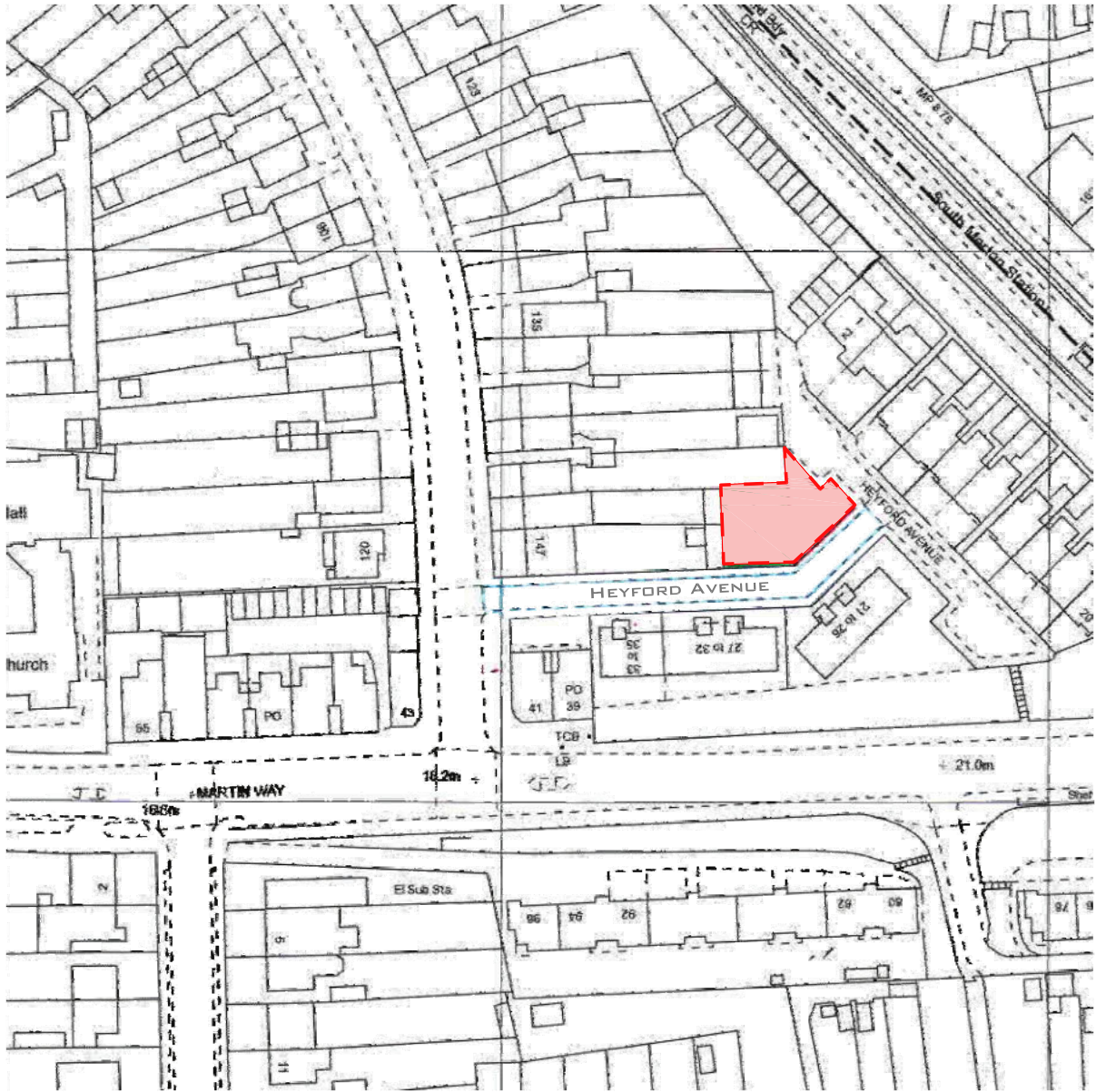
21. INF 20 Street naming and numbering – This permission creates one or more new units which will require a correct postal address. Please contact the Street Naming & Numbering Officer at the London Borough of Merton:
Street Naming and Numbering (Business Improvement Division)
Corporate Services
7th Floor, Merton Civic Centre
London Road
Morden
SM4 5DX
Email: street.naming@merton.gov.uk
22. INF Swifts – 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 swift nesting box/bricks on site.
23. Note to Applicant – approved schemes.

NORTHGATE SE GIS Print Template



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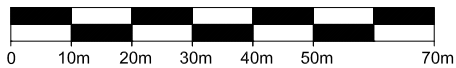
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LOCATION PLAN

North:

Scale bar:



ARC 3 ARCHITECTS
103 STATION ROAD
WEST WICKHAM
KENT
BR4 0PX
TEL: 020 8777 4000
E:info@arc3-architects.co.uk

Project:

LAND@HEYFORD AVE.
MERTON SW20 9JT

Title:

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Page 23

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Date:

29.09.2020

Drawn:

CPR

Checked:

MV

Project No.:

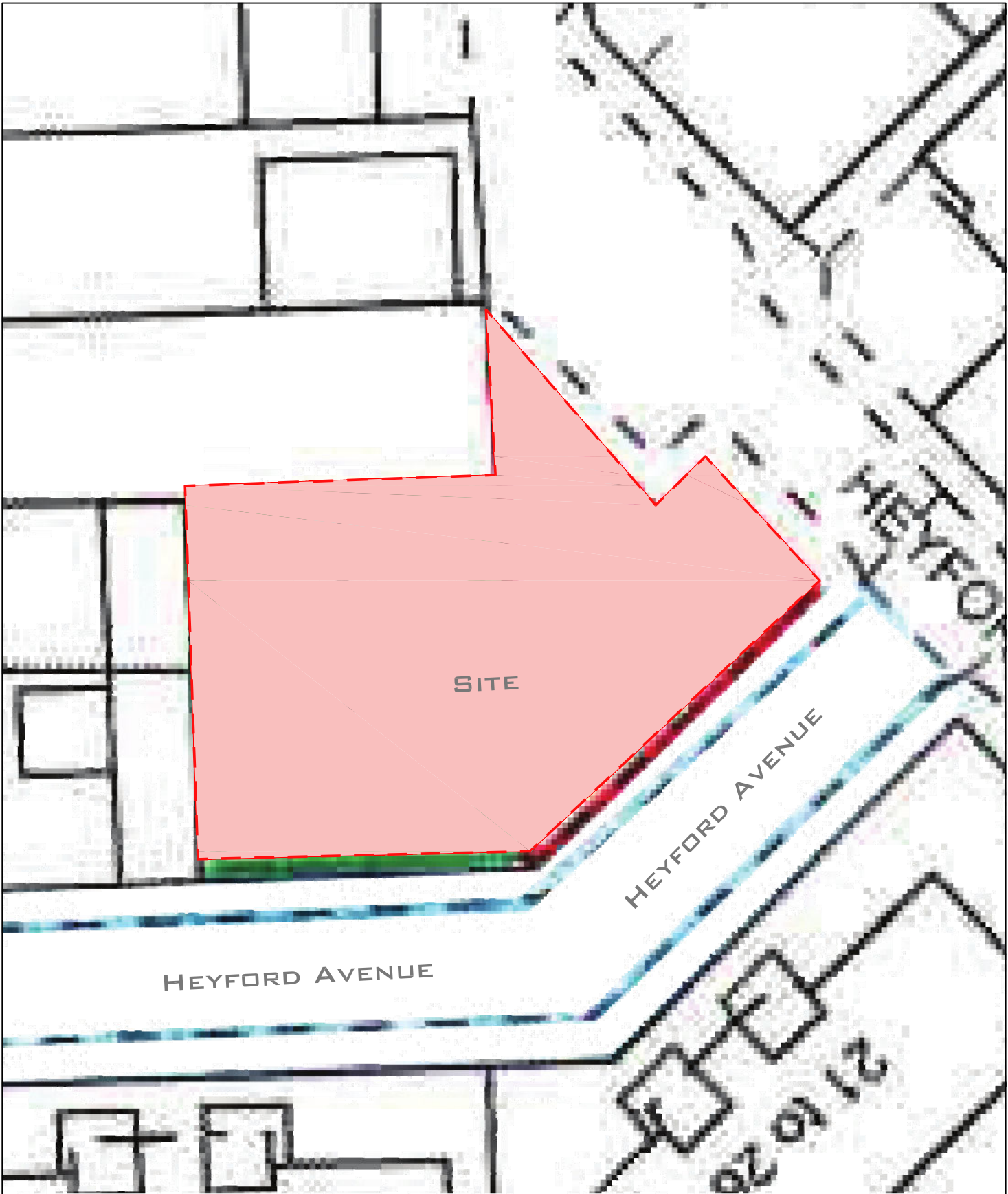
G919

Drawing No.:

LP01

Revision:

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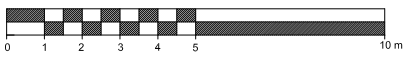
HEYFORD AVENUE

SITE



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1:200

Scale in Meters



BLOCK PLAN

Project:		LAND@HEYFORD AVE. MERTON SW20 9JT		Title:		EXISTING BLOCK PLAN	
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				1:200 @ A4	10.03.2020	CPR	MV
Project No.:		Drawing No.:		Revision:			
G949		BP01					



ARC 3 ARCHITECTURE
103 STATION ROAD
WEST WICKHAM
KENT
BR4 0PX
TEL: 020 8777 4000
E: info@arc3-architects.co.uk

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No. 143
SPRINGFIELD
AVENUE

No. 145
SPRINGFIELD
AVENUE

EXISTING
GARAGE

SITE

HEYFORD AVENUE

HEYFORD AVENUE

HEYFORD AVENUE

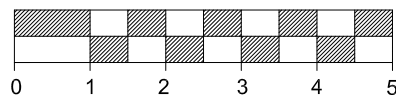
TELEPHONE
POLE

TELEPHONE
POLE

Page 27

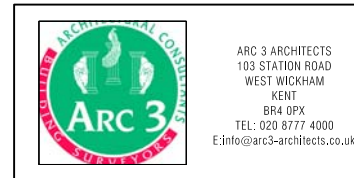
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SPRINGFIELD
AVENUE

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Title:

EXISTING GROUND FLOOR PLAN

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Project No.: G949	Drawing No.: 101	Revision: A	

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ACCOMMODATION SCHEDULE

SITE AREA	- 283.54M ²
2BED 4PERSON (2 STOREY)	- 82M ²
MIN. CEILING HEIGHT OF 2500	- 64.M ²
LONDON PLAN REQ:	- 79M ²

**No. 143
SPRINGFIELD
AVENUE**

**No. 145
SPRINGFIELD
AVENUE**

2 X CYCLE STORE

Page 29

- 23L OUTDOOR FOOD BIN
- 55L DRY RECYCLING BOX
- 2 X 180L BIN FOR REFUSE AND RECYCLING

**No. 147
SPRINGFIELD
AVENUE**

OUTBUILDING /GARAGE OF NO.147 SPRINGFIELD AVENUE

1000MM BRICK DWARF WALL

HEYFORD AVENUE

OUTBUILDING /GARAGE OF NO.141 SPRINGFIELD AVENUE

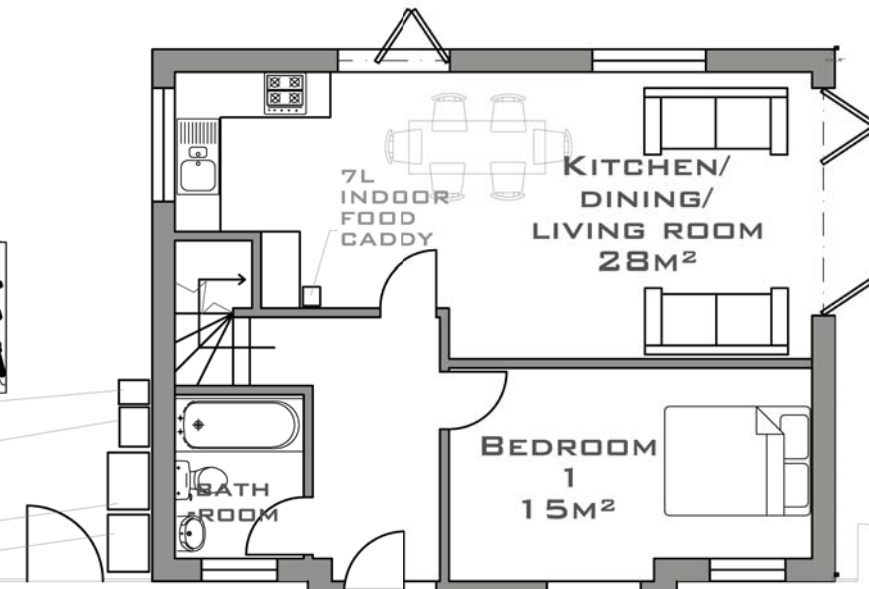
FENCE AROUND POLE TO ALLOW FOR EXTERNAL MAINTENANCE

TELEPHONE POLE

GARDEN 123.6M²

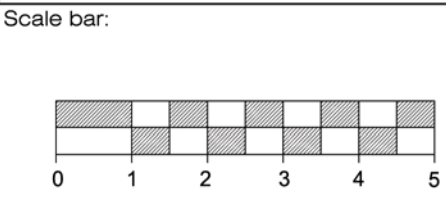
2000MM TIMBER FENCE

HEYFORD AVENUE

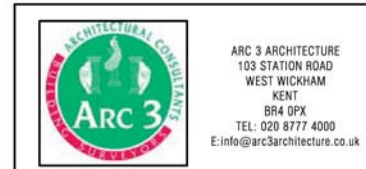


MAX. 2 PARKING SPACE

TELEPHONE POLE



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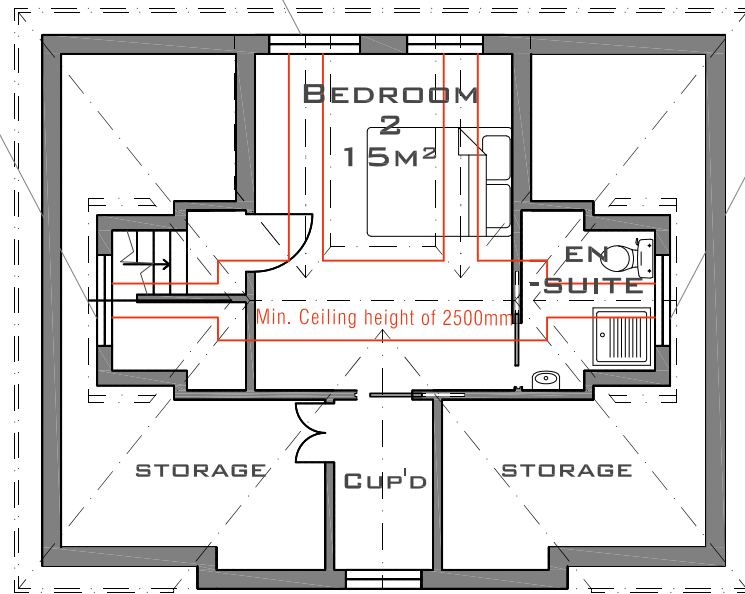
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Scale: 1:100 @ A3	Date: 27.08.2020
Drawn: WYU	Checked: MV
Project No.: G919	Drawing No.: 103
Revision: E	

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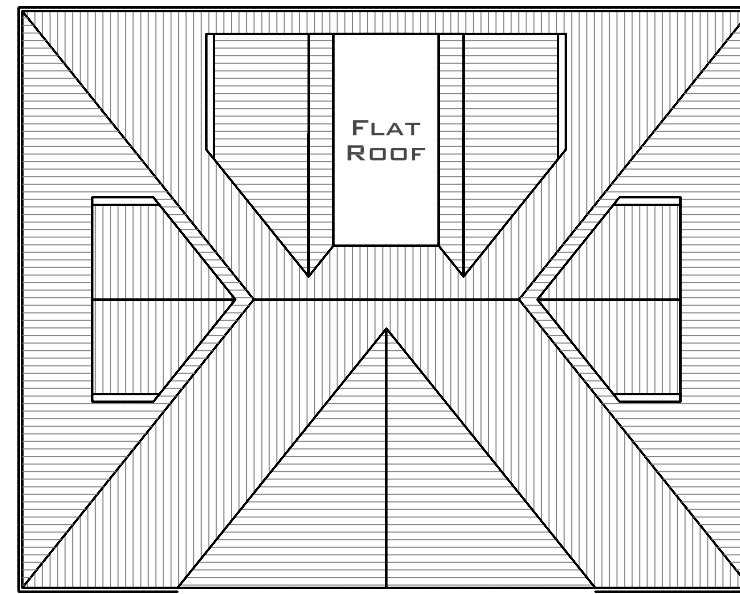
OBSCURE GLAZING up to 1700

OBSCURE GLAZING ABOVE STAIRCASE

OBSCURE GLAZING ABOVE STAIRCASE

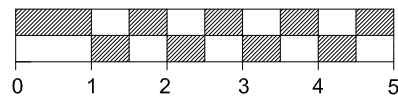


FIRST FLOOR PLAN



ROOF PLAN

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Project:

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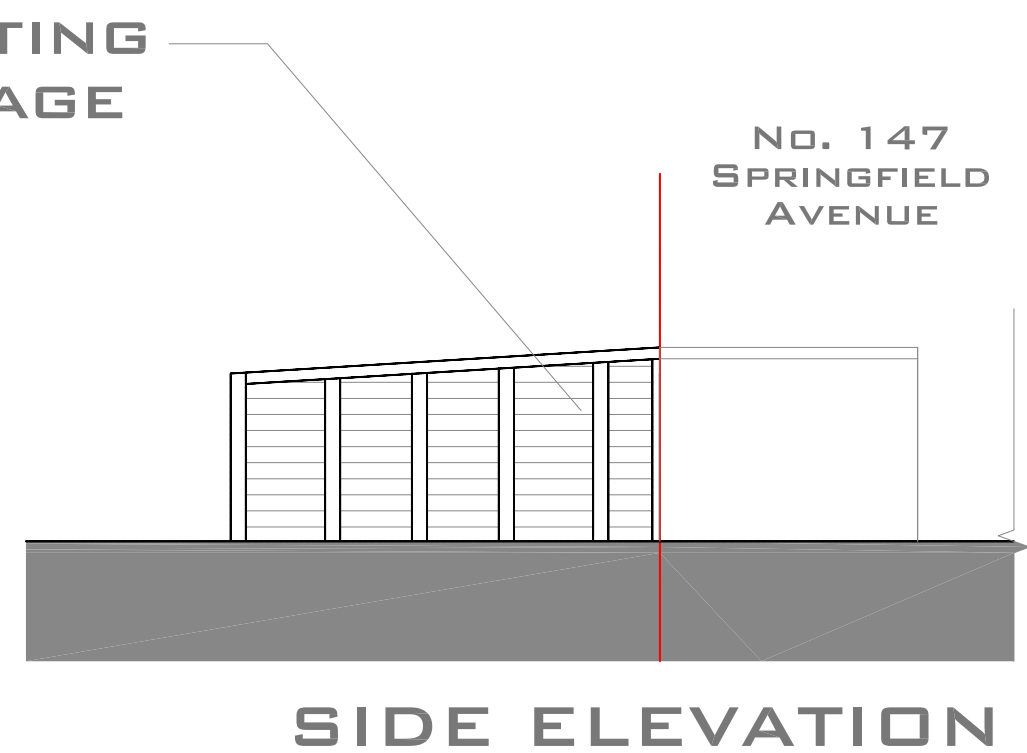
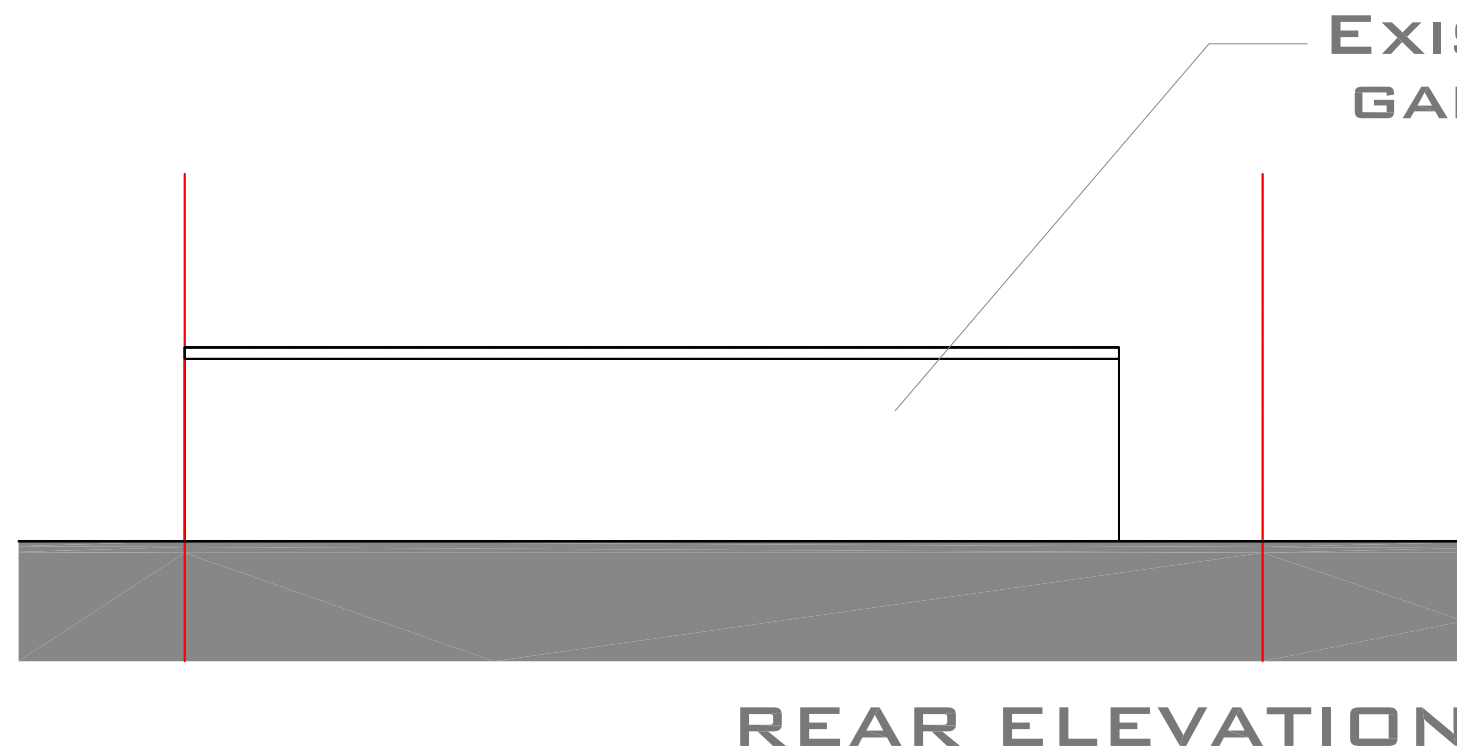
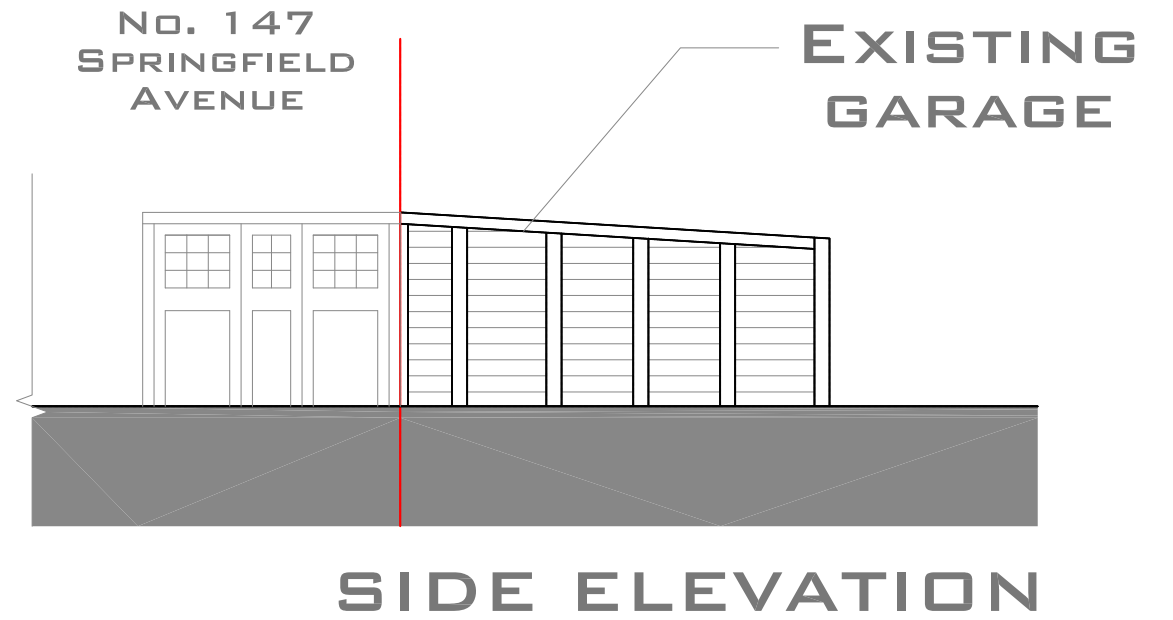
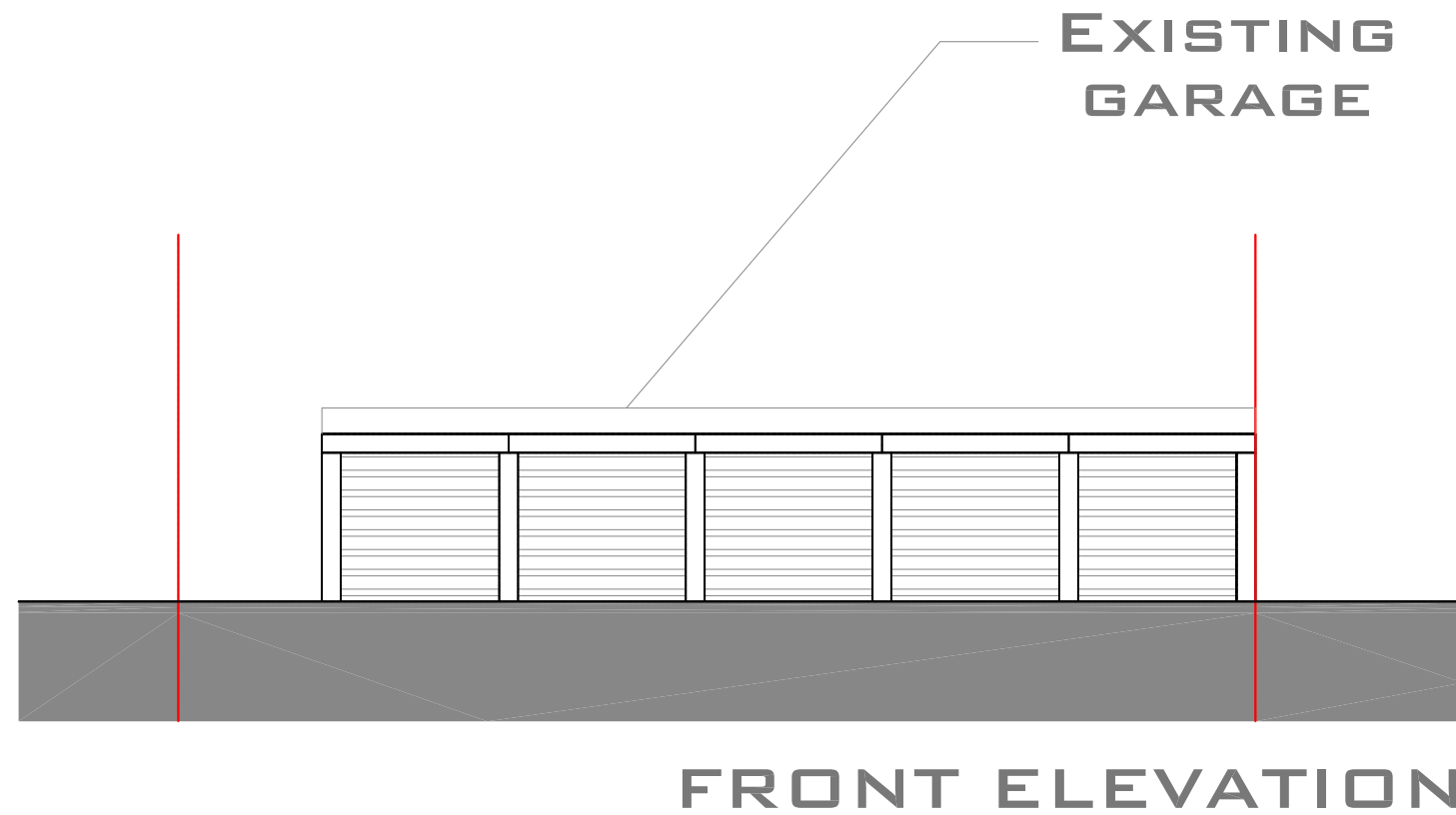
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PROPOSED PLANS

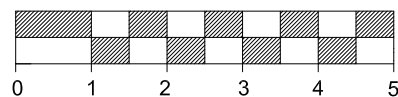
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Project No.: G919	Drawing No.: 104	Revision: D	

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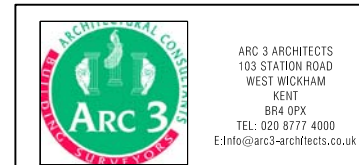


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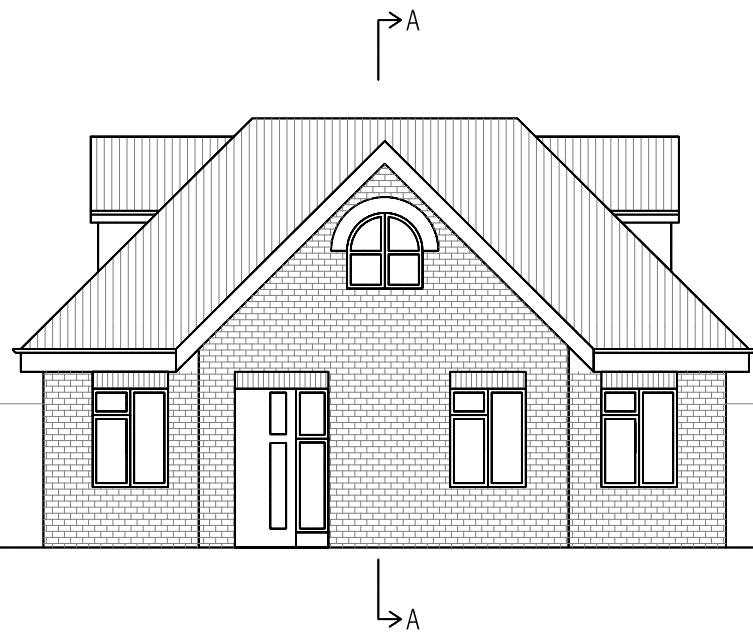
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EXISTING ELEVATION OF THE GARAGE

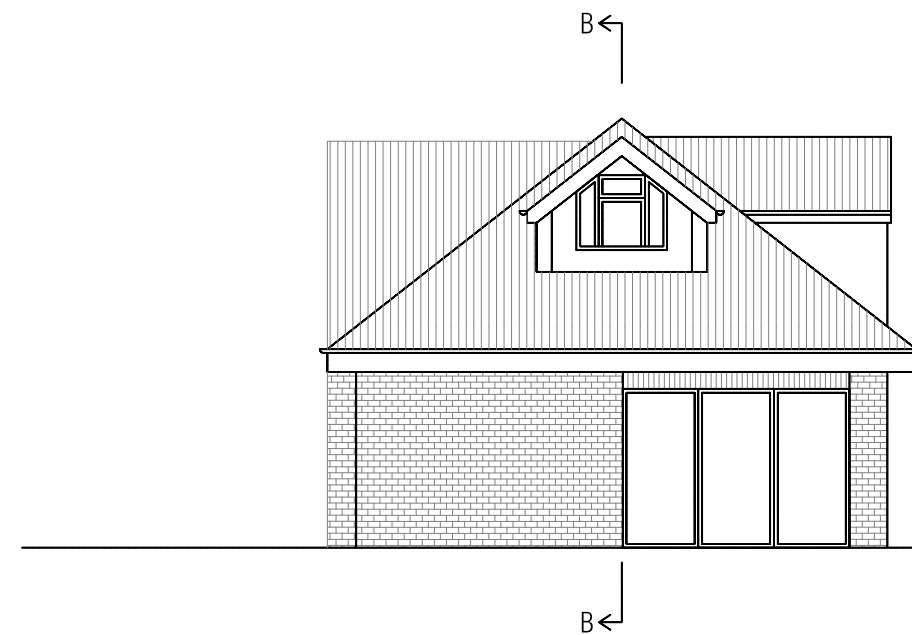
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Project No.: G919	Drawing No.: 102	Revision:	

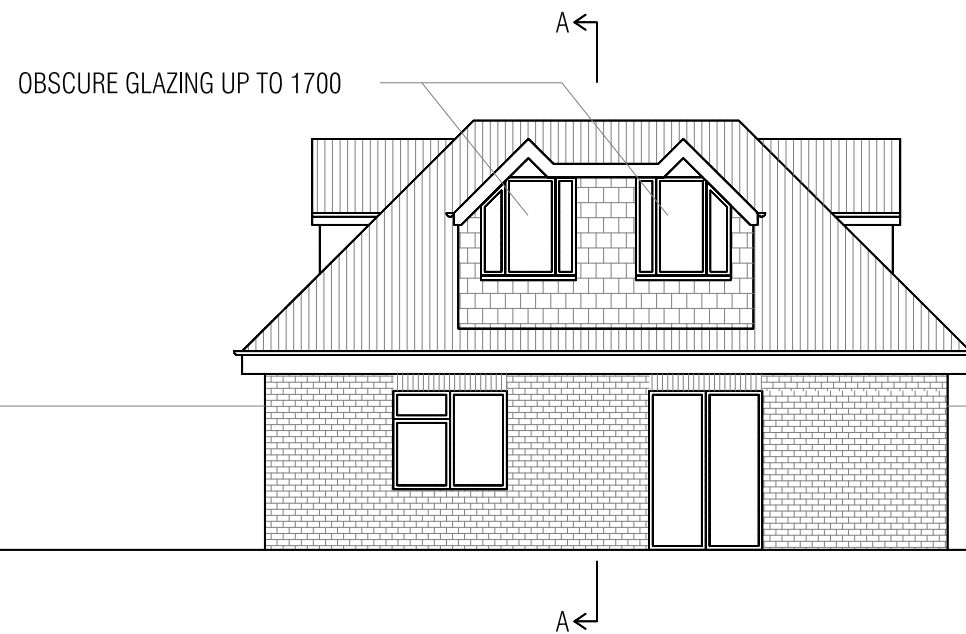
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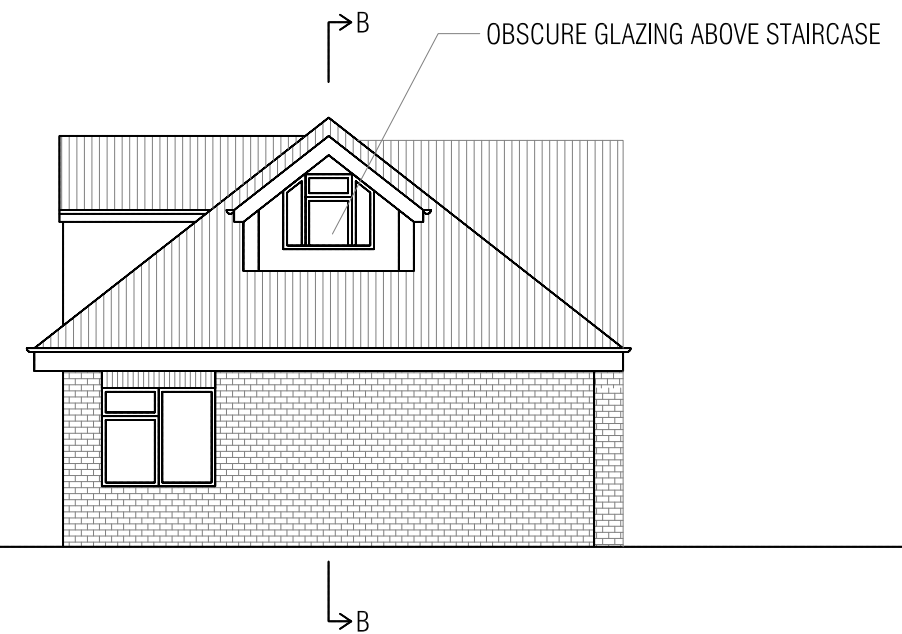
FRONT ELEVATION



SIDE ELEVATION

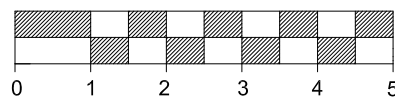


REAR ELEVATION



SIDE ELEVATION

Scale bar:



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 No encroachment of boundaries by the eaves, foundations and gutters. All materials to match existing.



ARC 3 ARCHITECTURE
 103 STATION ROAD
 WEST WICKHAM
 KENT
 BR4 0PX
 TEL: 020 8777 4000
 E: info@arc3architecture.co.uk

Project:

LAND@HEYFORD AVE.
 MERTON SW20 9JT

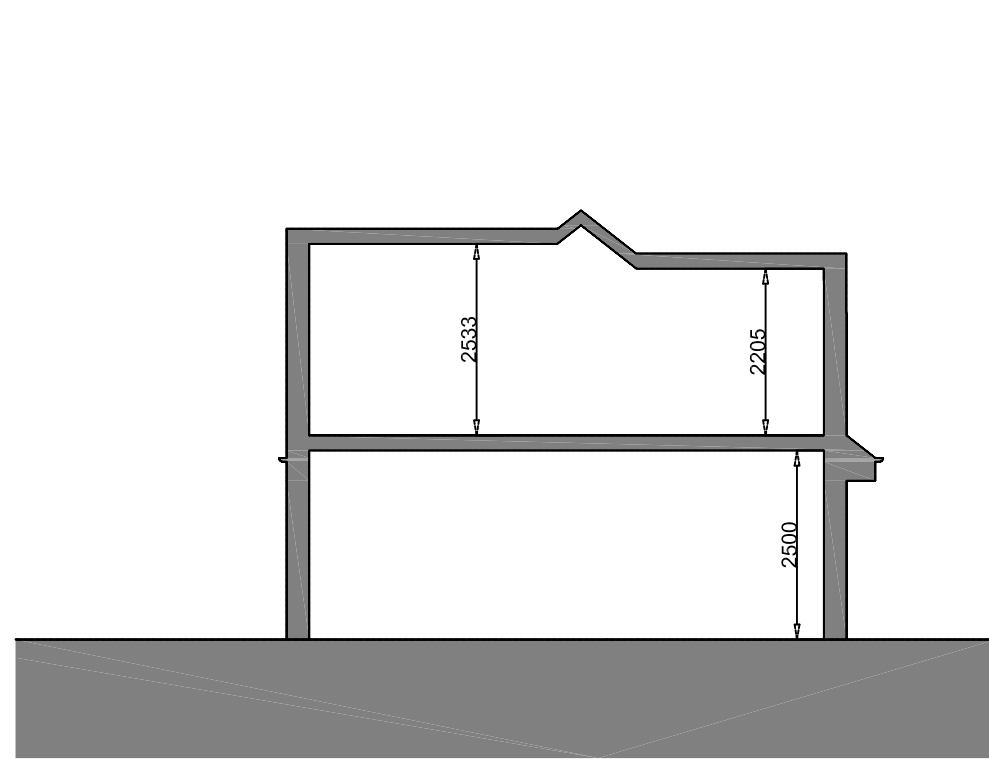
Title:

PROPOSED ELEVATION

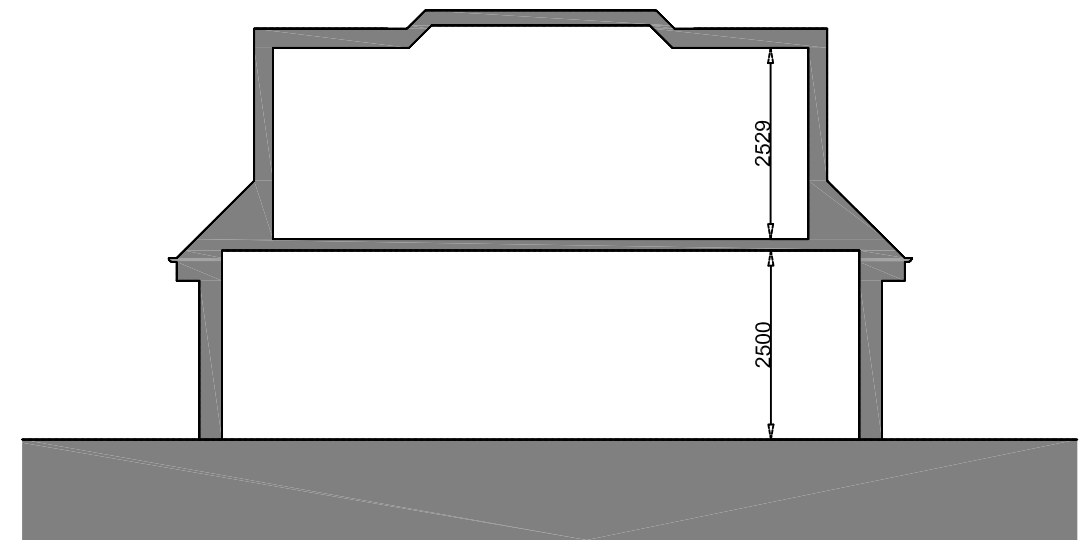
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Scale: 1:100 @ A3	Date: 27.08.2021	Drawn: WYU	Checked: MV
Project No.: G919	Drawing No.: 105	Revised: D	

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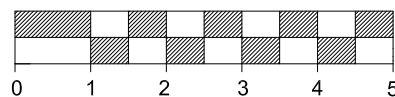


PROPOSED SECTION A - A



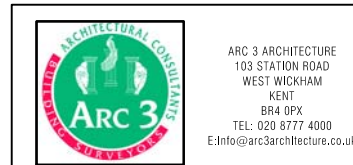
PROPOSED SECTION B - B

Scale bar:



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Project:

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 MERTON SW20 9JT

Title:

PROPOSED SECTION

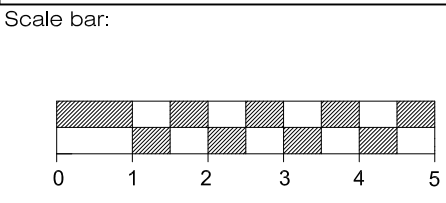
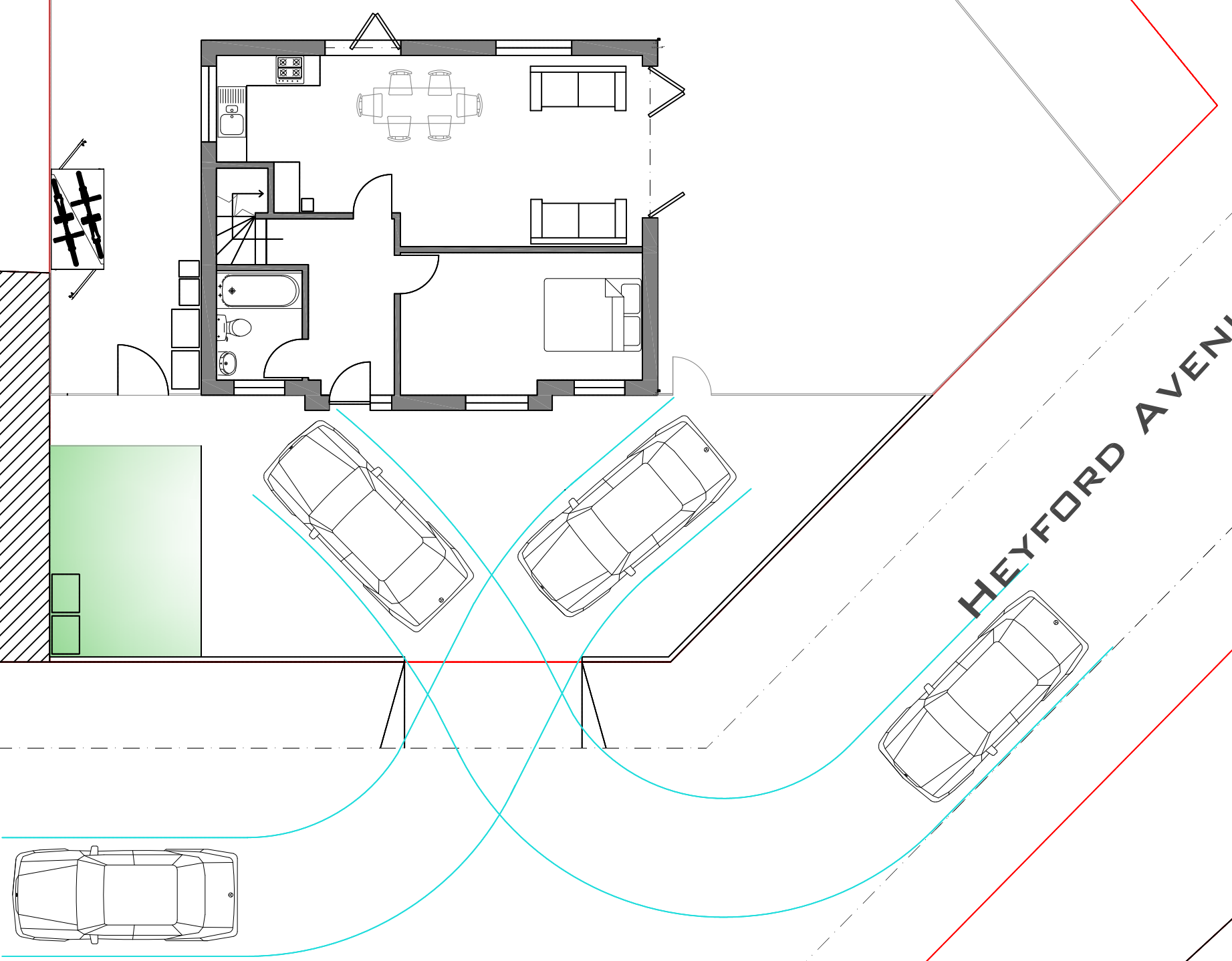
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 This project is subject to survey and statutory approvals.
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Scale: 1:100 @ A3	Date: 27.08.2021	Drawn: WYU	Checked: MV
Project No.: G919	Drawing No.: 106	Revised: A	

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HEYFORD AVENUE

HEYFORD AVENUE



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Title: PROPOSED GROUND FLOOR PLAN (VEHICLES TRACKING DIAGRAM)	
Scale: 1:100 @ A3	Date: 27.08.2020
Project No.: G919	Drawing No.: 107
Drawn: WYU	Checked: MV
Revision:	

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PLANNING APPLICATIONS COMMITTEE

21 OCTOBER 2021

APPLICATION NO.

DATE VALID

21/P2673

05/07/2021

Site Address:

52B Russell Road, Wimbledon, London, SW19 1QL

Ward:

Abbey

Proposal:

REPLACEMENT OF BEDROOM WINDOW WITH DOORS

Drawing Nos:

P03 Revision 02, P01 Revision 02, S01 Revision 01

Contact Officer:

Charlotte Gilhooly

RECOMMENDATION

GRANT Planning permission subject to conditions

CHECKLIST INFORMATION

Is a screening opinion required	No
Is an Environmental Statement required	No
Press notice	No
Site notice	No
Design Review Panel consulted	No
Number of neighbours consulted	12
External consultations	0
Internal consultations	0
Controlled Parking Zone	No - Choose an item.

1. INTRODUCTION

- 1.1 This application is being brought to the Planning Applications Committee at the request of Councillor Nigel Benbow.

2. SITE AND SURROUNDINGS

- 2.1 The application site is a traditional Victorian detached property which has been divided in three flats located on the north east side of Russell Road in Wimbledon. The site is not listed or located within a Conservation Area . There are no further constraints.

3. CURRENT PROPOSAL

This application seeks retrospective planning permission to replace the existing sash window at ground floor level with French doors which are 2.42m high and 1m wide.

Materials include white PVC, double glazed French doors.

4. PLANNING HISTORY

- 20/P2317: REPLACEMENT OF BEDROOM WINDOW WITH DOORS AND INSTALLATION OF GARDEN FENCING. REFUSED PERMISSION 16-09-2020. APPEAL DISMISSED 14-06-2021.

5. CONSULTATION

External

Neighbour consultation

- 5.1 Consultation letters were sent to neighbouring properties. 5 representations have been received raising objection which are summarised below:
- This application is not accurately described. It is a retrospective planning application which was completed in February 2020.
 - An Enforcement Notice ER19M2250 52 Russell Road, SW19 1QL is dated 4 April 2020 given to me by Ms Luxmi Ghosh, Planning Enforcement Officer. Why has this not been acted upon, some 16 months later?
 - What is happening about Planning Application 20/P2317? This was refused on 16.09.20 and dismissed by the Inspectorate of Planning on 14.06.21. Despite being told to put back as things were, they still have not.
 - A person who has undertaken unauthorised development has only

ONE OPPORTUNITY to obtain planning permission after the event. This can either be by means of a retrospective planning application (under section 73A of the Town and Country Planning Act 1990 (<http://www.legislation.gov.uk/ukpga/1990/8/section/73A>)) or by means of an appeal against an enforcement notice on ground that planning permission ought to be granted or the condition or limitation concerned ought to be discharged - this is referred to as a ground (a) appeal.

- The local planning authority can decline to determine a retrospective planning application if an enforcement notice has previously been issued (section 70C of the Town and Country Planning Act, 1990 (<http://www.legislation.gov.uk/ukpga/2011/20/section/123/enacted>)). No appeal under ground (a) may be made if an enforcement notice is issued within the time allowed for determination of a retrospective planning application.
- Application 21/P2673 is not an accurate description. Why does it not say it's a retrospective?
- Ms R Hawkless is the leaseholder of 52B Russell Road and she has contravened the lease by altering her property and installing a 6ft fence. The freeholder of the property is 52 Russell Road Residents' Association Ltd. The Directors of the freehold have never been asked to give their permission.
- I am concerned at the competence of the Merton Planning Department.
- The Planning Inspector dismissed the appeal (20/P2317) for the previous application at this property.
- This application is for the retention of French doors, however the owners intention is still the same which is to have private amenity space.
- In para 10 of the Inspectors Report he refers to drawf walls which previously enclosed the garden, however this is incorrect, the property has never been enclosed.
- The purpose of the French doors is to repurpose the outdoor area as private amenity space.
- The proposal would have a detrimental impact on the amenity of residents living at the property and the proposal should be seen as a change of use.
- White PVC windows are not in keeping with the character of the building
- Works were completed on 26/02/20.
- The applicant stated there were no trees which would be affected in their application form. However there is a tree.
- The applicant is not the freeholder of the property and should therefore not be allowed to submit this planning application. As such the Council should not be allowed to use their administrative powers to determine this application.

- This retrospective application has not been agreed by the freeholder.
- A site notice was not displayed even though this is a requirement.
- This property is architecturally unique and was built circa 1880. It makes a positive contribution to the character of the area. The French doors have damaged the character of this building.
- Granting permission for this proposal would set a detrimental precedent.
- The owner of 52B have contravened their lease agreement.
- The French doors are out of keeping and do not match existing fenestration.
- I would like to request that the original window is restored to the property.
- The French doors protrude further than the existing main door whereas the existing fenestration was set back into the wall. The French doors are also awkwardly located only 1.5m away from the main door.
- How can the applicants apply for planning permission without first getting the Freeholders permission? Why has the tall fence not been removed despite being told to by Enforcement? I would like to request this happens immediately. This is now an 18month old case and a waste of tax payers money.
- The Inspector has not said the French Doors can remain.

Russell Road Residents Association

- Russell Road Residents Association is made up of three leaseholders.
- The lease says no changes are allowed that require planning permission. Any other changes require all leaseholders to agree.
- The applicant has damaged the damp proof course.
- The leaseholder had not removed the fence some 2 months after being told to do so. The fence finally came down on 17/09/21.

Planning Officers comments:

- You can be a leaseholder and still apply for planning permission as long as it has at least 7 years on the leasehold. The applicant has confirmed this on the application form for planning application 21/P2673.
- Consultation letters have been sent to neighbouring properties; the Council have therefore fulfilled their statutory function in this regard.

5.2 POLICY CONTEXT

National Planning Policy Framework (2019)

- Chapter 12 Achieving well-designed places

London Plan (2021)

- D3 Optimising site capacity through the design-led approach

- D4 Delivering good design
- D8 Public Realm

Merton Core Strategy (2011)

- Policy CS 14 Design

Merton Sites and Policies Plan (2014)

- DM D2 Design considerations in all developments
- DM D3 Alterations and extensions to existing buildings

6. PLANNING CONSIDERATIONS

- 6.1 The planning considerations for the proposal relate to the impact of the proposal on the character and appearance of the host building, streetscene and the impact upon neighbour amenity.

Character and Appearance

- 6.2 London Plan policies D3, D4, D8, Core Strategy policy CS14 and SPP Policies DM D2 and DM D3 require well designed proposals that will respect the appearance, scale, bulk, form, proportions, materials and character of the original building and their surroundings.

- 6.3 It is noted a number of objections have been received which are concerned with the impact the proposed French doors have on the character of the building. However, under the previous planning application 20/P2317 which was appealed (ref: APP/T5720/W/20/3263833 the Inspector stated the following:

“The proposals also include the creation of a new pair of doors in the front elevation of the building, replacing a previously existing window. The new doors have been designed to harmonise with the original Victorian design, however, and they do not cause undue harm to the architectural qualities of the host building.”

- 6.4 The Inspector has confirmed the French doors have not caused undue harm to the character of the building and while they are considered to be an unusual addition to the front of a character building, they have preserved the lintel and the width of the opening has remained unchanged. It should be noted that the Council did not refuse the previous application on the proposed French doors either. As such, it is considered an acceptable addition to the character of the building and surrounding area.

Neighbouring Amenity

- 6.5 London Plan Policy D3 and D4 and 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 loss of light, quality of living conditions, privacy, visual intrusion and noise.

- 6.6 The neighbouring properties which may be affected by this proposal include 50 Russell Road, 52a Russell Road, 52b Russell Road, and Flats 1-4 56 Russell Road.
- 6.7 The French doors are at ground floor level and would therefore not result in a loss of daylight/sunlight, be visually intrusive or result in a loss of privacy for neighbouring properties. It is noted there is some concern over the use of the outdoor area and the noise this would create, but given the size of the front garden and its location, it is not considered to result in a material increase in noise. As such this element of the proposal is considered acceptable.
- 6.8 Overall the proposals are considered acceptable in terms of the impact on neighbouring amenity.

7. CONCLUSION

The scale, form, design, positioning and materials of the proposed French Doors are not considered to have an undue detrimental impact upon the character or appearance of the host building, the surrounding area or cause harm to neighbouring amenity. Therefore, the proposal is considered to comply with the principles of policies DM D2 and DM D3 DM D4 of the Adopted SPP 2014, CS14 of the LBM Core Strategy 2011 and D3, D4 and D8 of the London Plan 2021.

It is therefore recommended to grant permission subject to conditions.

8. RECOMMENDATION

- 8.1 Grant permission subject to subject to conditions

Conditions

1. A1 Commencement of development (full application): 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: In the interests of proper planning.

2. A7 Approved Plans: The development hereby permitted shall be carried out in accordance with the following approved plans: [P03 Revision 02, P01 Revision 02, S01 Revision 01]

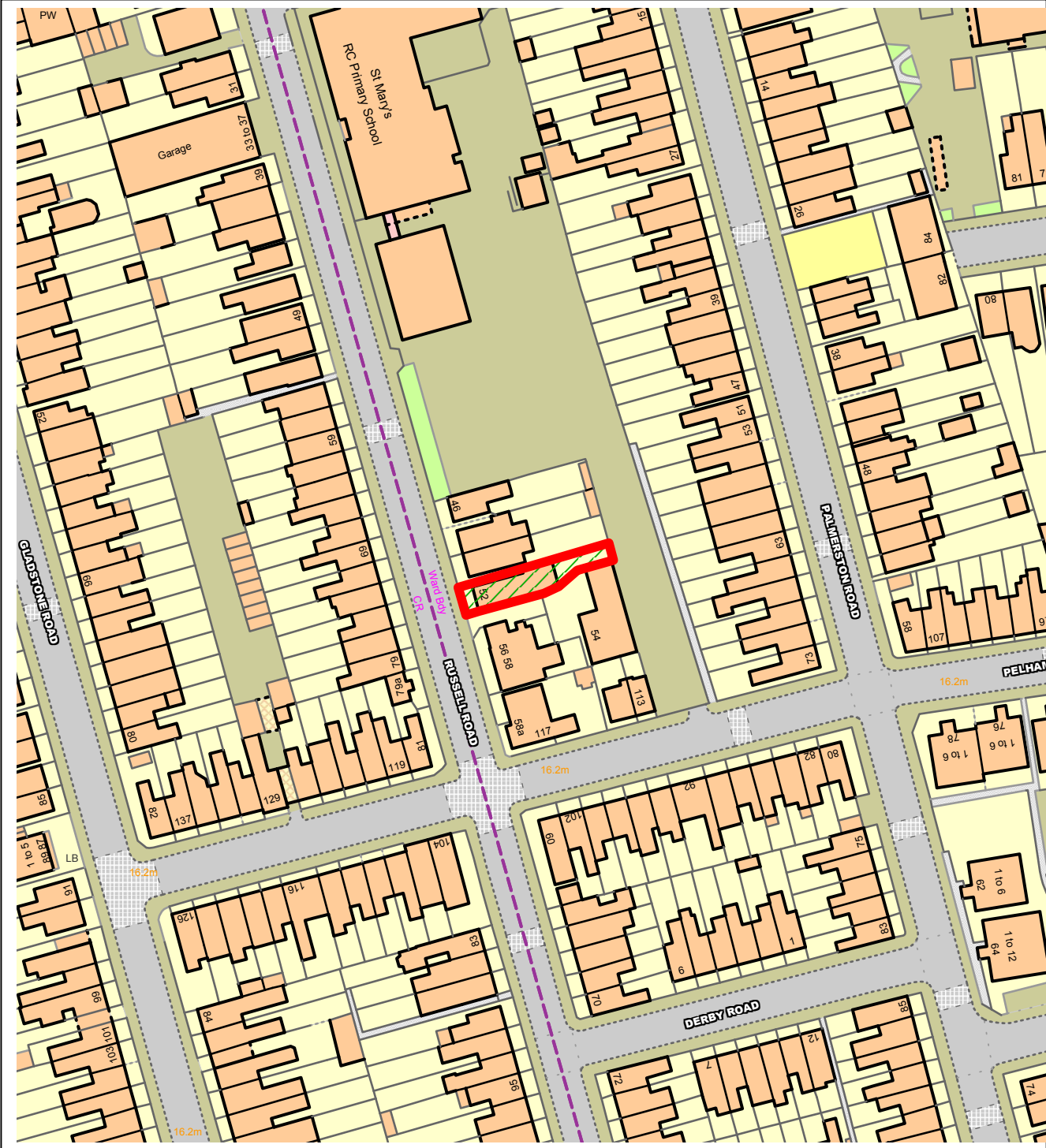
Reason: For the avoidance of doubt and in the interests of proper planning.

3. B3 External materials as specified: The facing materials to be used for the development hereby permitted shall be those specified in the application form 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: policies D4 and D8 of the London Plan 2021, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

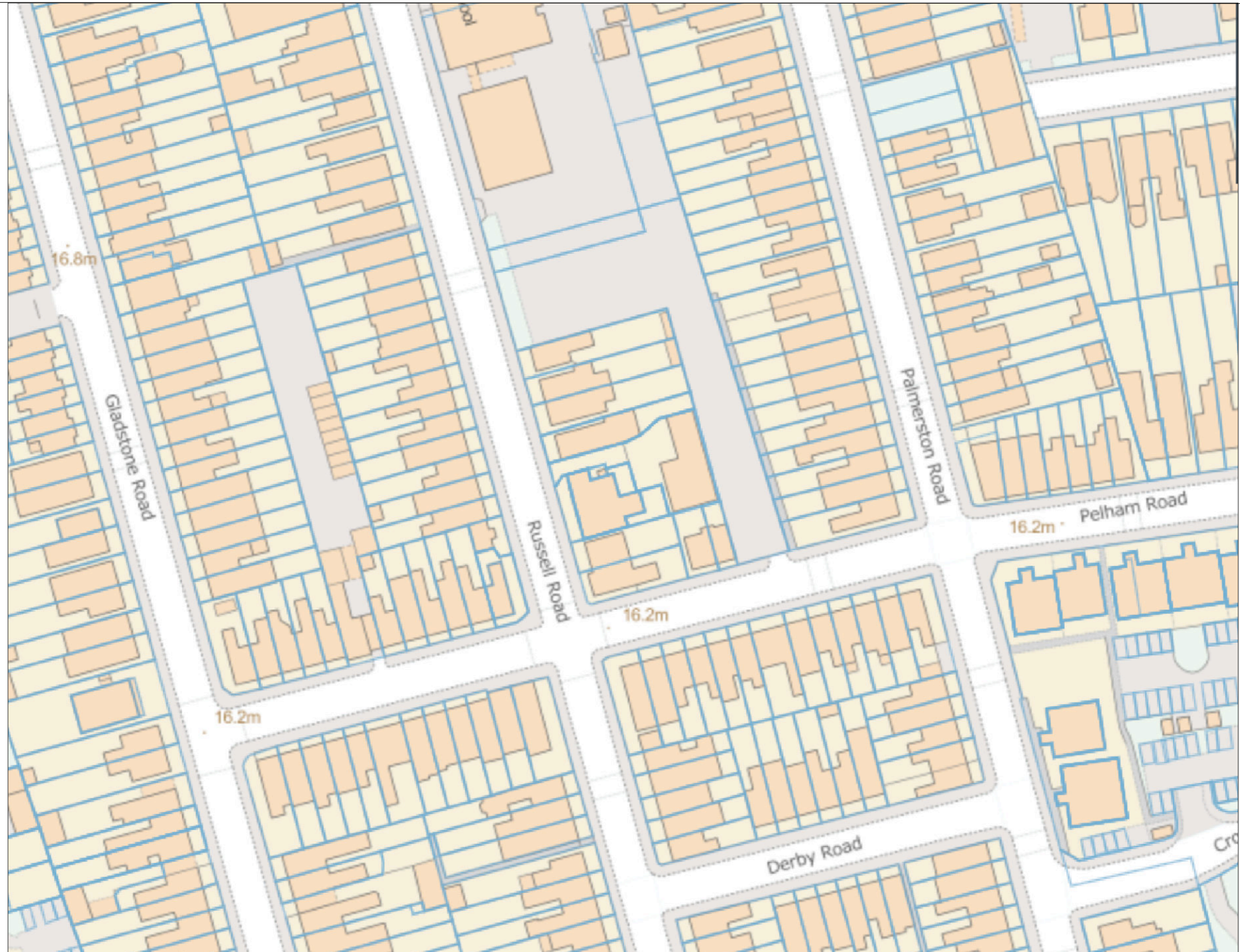
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NORTHGATE SE GIS Print Template



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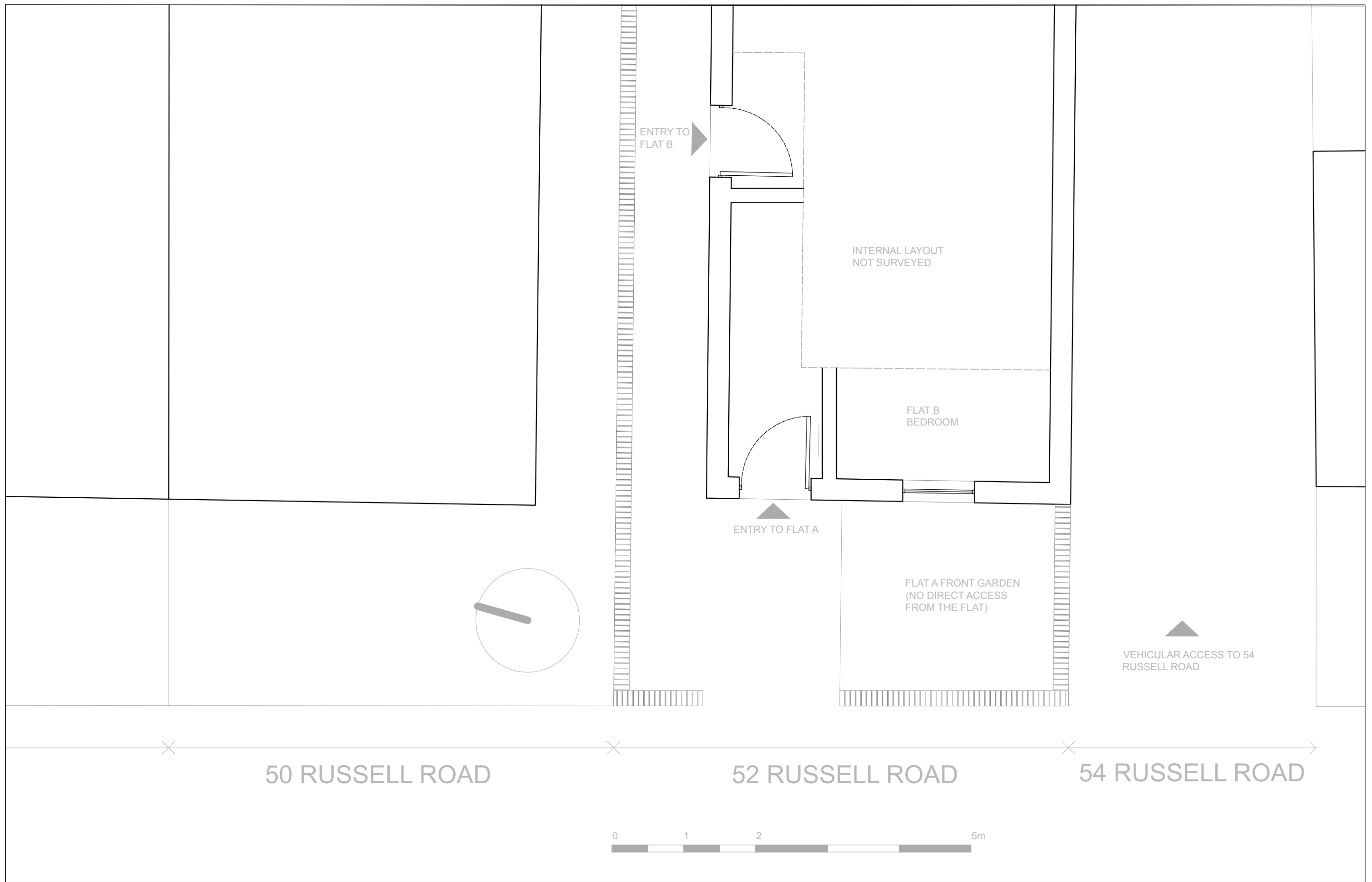
16.07.2020 _ ISSUED FOR PLANNING

JOB 52B RUSSELL ROAD		
Title	Dwg.	Rev.
LOCATION PLAN	S01	01
Date	Scale	
16.07.2020	1:1250@ A3	

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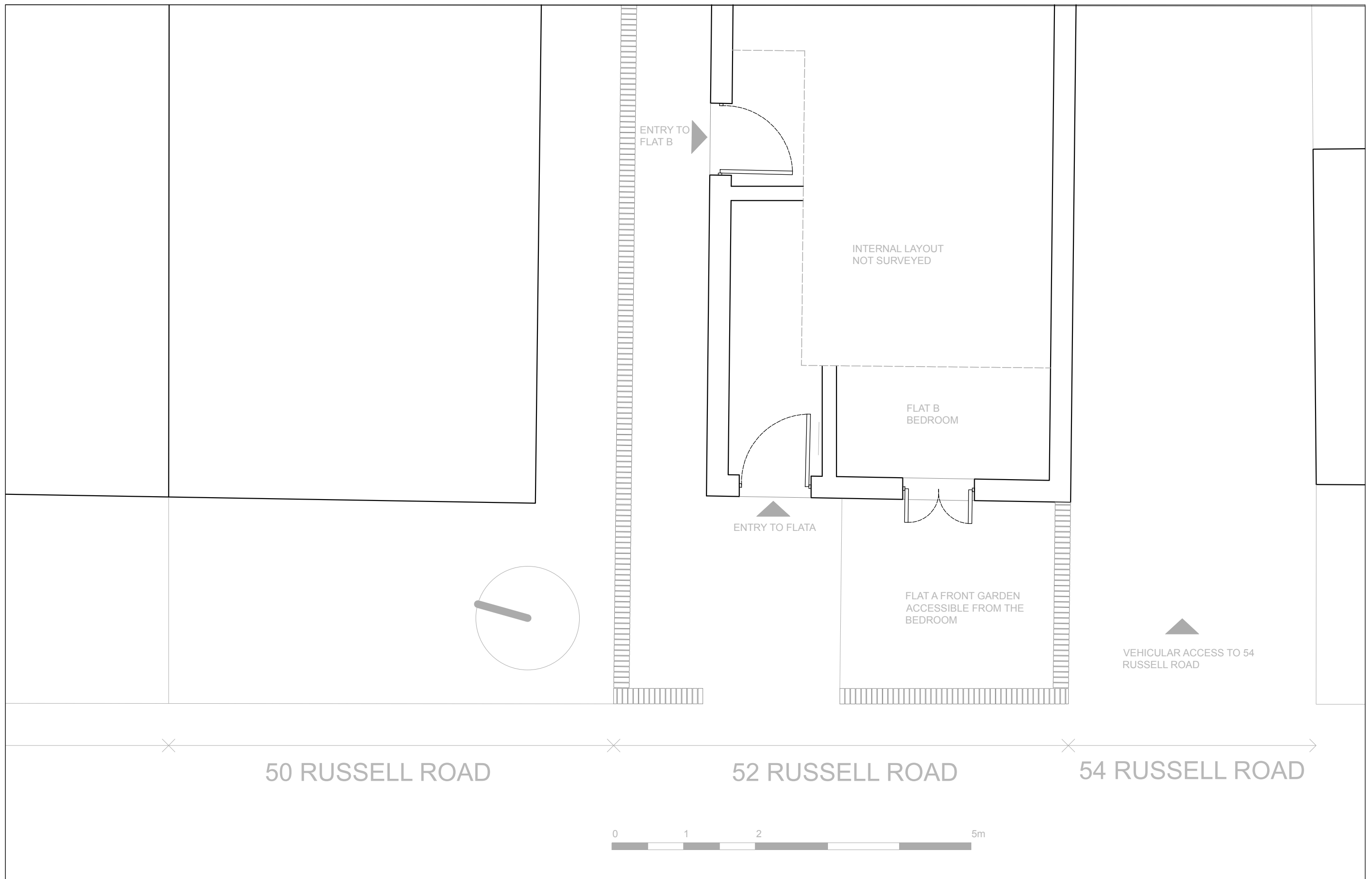
JOB
 52B RUSSELL ROAD

Title	Dwg.	Rev.
EXISTING SITE PLAN	E01	02
Date	Scale	
16.07.2020	1:50@ A3	

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JOB 52B RUSSELL ROAD		
Title	Dwg.	Rev.
PROPOSED SITE PLAN	P01	02
Date	Scale	
16.07.2020	1:50@ A3	

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NEW FRENCH DOORS
WHITE PVC
WIDTH TO MATCH
THE EXISTING
STRUCTURAL
OPENING,
HEAD AT EXISTING
HEIGHT

48 RUSSELL ROAD

50 RUSSELL ROAD

52 RUSSELL ROAD

54
RUSSELL
ROAD



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16.07.2020 _ ISSUED FOR PLANNING
 05.07.2021 _ RE-ISSUED FOR PLANNING

JOB
 52B RUSSELL ROAD

Title PROPOSED FRONT ELEVATION - FRONT WALL VIEW	Dwg. P03	Rev. 02
Date 16.07.2020	Scale 1:50@ A3	

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PLANNING APPLICATIONS COMMITTEE
21st October 2021

AGENDA ITEM

<u>UPRN</u>	<u>APPLICATION NO.</u>	<u>DATE VALID</u>
	21/P1907	20/05/2021

Address/Site: Eddie Katz
42 Station Road
Colliers Wood
London
SW19 2LP

Ward: Colliers Wood

Proposal: REDEVELOPMENT OF THE SITE INCLUDING THE ERECTION OF BUILDINGS (1X 10 STOREYS BLOCK AND 1X 13 STOREYS BLOCK) TO PROVIDE A MIXED USE SCHEME INCLUDING 116 X RESIDENTIAL UNITS (USE CLASS C3) AND COMMERCIAL FLOORSPACE (USE CLASS E). TOGETHER WITH ASSOCIATED CAR AND CYCLE PARKING, HARD AND SOFT LANDSCAPING AND ASSOCIATED INFRASTRUCTURE.

Drawing No.'s: Site location plan and drawings;172_GSA_XX_XX_DR_A_2000W2-02, 172_GSA_XX_00_DR_A_2100W2-10, 172_GSA_XX_01_DR_A_2101W2-07, 172_GSA_XX_02_DR_A_2102W2-08, 172_GSA_XX_03_DR_A_2103W2-04, 172_GSA_XX_04_DR_A_2104W2-08, 172_GSA_XX_05_DR_A_2105W2-08, 172_GSA_XX_06_DR_A_2106W2-08, 172_GSA_XX_07_DR_A_2107W2-08, 172_GSA_XX_08_DR_A_2108W2-08, 172_GSA_XX_09_DR_A_2109W2-08, 172_GSA_XX_10_DR_A_2110W2-07, 172_GSA_XX_11_DR_A_2111W2-02, 172_GSA_XX_12_DR_A_2112W2-02, 172_GSA_XX_RL_DR_A_2115W2-05, 172_GSA_B2_XX_DR_A_2200W2-05, 172_GSA_B2_XX_DR_A_2201W2-05, 172_GSA_B1_XX_DR_A_2202W2-04, 172_GSA_B1_XX_DR_A_2203W2-04, 172_GSA_XX_XX_DR_A_2210W2-02, 172_GSA_B1_XX_DR_A_2211W2-02, 172_GSA_XX_XX_DR_A_2212W2-01, 172_GSA_B2_XX_DR_A_2213W2-02, 172_GSA_B1_XX_DR_A_2300W2-10, 172_GSA_B1_XX_DR_A_2301W2-10, 172_GSA_B1_XX_DR_A_2302W2-10, 172_GSA_B1_XX_DR_A_2303W2-09, 172_GSA_B2_XX_DR_A_2300W2-10, 172_GSA_B2_XX_DR_A_2301W2-10, 172_GSA_B2_XX_DR_A_2303W2-10, 172_GSA_XX_XX_DR_A_2312W2-06, 172_GSA_XX_XX_DR_A_2313W2-03, 172_GSA_XX_XX_DR_A_2314W2-03 AND 172_GSA_XX_XX_DR_A_6000W2-06

Documents: Archaeological Desk Based Assessment, Daylight, Sunlight and Overshadowing Report, Biodiversity Impact Assessment, Bat Survey Report, Preliminary Ecological Appraisal, Riparian Mammal Survey Report, Tree Survey and Arboricultural Impact Assessment, Urban Greening Factor Assessment, Whole Life Carbon Assessment, Air quality assessment and Air quality neutral assessment, Circular Economy Statement, Energy Statement, Fire Statement, Flood Risk Assessment and Drainage Strategy, Framework Residential Travel Plan, Combined Geo-environmental Desk Study and Ground Investigation Report, Heritage, Townscape and Visual Impact Assessment, Noise Impact Assessment, Overheating Analysis, Statement of Community Involvement & Transport Assessment.

Contact Officer: Leigh Harrington (020 8545 3836)

RECOMMENDATION

Grant planning permission subject to any direction from the Mayor of London the completion of a S106 agreement 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: Yes – Majors press notice & Affects Conservation Area
- Design Review Panel consulted: Yes at Pre app stage
- Number of neighbours consulted: 659
- Controlled Parking Zone (CPZ): No but adjacent to CPZs SW to the west, S3 and CW1 to the north, CW 2 & CW 5 to the east
- PTAL: 3-4
- Archaeological Priority Zone: Yes Scheduled Ancient Monument.
- Conservation Area: Adjacent to the Wandle Valley Conservation Area
- Environment: Adjacent river bank is a designated Green Corridor
- Flood Zone 1, an area at low risk of flooding.
- Listed Building: Not on site but Grade II listed buildings include the Wheel House and Colour House at Mistery's Liberty's Printworks. A number of locally listed buildings are also located in the vicinity of these Grade II listed buildings and they include the Long Shop, the Showhouse, the Apprentice Shop, the 1929 Shop, the Block Shop and the Coles Shop
- Site is within a Designated Opportunity and Intensification Area
- Density (habitable rooms/ha) 1349
- Density (units/ha) 540

1. INTRODUCTION

- 1.1 The application is being brought to the Planning Applications Committee for determination due to the nature and number of representations. Planning permission is required due to the nature of the building works and the change of use of the site. Due to the height of the proposed blocks the application is referable to The Mayor and therefore Merton is not the decision maker and members are simply being asked to pass a resolution subject to any direction from The Mayor of London.

2. SITE AND SURROUNDINGS

- 2.1 The site is effectively an island site accessed via Station Road with the River Wandle forming the western boundary and the access road into the Sainsbury's/M&S superstore the eastern boundary. The riverbank area runs North – South to the west of the site and is a Designated Green Corridor and forms part of the Wandle Valley

Conservation Area. West of the river the area is characterised by streets of predominantly two storey residential terraces leading to the High Path Estate area which is currently under redevelopment.

- 2.2 Directly to the south of the site on the opposite side of Merantun Way is the Merton Abbey Mills site which includes a number of Statutory and locally Listed buildings. The river area separates the Mills from the Merton Park Industrial Estate to the west. To the east of the Mills is a commercial area with fast food outlets and hotel.
- 2.3 The existing building occupying the site is a double-storey warehouse building, formerly used as a children's soft-play facility and currently used for charitable community outreach programmes.
- 2.4 The South London High Pressure Water Ring Main runs to the south east of the proposed new towers. There is an exclusion zone 10m either side of the water main, and 15m above. This exclusion zone is set at 3m either side of the sewer's outside face.
- 2.5 The site is not located within a conservation area and the buildings are not statutory or locally listed but the Wandle Valley Conservation Area runs to the side of the site and there are listed buildings to the south of the site at Merton Abbey Mills.
- 2.6 The site is located in an Archaeological Priority Area and it includes a small area of the outline of the Scheduled Ancient Monument of Merton Abbey.
- 2.7 The site is located in an area with a low probability of flooding, Flood Risk zone 1.
- 2.8 The site has a PTAL rating of 3 (measured on a scale of 0 to 6b, 0 being the worst) and is located adjacent to Controlled Parking Zone, CPZ SW to the west and CPZ S3 to the north.

3. CURRENT PROPOSAL

- 3.1 The proposal seeks planning permission for the redevelopment of the site, involving demolition of the existing building and the erection of two new residential blocks comprising 116 flats, 456sqm of commercial space at ground floor level and a new access bridge across the River Wandle.
- 3.2 The proposals involve:
 - The erection of two residential blocks. The block to the south of the site would be the lower of the two and would be between 10 and 7 storeys in height whilst the higher North block would be between 13 and 8 storeys. The South block (A) would provide 46 affordable housing units whilst the 70 units in the North block (B) would be for the private market housing.
 - Each block would have its refuse, secure cycle stores servicing and maintenance facilities at ground floor level with the commercial area shared between the two blocks
 - The two blocks would be separated from each other by a play area and there would be new landscaping and improvements to the riverbank.
 - The creation of a new vehicular access from Station Road and a new footbridge across the Wandle linking the site to the existing footpath on the western bank of the river.
 - Car free development except for the provision of blue badge parking located along the southern boundary of the Site. Two electric car-club vehicles will also be located on Station Road, adjacent to the blue badge parking

3.3 Accommodation schedule

Unit size	South (A) block Affordable Rent	South (A) block Intermediate Affordable	North (B) Block market	Total
Studio	0	0	15	15
1b 2p	7	6	20	33
1b 2p M4(3)	3	0	3	6
2b 3p	1	5	24	30
2b 4p	3	11	1	15
2b 4p M4(3)	3	0	3	6
3b 4p	0	0	4	4
3b 5p	5	2	0	7
Total	22	24	70	116

*M4(3) are Wheelchair user dwellings

3.4 The two blocks will both be finished in exposed brickwork, lighter buff coloured bricks in the South block and a darker red/brown mix in the North block with various panels of bricks laid in patterns to add interest and variation. Anodised balconies, fenestration and panelling would also be incorporated into the exterior.

3.5 During the application process and following various comments and issues being raised there were some minor amendments made to the proposals but window openings and positions have not changed. The overall massing and form also remains the same as per the originally submitted plans, and the proposals do not have the effect of altering internal or external amenity. The changes in summary are:

- Deeper brick piers types (225mm) have now been included on the southern block on the elevation that faces Abbey Mills
- Sawtooth brick work to parapet and façade panels between windows added to southern block at the upper levels of the building
- Precast concrete soffit which are faced in curved elements at 1st and 6th floor on the southern block facing Abbey Mills
- Hit and Miss brick panels to bike, bin, and plant rooms added to both southern and northern block
- Planted zone to north of the building fenced off in response to designing out crime concerns to prevent unrestricted access.
- Pedestrian ramp design to the south made wider and curves with the natural flow of pedestrians from Merantun Way
- Permeable block paving now proposed throughout the southern end of the development.
- Introduction of curved bench sitting lining the ramp to Merantun Way.
- 1 extra short stay cycle parking bay included (28 short stay bays in total)
- Electric vehicle charging points now provided for each parking space.

3.6 Vehicular access to the site will continue to be via the existing entrance at the end of Station Road. The extent of adopted highway along Station Road ends to the east of the bridge over the Wandle. The land to the east of the bridge is owned by the Applicant and forms part of the application boundary. It is proposed that accessible resident parking bays will be provided within this area. A loading bay will also be located in this area for vehicles servicing the development.

4. PLANNING HISTORY

Pre-applications

- 4.1 20/P0599 PRE-APPLICATION ADVICE FOR REDEVELOPMENT OF SITE FOR RESIDENTIAL LED MIXED USE SCHEME.

Planning applications

- 4.2 MER921/79 Planning permission granted for ERECTION OF A LIGHT INDUSTRIAL FACTORY
- 4.3 MER1003/81 Planning permission refused for CHANGE OF USE FROM LIGHT INDUSTRIAL TO OFFICES AND ACCOMMODATION FOR DIVISIONAL HEADQUARTERS OF LONDON FIRE BRIGADE
- 4.4 95/P0048 Planning permission granted for CHANGE OF USE OF INDUSTRIAL BUILDING TO AN INDOOR CHILDREN'S LEISURE CENTRE, WITH ASSOCIATED OFF STREET PARKING
- 4.5 95/P0491 Advertisement consent granted for ERECTION OF TWO EXTERNALLY ILLUMINATED FASCIA SIGNS AND ONE FREE STANDING EXTERNALLY ILLUMINATED SIGN.
- 4.6 06/P1432 Advertisement consent granted for DISPLAY OF AN ILLUMINATED SIGN AND TWO NON ILLUMINATED SIGNS AFFIXED TO FRONT FACADE OF BUILDING
- 4.7 July 2021 Historic England Scheduled Ancient Monument Consent S00241496

Other approvals for development of 9 storeys and above close to the site

- 4.8 16/P3738 Planning permission granted on the High Path Estate TO PROVIDE RESIDENTIAL ACCOMMODATION (134 UNITS - CLASS C3) IN BUILDINGS OF THREE - NINE STOREYS

19/P1852 Reserved matter approval by PAC on the High Path Estate for ERECTION OF NEW BUILDINGS RANGING FROM 1 TO 10 STOREYS MAX, PROVIDING UP TO 1570 RESIDENTIAL UNITS (C3 USE CLASS); PROVISION OF UP TO 9,900 SQM OF COMMERCIAL AND COMMUNITY FLOORSPACE.

13/P3111 Planning permission granted by PAC for THE ERECTION OF A BUILDING RANGING BETWEEN 4 AND 12 STOREYS IN HEIGHT TO PROVIDE A TOTAL OF 54 RESIDENTIAL FLATS at Mizen Heights St Georges Road.

- 4.9 Other approvals for development of 9 storeys and above in the Borough

19/P2383 Outline planning permission granted by the Mayor for ERECTION OF NEW BUILDINGS RANGING FROM 3 AND 10 STOREYS PROVIDING UP TO 850 RESIDENTIAL UNITS, AND UP TO 750M2 OF FLEXIBLE COMMERCIAL SPACE at Benedict Wharf Mitcham

19/P2387 Consent granted following a Public Enquiry for DEMOLITION OF THE EXISTING BUILDINGS AND ERECTION OF TWO BLOCKS OF DEVELOPMENT RANGING IN HEIGHT BETWEEN SEVEN AND 15 STOREYS AND COMPRISING 456 NEW HOMES Tesco Burlington Road.

19/P3814 Planning permission granted by PAC for DEMOLITION OF EXISTING BUILDING AND ERECTION OF A NEW BUILDING COMPRISING, TWO BASEMENT

LEVELS, GROUND FLOOR, AND NINE STOREYS ABOVE FOR THE PROVISION OF B1 OFFICE SPACE WITH ANCILLARY LEISURE AND CAFE FACILITIES at 1-5 Francis Grove Wimbledon

20/P1738 Planning permission granted by PAC for DEMOLITION OF BUILDINGS AND A 2 PHASED REDEVELOPMENT COMPRISING A MIXED USE DEVELOPMENT WITH THE ERECTION OF PART BASEMENT, PART SINGLE, PART FIVE, PART 6, PART 7, PART 8 AND PART 9 STOREY BUILDINGS. At YMCA Wimbledon

5. CONSULTATION

External

5.1 The applicants undertook their own pre submission consultation exercise with a leaflet drop to 3158 households and 32 larger stakeholders engaged. The application was accompanied by a statement of community involvement which sets out that there were 3200 visits to the virtual exhibition rooms and 95 surveys completed.

Public consultation to the planning application was undertaken by way of Major and Conservation Area Press Notices and letters sent to 659 neighbouring properties.

5.2 As a result 66 letters of objections, a petition signed by 205 people, 171 Comments and 43 letters of support have been received. Concerns raised are summarised below:

5.2.1 Height, scale, bulk and massing

- The proposed development is monstrously oversized
- Too dense and too high
- 13 storeys is out of proportion and will stick out like a sore thumb
- Negative impact on the skyline
- This should be a maximum 2-3 storeys
- Building should be no more than 4 storeys
- Towers should be no more than 6 storeys
- Britannia Point is not full so no dire need for such high buildings
- It will be higher than the High Path Towers
- The key objectives set out in the Merton Local Plan including new district centres, better access to heritage and the promotion of active travel. In the plan consideration has been given to the area of the proposed development: 3.1.19. *Locations that may be sensitive to tall buildings include the historic environments of the Wandle Park, Merton Abbey Mills and Merton Priory where the potential impact on the significance and scale of the historic environment and open spaces should be considered. For locations near to the edge of the town centre boundary the sensitivity of low rise residential neighbourhoods should be considered.*
- The site couldn't get any closer to the boundary of the proposed town centre and I urge for the recommendations set out in the local plan to be followed now and not to allow a high rise building in this area.
- To try to use Britannia point as justification for building another tower block at 42 Station Road seems frankly ridiculous especially given the unpopularity of Britannia Point and the other high rise development that was proposed in its proximity.
- Still empty units in Britannia Point
- The towers will loom over this picturesque historic area like a monument to inconsiderate planning
- Developers own images show the towers dominating the area.
- The height of the towers is inappropriate for our little village within the city.
- Towers will be totally incongruous with the heritage of the area.

- According to the local plan this isn't an area designated for tall buildings.
- Tall buildings will be inconsistent with policy CS14 causing harm to the townscape and the significance of heritage assets and the wider historic environment.
- Site is not comparable with the Brown and Root Tower or the High Path Estate.
- Extreme greediness to cram in so much in such a small space.
- High rises were a thing of the past.
- Scale and massing are grossly inappropriate in the site context. The site is near to two storey terrace housing. A 13-storey tower so close to low rise housing is totally unsuitable. By most decent standards of architecture and design a 25 degree angle would be appropriate, not 58 degrees from the back of the closest houses to the top of the tower.
- The height is preposterous.

5.2.2 Design and appearance

- Design does not respect the character and history of the area.
- Scheme does not meet the high-quality design standard required for the location beside a relatively unspoiled stretch of the River Wandle and the Wandle Valley Conservation Area it's path as the latest elevations submitted are changed from pre-planning consultation's documents which featured round arched brickwork to compliment its historic location and now look like concrete eastern European city centre mass housing with brutalist forms that show a complete disregard for their location and context.
- The building design is not in keeping with other nearby recent developments in particular the lowrise historic arts and crafts buildings at Merton Abbey Mills (directly opposite to the site) and the more appropriately sized new development at 41 Station Road (3 storeys with inset balconies and considered arched window designs). It is an eye sore.
- The balconies shown in the submitted plans are protruding out from the building which look ugly and are not in keeping with other new local developments and will result in the houses on Mill, Dane and Meadow Road being overlooked. The building is boxy and just unpleasant on the eye.
- Such limited access for so many people seems badly thought through
- The bridge seems to be of extremely limited value to anyone but the Tower residents
- The design leaves a lot to be desired, it's an ugly building that will blight the area for years to come.
- It is ugly with no architectural interest
- Design is unsympathetic to the area, brutally stark with no redeeming qualities
- No element of the design links to the local area, it will remain as proof of profit having won over design
- The Savacentre block should not be the inspiration for high quality design to replicate.
- The council has a mania to disfigure the area with towers

5.2.3 Impact on the character of the locality

- No regard to the local houses
- There is no attempt at taking into account the existing street pattern and it fails to respond appropriately to the neighbouring area.
- Height is out of keeping with the two storey houses and small blocks of flats in the area
- The scheme's scale & density are wholly unsuitable for the location adjacent to a residential area that includes Abbey, Croft, Mill, Dane & Meadow Roads and makes no concessions in its present form to neighbouring historic buildings or two storey Edwardian terrace housing.

- The current form of the scheme is more suitable for an urban town centre high street or main road and is not appropriate for a one way residential road and an existing residential grid.
- We would point the planning department to the precedents set by the reduced density & scale they required for the approval of the 40 Station Road development and the High Path Phase 2 redevelopment of Lowell House in Abbey Road, both having to change their design to reduce the scale to 2 – 3 storey and reflect local vernacular in appearance & materials.
- Detract from the River Wandle and the Wandle Trail, tower blocks would be an eyesore
- The current proposals are far too dense and too high for this area to sustain, and are certainly not in keeping with the architecture of the local area.
- They will change the ambience of the area to a downmarket urban planning afterthought with central Croydon as blueprint.
- High rises developments are not suitable for family living and the 12 storey blocks on high path are being demolished.
- A development similar to the one next door at 40 Station Road would be more appropriate. The contrast between this and the application is stark and precipitous.
- Why allow such an unkind comparison between that development and this one
- Dilute the existing community.
- It will damage the riverside walk
- Dane Road should be included in the Visual Impact Assessment. For the developer to not include this key angle is suggestive of a significantly compromising result.
- At the River Wandle footpath the Visual Impact Assessment considers the resulting effect on visual amenity to be neutral. We disagree and consider the effect to be extremely harmful.
- Cramming so many people into flats near a Tube station these days will no longer provide for peoples real needs
- The area is going to turn into a sea of concrete apartments
- Our homes and streets are being ruined by a stream of ill considered developments
- The views of long standing residents should be given more weight than they are
- The proposed development in its current state completely overwhelms the area, is utterly out of place, is of extremely poor aesthetic design, delivers a development which is unsympathetic with respect to the surrounding properties and, overall, it will have a lasting negative impact on local residents and the environment.
- Colliers Wood is already quite dense, adding more homes would be irresponsible as we do not have the facilities to cope with further residents. Our schools are oversubscribed, our streets are full with cars, our public transport system is at breaking point, pollution is ever increasing, meaning adding in more residents would be reckless.

5.2.4 **Historic environment**

- It will totally dominate the historic Merton Abbey Mills
- Negative impact on the appearance of the Grade II listed buildings, the Colour House Theatre and Wheel House buildings
- It will have a negative impact on Merton Abbey Mills which is an important local hub
- Negative impact on Merton Priory centre
- From Merton Abbey Mills the Visual Impact Assessment considers the resulting effect on visual amenity to be beneficial. We disagree and consider the effect to be harmful. Further, we consider the effect on this listed site to be significant and destructive to the cultural value of heritage assets.
- Colliers Wood local plan states ‘Locations that may be sensitive to tall buildings include the historic environments of the Wandle Park, Merton Abbey Mills and Merton Priory

where the potential impact on the significance and scale of the historic environment and open spaces should be considered.' 'The heritage of the Wandle Valley is a particularly important part of the history of the borough and an important element of Merton's identity."

- NPPF states weight should be given to protecting heritage assets
- The archaeological impact is largely unknown, despite a brief report which appears to have dip sampled two small trenches to one side of the site. It must surely be worth greater efforts than this to rule out anything of potential archaeological significance before proceeding with any redevelopment.

5.2.5 Neighbouring amenity

- The area is undertaking massive redevelopment with near constant construction causing issues for physical and mental well-being.
- Construction already causes houses to shake.
- The proposed height of these building would lead to loss of light and overshadowing to many neighbouring properties.
- Loss of light and overshadowing at Prospect and Vista Houses,
- Loss of light to houses and gardens situated at the eastern ends of Dane. Mill and Meadow Roads This will have a detrimental effect on local residents' mental and physical wellbeing.
- Despite the optimistically submitted (and titled) '*Daylight & Sunlight*' report which includes proposals for glass materials and shape/angles to attempt to alleviate the impact – the loss of daylight simply cannot be mitigated for due to sheer proximity, height (50-60m) and the rules of geometry.
- Overlooking of gardens and houses from so many flats
- We estimate 21 units will overlook all the gardens along Dane Road and Station Road. No doubt a similar number to the north overlooking Mill Road.
- The terraced housing is only just over 20 metres away. For a building of around 46 metres high this is clearly over dominant.
- Light pollutions from all the windows
- It will be like sitting in the shadow of the valley of death
- The overshadowing means we would get no value from PV panels
- Towers should overshadow each other not neighbours
- Sainsburys causes noise and disturbance for existing residents and it will be worse for new ones.
- The noise study does not reflect the likely noise pollution from residents in the tower blocks (assuming open windows etc.)
- Traffic and footfall from the flats and commercial uses will have a negative impact on the local area

5.2.6 Trees, landscape and wildlife

- The impact on the natural environment is also a grave concern.
- This development so close to the river can only cause it harm
- The overshadowing will forever blight vegetation and wildlife
- This will have a negative impact on local bat population
- An oasis of green will be destroyed by this proposal
- Despite their submitted environmental report, the ecological impact is also overly optimistic, particularly as the development is situated right on the edge of a very old river inhabited by wildfowl, herons, kingfishers and other wildlife

- The area is also currently home to lots of our wonderful native wildlife such as foxes and hedgehogs and there are active bumble bee nests there in the summer as well as the wildflowers etc... What will be done to conserve areas for these animals and insects?
- Will destroy the riverside and impact wildlife like the riverine insect population, herons and moorhens
- We teach students of all ages to respect, upkeep and take pride in their community and local area; to preserve and protect for future generations. You will be jeopardising the area with this particular development for generations to come

5.2.7 **Traffic, parking, visitor numbers and air pollution**

- This will not be car free, they will need somewhere to park
- There will be around 72 new units from Abbey Wall works and new application at brook farm on Station Road.
- It will be a daily battle against illegally parked cars
- Access from Sainsbury's would have been better.
- It will add to noise & pollution and make Station Road and it's junction with High Path & Abbey Road more dangerous for both pedestrians & drivers, including many school children who now use the street when going to and from the new Harris Academy
- Difficulty in ensuring that the buyers and tenants will respect the car free basis of the current proposals, as we already see that 40 Station Road attracts 8 parked cars (for the 8 flats approved)even though only 4 spaces were permitted
- Even if the residents do not qualify for a parking permit, there will be additional traffic and air pollution on Station Road, Abbey Road and within the local area with Ubers, Zip Cars, Deliveroo, Amazon, grocery and general deliveries alongside maintenance, and refuse collections for the various properties and commercial outlets.
- The idea that the developments will be car free is unrealistic and a new footbridge connecting the development to Mill and Dane Road will only encourage our roads to be used more as through roads and also as parking for residents and their visitors in the evenings and at weekends outside of the controlled parking times.
- The proposals fail to account for other large local developments in their traffic management plan
- 5 disabled bays is below the local plan minimums
- No spaces for visitors is unrealistic, they need bays
- With no permits no one who needs a car for work can live there which is unacceptable
- No one can have visitors who cant come by public transport
- dispute the claim that *'more than 85% of residents supported our idea of building a new pedestrian bridge..'* (on what question and which data is that response based?) particularly when there is already a connecting bridge that has existed for decades just several metres up the river
- More cyclists present a danger to pedestrians

5.2.8 **Housing mix**

- Single aspect or studio units should not be included as they do not meet the local housing needs being prone to overheating, have inadequate storage, are unsuitable for families having no privacy between internal spaces and will only serve to overheat the tenancy market locally

5.2.9 **Affordable housing**

- The low number of social housing units is below that required for approval

- With flats in new developments fetching £394k for a studio the council needs to be robust in ensuring affordable housing is provided
- The proposals fail to provide sufficient truly affordable homes with only 18 of the 46 being for affordable rent and the remainder in shared ownership. This 39% share is below that required by either Merton's existing Local Plan (Policy CS9, 60% social rented) of emerging Local Plan (Policy H4.1, 70% low cost rent).

5.2.10 Consultation process, information provided in application

- The developers pride themselves on 'community engagement' with '350+ residents'. Results of that 'consultation' (effectively a virtual presentation of the proposal in Sep 2020 with a closed and limited 'have your say' portal) seems to be unavailable online and the further consultation that was promised on the website in September 2020 has not, to our knowledge, taken place prior to this planning proposal
- The applicant has been underhand in the consultation and only now is information coming out about the scheme.
- Our concerns about the pre-application process are not allayed by the information provided with the application. The only meetings convened other than with Merton Council (officers and councillors) were with the Metropolitan Police and ourselves, Wandle Valley Forum. There is insufficient evidence of engagement with the feedback provided by the community and the priorities identified through this process are not successfully addressed in the final application.

5.2.11 Other matters

- No indication as to how cycling will be managed.
- Additional flood risk.
- concern about the premature conclusions in the archaeological report that there is unlikely to be any historic remains on the site as the test pits were just in the front concrete apron to the existing light industrial shed building that was designed for lorries unloading. The building itself could have a lighter slab and shallower foundations over a long site depth that occupies an area of intense industrial history going back to early waterside mills being located along the Wandle river and also being adjacent to historic medieval ecclesiastical remains.
- Pressure on infrastructure like the Tube at Colliers Wood and further up the line
- The local infrastructure, doctors, dentists, schools, sewers, policing cannot cope as it is. You must also take into account the additional homes at Britannia Point, Station Road and the High Path Estate.
- Increased litter and pollution
- Council has to solve housing issues but it feels like they are trying to solve it with a complete disregard of the residents opinions
- Wind Damage –The buildings will create a wind effect which could increase the risk of trees falling on the Wandle Path and houses on the East of Mill Road. It is also unpleasant for local residents
- What is the motivation of Council allowing this to be consulted upon, it should have been dismissed out of hand immediately.
- This will cause more anti-social behaviour with people milling about
- Has a sequential test been undertaken to see if more retail is needed?
- Use of the site for residential purposes is against policy CS1.
- Against sub area Core Strategy policies for the area.
- It is one the edge of the Colliers Wood sub area and not suitable for inclusion in the intensification of the area
- The attached reports submitted, in themselves lengthy and a challenging read, feel heavily biased, inconsistent and an attempt to gloss over the reality of what the development will actually deliver once the developers have left.

- Refuse facilities not clearly indicated
- 5.3 **43 Letters of support included;**
- Good to see commercial investment in the area
 - It will provide 116 new homes
 - It will provide affordable housing
 - It will provide jobs
 - The site is underutilised
 - It will enhance the Wandle Trail
 - New riverside seating and walking trails
 - Provide new public realm improvements
 - New co-working environment for the whole community
 - New low carbon transport hub with café
 - New cycle related facilities
 - Open outdoor play spaces for children
 - Sustainable design that prioritises ecology and preserving natural habitats
 - Great idea, we need more of this
 - The area will benefit hugely from the proposed improvements
 - Otherwise there is an unattractive building that attracts anti social behaviour
- 5.4 Liberal Democrats for Abbey and Colliers Wood Wards
- Proposed scale is completely unacceptable for the location
 - Seven storeys should be the maximum
 - Parking has not been thought out, there will still be demand for parking and black market trade in parking permits.
- 5.5 Merton Green Party
Although the percentage of affordable housing would be met the share of that which is London Affordable Rent is too low and there should be no shared ownership.
- 5.6 Merton Cycling Campaign
Objections to the proposals included;
- applicant has not used any sort of analysis to check manoeuvrability of bicycles
 - Under the London Cycling Design Standards, the cycle parking proposed in this application is largely inoperable. Clause 8.2.6 states that for 2-tier cycle parking a minimum aisle width of 2.5metres beyond the lowered frame is required to allow cycles to be turned and loaded and an overall aisle width of 3.5 metres should ideally be provided where there are racks on either side of aisles. A large percentage of the cycle parking proposed by this applicant does not meet these basic requirements.
 - What the applicant calls a 'mobility hub' will be an 'immobility' hub for cycling.
 - The developer has been able to propose a considerable amount of housing on a restrictive site due to it being freed of the need for car parking. However the developer doesn't want his Ground Floors taken up with cycle parking so the area required for cycle parking is reduced to the point of being incapable of accommodating the number of bicycles required. There is an approximate shortfall of 40% of the required allocation meaning that 'carless' tenants will be actively discouraged from cycling in a Borough that has declared a Climate Emergency and with a policy of promoting 'active travel'.
 - The footbridge should be 4m wide to allow pedestrians and cyclists to pass
 - It is important, given the ethos of this application that the applicant is asked to rearrange the Ground Floor Plan to accommodate the requisite number of bicycles prior to any Planning Approval. Given the demands for space at Ground Floor level it is highly unlikely to happen if solely a condition of approval. The less convenient

alternative, which is part of the proposed YMCA development, is to have cycle parking on the First Floor with 2 cycle lifts.

5.7 Wandle Valley Forum

- Issues relating to pre application consultation
- Insufficient affordable housing for affordable rent
- More than one quarter of the flats will be single aspect (28%) in conflict with London Plan Policy D6 that housing development should “*normally avoid the provision of single aspect dwellings*”. This is a relatively unconstrained site and there is nothing in the Design and Access Statement which evidences a design approach that could not deliver 100% dual (or triple) aspect flats on the site.
- There are a number of new and important areas of public realm created by the proposals. The most significant of these lies between the two new buildings. This is unlikely to be a successful space given it is bounded by a large entrance lobby, two large bike stores, a blank wall to the substation and the entrance to the switchroom, and its eastern aspect is across a busy supermarket entrance road to a filling station key. It will be neither vibrant nor animated by active frontages.
- The quality of the microclimate between the two towers is uncertain in the absence of an effective assessment of wind speeds and it will be regularly in shade
- A second area of public realm by the unspecified new commercial use is sandwiched between the southern tower and a “*holding zone for 14 bins*” along with a ramp for delivery vehicles.
- Pedestrian and cyclist connectivity needs to be improved
- The proposals for a new bridge and public access alongside the eastern bank of the river are welcome. This will create new interactions with the Wandle and new routes across it
- We find the scale, height and mass of the scheme to be overly dominant given its context. It has a negative impact on the Wandle Valley Conservation Area running through the site and on public enjoyment of the Wandle Trail and there is no evidence presented that the impacts in terms of shadowing and an adverse micro climate will be acceptable.
- Significant negative impact on the Conservation Area from the key historic destination site at Merton Abbey Mills.
- The proposals do not take all the opportunities available, such as ensuring a positive impact on the Conservation Area and avoiding single aspect flats, and the design relates poorly to its context
- The Preliminary Ecological Appraisal recommends the provision of an Ecological Enhancement Plan but none is provided. We believe there is insufficient information on which to assess the scheme’s ecological impact or confirm that it will result in biodiversity net gain.
- Urban Greening Factor is just 0.05 above the minimum required under the London Plan. This is unacceptably low given its location in the corridor of the Wandle Valley and that the proposals include felling one third (11) of the 34 trees on site. The proposals are supported by a claim that additional planting “*will constitute an improvement in the arboricultural value of the site*” but no i-tree CAVAT assessment is provided to evidence this as required by London Plan Policy G7.
- The scheme includes excessive external lighting with damaging impacts on both visual amenity and ecology (including as an acknowledged feeding corridor for bats)
- The scheme’s assessment of daylight and sunlight does not address its impact on The Wandle which will experience significant shadowing every morning with negative ecological and other impacts
- There should be a full archaeological excavation of the site.

5.8 Statutory consultees

5.8.1 Greater London Authority

The GLA were consulted as the application is one that is referable to the Mayor because of the height and number of units proposed. The GLA have subsequently issued a Stage 1 Report based on the information currently before them and subject to a requirement for more information on Energy related matters they were supportive of the proposals. The Report concluded 'London Plan policies on land use principles, housing, urban design, sustainable development and transport are relevant to this application. The below issues must be addressed to ensure the proposal complies with the London Plan:

- Principle of development: The principle of the comprehensive redevelopment of the site with a mixed use residential-led scheme consisting of 116 homes is supported.
- Housing: The introduction of housing on the site will contribute to the Council's housing targets. Additionally the scheme proposes 44.5% affordable housing which meets with the Fast-Track threshold of 35% and tenure mix.
- Urban Design: The site is identified in adopted Local Plan policy as suitable for a tall building. In terms of layout, scale and architecture the proposal is considered acceptable within the surrounding context and will deliver new high quality areas of public realm. Notwithstanding this, the scheme would result in less than substantial harm to surrounding heritage assets.
- Transport: A car free development is supported, however the travel assessment should be amended to include an accident analysis and identify Vision Zero improvements. A contribution towards pedestrian and cycling improvements on Merantun Way and Station Road is required. Parking spaces should be equipped with electric vehicle charging infrastructure. Cycle parking should be provided in line with the London Plan.
- Sustainability: Further information on energy is required.

5.9 Transport for London

There were no objections raised to the proposals subject to the applicants addressing the following points;

- A contribution of £87,750 towards pedestrian and cycling improvements on Merantun Way and Station Road should be secured through S106.
- Transport Assessment to be amended to include Accident Analysis and Vision Zero proposals.
- All parking spaces should make provision for electric vehicle charging infrastructure.
- Cycle parking should be amended to accord with the LP
- Parking Design and Management Plan, Travel Plan, Construction Logistics Plan and Delivery and Servicing Plan should be secured by condition.

- 5.10 Designing out Crime officer (Metropolitan Police) – The officer was involved in pre application discussions but still felt that the application proposals;
- Did not achieve the outcomes stated in the Safer by Design section of the D&A statement in terms of maximising natural surveillance, permeability, active frontages and play space.
 - The footbridge provides unrestricted access to the site facilitating opportunist crime and leading to a pedestrian rat run. Public access through communal areas should be avoided as it reduces ownership and territorial responsibility while promoting criminal and anti-social opportunities.
 - Communal space should be clearly defined and have access controls.
 - Pedestrian routes should be designed not to allow two wheel vehicular access.
 - Large blank elevations reduce natural surveillance. There is no surveillance over the bio diversity area to the north which can lead to anti-social behaviour.
 - Play area doesn't appear to benefit from good natural surveillance.
 - Hit and miss brick panels must not allow climbing to upper floors.
 - Entrance lobbies should be air-locked with entry fobs and secure mail boxes
 - Dedicated motorcycle and scooter parking areas should be provided and have suitable anchoring points
 - There were a number of design features available to improve the public realm areas including foot path layouts, positioning and style of seating and CCTV.
 - Two part condition recommended to incorporate site specific security measures and to obtain Secure by Design certification

- 5.11 Historic England, Archaeology – The site is located in a Tier 1 Archaeological Priority Area which has been defined due to its potential for buried archaeological features relating to Merton Priory,

Roman activity and post-medieval industrial activity. The site is also partially within the scheduled area of Merton Priory. Archaeological remains have been recorded on sites to the immediate west, south and east of the site. Pre-Ordnance Survey map evidence shows a channel or leat (open watercourse taking water to a mill) running through the site which may be associated with one of the several post-medieval mills in the area.

There is potential for information to be recovered from alluvial layers on the site that could improve understanding of the relationship between the priory and the river; the impact of the priory on the river regime and environment of the valley; and whether the alluvium was triggered by prehistoric or medieval activity.

I have looked at this proposal and at the Greater London Historic Environment Record. I advise that the development could cause harm to archaeological remains. However the significance of the asset and scale of harm to it is such that the effect can be managed using a planning condition'.

A number of conditions relating to their being notified of the commencement of works, foundation design including method statements for demolition and groundworks within the scheduled area, notification of constructors that this is an ASM site, machinery, discovery of finds, watching brief and recording of works, were requested by Historic England within their Ancient Scheduled Monument consent letter. A condition to this effect is recommended.

5.12 Environment Agency

No objections are raised subject to a number of relevant conditions on the matters of flood risk, landscape and ecological management plan, site contamination, surface water infiltration and piling, and Informatives being imposed.

5.13 Natural England

Natural England has no comments to make on the application. The lack of comment from Natural England does not mean that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the LPA to make their own assessment.

5.14 Design Review Panel (DRP) –

The initial proposal by different architects to those dealing with the current application had one building with two different height sections of 7 and 10 stories. The current architects evolved the scheme to two aligned towers one of 7 & 9 storeys and one of 9 & 15 stories. A third revision with the same heights but including the footbridge went to a GLA pre app and the DRP who stated *Overall the Panel felt that the proposal was a significant improvement and heading in the right direction, with some elements of the design warranting a green verdict but with much more design work still to be done.* **VERDICT: AMBER**

However the design has altered significantly since then with more of the land coming into the applicants ownership which allows the towers to be off set from each other and the overall height has been reduced but this design has not been assessed by the DRP.

5.15 Councillor Eleanor Stringer

- I am in favour of more home building, but believe that this site could be developed at a more appropriate size. While the proposed 40% affordable housing is encouraging, these appear to be all for affordable rent and not include any for social housing.
- This is an overdevelopment of the site, in an area that is of historic importance to the borough.
- The density and design of the buildings are incongruous with the local area.
- In particular, the heights of 13 and 10 storeys are out of keeping with the nearby terraced houses, with even the tallest recent approvals being 7 storeys high.
- Residents in Mill Road in particular worry about their loss of light.

5.16 **Internal consultees**

5.17 Urban Design officer –

5.17.1 Since the pre-app scheme the applicant has secured more land and re-orientated the blocks to be more angular in plan form. This corresponds with the built (plan) form of the Merton Abbey Mills buildings which themselves are not linear, but angle outwards from the centre of the mill complex. This move by the applicant also reduces the visual impact from Abbey Mills in the sense that the proposed development isn't 'square-on' to Abbey Mills. The choice of lighter brickwork also lessens the building's bulk and visual impact. This also reflects the yellow London stock brick that is widely used in Abbey Mills.

- 5.17.2 Throughout the pre-app process, officers advised that the scheme needs to take on more of a 'mill-like' appearance to reflect that whilst it is not in Abbey Mills, it provides a backdrop to the historic mills. The latest iteration has improved, providing more detailed brickwork, introducing shallow arch features and more prominent brick pillar details. It should be noted that we don't wish to slavishly replicate a mill building that was never there – but rather, the scheme takes on a contemporary iteration of a mill building by drawing out some of these features that are present in Abbey Mills.
- 5.17.3 The surrounding townscape and context is also noted. Whilst the proposals are of a larger scale than the current commercial unit, it does sit alongside a large Sainsburys/M&S (which was previously the much larger and dominant Merton Board Mills in the 1980s). Opposite is the Premier Inn, Chapter Way apartment blocks and at the end of Merantun Way is the Morris Ct 12 storey tower.
- 5.17.4 The visual impact on the neighbouring terraced streets is noted, but the proposal is not considered to be incongruous to the neighbourhood. This site is one end of Station Rd. At the other end of Station Rd is the High Path estate with 12 storey towers. These are being replaced by 10 storey perimeter blocks and we understand Clarion are consulting soon on additional units / height to the south of the High Path redevelopment. On balance, the proposed heights are considered acceptable and will be less visible than the High Path estate due to the site's riverside context and significant tree belt along the Wandle.
- 5.17.5 We also welcome the introduction of new commercial units to activate the public realm and the new footbridge enhances walking and cycling opportunities along the Wandle Trail and for residents of High Path and South Wimbledon walking to Sainbury's/M&S. Concerns raised regarding views from Abbey Mills and articulation of details of balconies on buildings. Favours greater openness to public spaces and better relationship of development with Station Road. Opportunities for S106 to deliver the shared space cycle crossing for the Wandle trail.
- 5.18 Conservation and design officer
Concerns with the height and the visual impact on the Conservation Area and the closeness to the Ancient Monument. Considers that improvements could be achieved were the scheme reduced to the height of the lower block to the same as Abbey Wall development lower block with the higher block raising to same as the higher Abbey Wall development.
- 5.19 Ecology officer
The officer commented 'I confirm that I have read the Preliminary Ecological Appraisal (PEA), Riparian report and Bat report. In all three reports appropriate methodology has been applied and the conclusions and recommendations are sound. I would, however make the following comments:
- 5.19.1 In my view the PEA should be specific regarding the number of bird boxes incorporated in to the building design, rather than waiting for the production of an Ecological Enhancement Plan. Consideration should be given to requiring 10-20 "universal" swift bricks in the building design.
- 5.19.2 I would draw your attention to paragraph 5.9-5.12 (bat report) especially the need to secure bat-sensitive lighting for the development so as to reduce the impact of light spillage on foraging bats. You may consider requiring the developer to produce a lighting contour plan to help assess the impact of spillage on the River Wandle.
- 5.19.3 The Biodiversity Impact Assessment uses appropriate methodology to calculate the biodiversity net gain. However 4.2 states that "*Scrub and woodland habitats are within the boundary of the River Wandle Local Nature Reserve (LNR). As such, a multiplier of 1.15 has been applied due to it being in a strategic location*" This stretch of the

Wandle is not an LNR. Accordingly I would recommend the biodiversity net gain is re-calculated.

5.19.4 Finally, although the proposed habitat creation should not be especially difficult to achieve, the LPA must be satisfied that the Ecological Enhancement Plan details how the habitats will be created and that there are sufficient resources for future aftercare so that biodiversity net gain is met'.

5.20 Transport officer

Comments on scheme as submitted. Further comments awaited.

- The service bay as shown is not acceptable as conflicts with pedestrian desire line. Although the swept path analysis show it can be turn within the site we are not convinced this manoeuvre can be undertaken in a satisfactory manner near to the decking as shown.
- The two car club bays can be deleted
- The applicant should identify a suitable location within the site for servicing.

5.22 Waste services –

Officers have reviewed the proposed waste arrangement with our waste collection service provider and can confirm that the proposed arrangement is acceptable.

5.23 Tree officer –

With regards to the actual proposal, they are proposing to keep the 'B' category trees alongside the river Wandle. The landscaping shows a lot of new trees on Sainsbury's side - which is good as these will replace the present trees. However, the proposal does include the removal of 2 'B' category trees at the front of the site, and there would appear to be no plans to replace these trees. The large expanse of car parking and hard surfacing needs to be softened with tree planting, preferably alongside the road.

5.24 Climate Change

The officer provided an extensive consultation response to the original details that were submitted and which have been subject to further amendment. Further to this process the following are the officers' final comments;

5.24.1 The applicant has addressed comments below and, subject to the response from the GLA to the applicant's response, the Climate change officer is satisfied that the proposed scheme meets Merton's minimum requirements.

5.24.2 Based on the updated Energy Statement and Carbon Reporting Spreadsheet provided, the final carbon offset contributions are £99,228 for the domestic elements, £11,625 for the non-domestic elements and £110,853 for the development as a whole. £110,853 in carbon offset contributions will need to be secured via s106.

5.24.3 The following conditions should be applied, Residential CO2 reductions and water use, Non-residential CO2 reductions, District Heat Networks – London Heat Networks Manual, 'Be Seen' energy monitoring and Whole Life-Cycle Carbon Assessment

5.25 Environmental Health Noise –

- The officer raised a number of queries;
- Was there a reason why the noise levels could not be measured on the boundary with neighbouring properties
- A condition should be attached relating to a scheme for noise attenuation to be approved including glazing and ventilation details
- Had the proposals considered noise attenuation from the ventilation equipment at the adjacent petrol station as this had been a subject of complaints and would be close to new units
- Proximity of bedrooms to living areas in adjacent flats was not ideal and should be reconfigured
- Additional mitigation methods may be needed dependant on the commercial use
- Demolition and construction method statement would be required by condition This was accepted by the applicant
- Condition should be attached regarding external lighting being angled away from neighbours

5.26 Environmental health- Air quality

The officer raised no objections to the proposals and noted that An Air Quality Assessment (AQA) report has been prepared by Delta-Simons in support of the proposed development (Project No. 20-0280.01 dated April 2021). A qualitative assessment of the potential impacts on local air quality from construction activities has been carried out for this phase of the Proposed Development using the IAQM methodology.

5.26.1 The AQA determines the baselines conditions for air quality and assesses the potential effects arising from the proposed development, and potential emissions from the development are assessed to determine compliance with the London Plan.

5.26.2 Dispersion modelling was therefore undertaken using ADMS-Roads in order to predict pollutant concentrations from the road. Results show future occupants are not exposed to poor air quality which breaches the relevant AQOs. Based on the assessment results the site is considered suitable for the proposed end use without the inclusion of any air pollution mitigation measures.

5.26.3 An air quality neutral assessment has also been undertaken to consider both building and transport emissions. This shows that, in both cases, the total emissions for the proposed development lie below the emission benchmarks, and therefore no further mitigation is required.

5.26.4 It is expected that there will be noise, dust, and vibration disruption to local residents and businesses. Consequently, the applicant/client/principle contractor is expected to include detail mitigation measures to ensure that any disruption is kept to a minimum. This can be controlled by pre commencement conditions

6. **POLICY CONTEXT**

6.1 NPPF - National Planning Policy Framework (2021):

- Part 2 Achieving sustainable development
- Part 6 Building a strong, competitive economy
- Part 9 Promoting sustainable transport
- Part 11 Making effective use of land
- Part 12 Achieving well-designed places

Part 14 Meeting the challenge of climate change, flooding and coastal change
Part 15 Conserving and enhancing the natural environment
Part 16 Conserving and enhancing the historic environment

6.2 London Plan 2021:

Relevant policies include:

GC 5 Growing a good economy
D1 London's form, character and capacity for growth
D2 Infrastructure requirements for sustainable densities
D3 Optimising site capacity through the design-led approach
D4 Delivering good design
D5 Inclusive design
D6 Housing Quality and Standards
D7 Accessible Housing
D8 Public realm
D9 Tall Buildings
D11 Safety, security and resilience to emergency
D12 Fire safety
D13 Agent of Change
D14 Noise
E2 Providing suitable business space
H1 Increasing Housing supply
H6 Affordable Housing tenure
H10 Housing size mix
H12 Supported and specialised accommodation
S1 Developing London's social infrastructure
S4 Play and Informal Recreation
HC1 Heritage conservation and growth
G1 Green infrastructure
G5 Urban greening
G6 Biodiversity and access to nature
G7 Trees and woodlands
SI 1 Improving air quality
SI 2 Minimising greenhouse gas emissions
SI 3 Energy infrastructure
SI 4 Managing heat risk
SI 5 Water infrastructure
SI 7 Reducing waste and supporting the circular economy
SI 8 Waste capacity and net waste self-sufficiency
SI 12 Flood risk management
SI 13 Sustainable drainage
SI 16 Waterways-use and enjoyment
SD1 Opportunity areas
SD 6 Town centres and High Streets
T2 Healthy streets
T4 Assessing and mitigating transport impacts
T5 Cycling
T6.1 Residential Car parking
T6.5 Non-residential disabled persons parking
T7 Deliveries, servicing and construction

6.3 Merton Sites and Policies Plan (SPP) July 2014 policies:

Relevant policies include:

DM C1 Community facilities
DM D1 Urban design and the public realm

DM D2 Design considerations in all developments
DM D4 Heritage assets
DM E4 Local employment opportunities
EM EP2 Reducing and mitigating noise
DM EP4 Pollutants
DM H3 Support for affordable housing
DM H4 Housing mix
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 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:

Relevant policies include:

CS 1 Colliers Wood
CS 7 Centres
CS 8 Housing choice
CS 9 Housing provision
CS 11 Infrastructure
CS 12 Economic development
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 Transport
CS 19 Public Transport
CS 20 Parking servicing and delivery

6.5 Other guidance:

DCLG Technical Housing Standards - Nationally Described Space Standard 2015
Mayor's Housing SPG 2016 Mayor's Sustainable Design and Construction SPG 2014

Merton's Waste and Recycling Storage Requirements – A Guidance for Architects

Merton's Small Sites Toolkit SPD 2021

Merton Character Study 2021

Merton Explanatory Note: Approaches to Sustainable Design and Construction 2020

7. PLANNING CONSIDERATIONS

7.1 The key planning considerations of the proposal are as follows:

- Principle of development
- Loss of community facility
- Suitability for residential use
- Need for housing

- Scale bulk and massing
- Design and impact upon the character and appearance of the surrounding area including conservation areas and heritage assets
- Impact on neighbouring amenity
- Transport, parking and cycle
- Refuse
- Sustainability
- Biodiversity
- Others

7.2 Principle of development

Demolition of the existing building and loss of the community facilities

- 7.2.1 The existing building was originally a warehouse building and its functional design is considered to be of little architectural merit and does not contribute positively to the locality.
- 7.2.2 London Plan Policy S1 seeks to protect and enhance social infrastructure provision, including children and young people's play and informal recreation facilities. The previous use was a privately operated children's soft play centre which is not currently proposed to be reinstated into the new development.
- 7.2.3 Whilst the loss of social infrastructure facilities such as this can have a detrimental effect on a community there are a number of other such facilities in the area and neither Merton's Infrastructure Delivery Plan (2020) or Indoor Sports Facility Study (2020) have identified a shortfall or need for additional indoor play facilities. It is noted that there were no objections to the loss.
- 7.2.4 The previous soft play centre use now falls within Use Class E and as such the site can be used for a wider range of other uses with Use Class E which would allow for it to change use from a social infrastructure use. The GLA report found that the loss of the existing use would not have a negative community impact and was therefore not in conflict with London Plan policy S1. Officers are therefore content that the loss of the current use is not a basis to resist redevelopment.

7.3 Principle of residential land use.

Proximity to existing residential uses along with the pressing need to meet the London plan's housing targets lends considerable weight to developing the site primarily for residential purposes and there has been little objection to the principle of this use, rather its scale and scope.

- 7.3.1 The optimisation of land forms an important element in the strategy for delivering additional homes in London. The site is located, on the edge of a designated Opportunity Area as set out within the 2021 London Plan and policy SD1 of the Plan supports the optimisation of residential output and densities in Opportunity Areas such as this. 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 and London Plan policies H1 and H2 promote sustainable development that encourages the development of additional dwellings at

locations with good public transport accessibility. This site is within walking distance of Northern Line tube stations and a number of bus routes.

7.4 Employment Floorspace

The proposal includes 443sqm of flexible commercial floorspace located across both blocks at ground and first floor level. With 148 sqm of commercial floorspace at ground level and 204 sqm of commercial at first floor level within the southern block along with 90sqm in the north block the proposal offers variety of commercial opportunities for new users. Having a commercial element (from a Class E use such as a shop, café or restaurant, medical facility, workshop, recreational facility or gym) will provide active frontages around the southern and south-western end of the development as well as activity against the river and bridge connection location.

- 7.4.1 Being located within an Opportunity Area and district town centre makes the site suitable for providing a development that will create new employment opportunities from the improved commercial facilities. This would bring the proposals in line with a number of policies designed to increase employment and to strengthen the role of the designated town centre and as such is supported by officers and the GLA.

7.5 Need for additional housing, residential density and housing mix

Policy H1 of the London Plan 2021 has set Merton a ten-year housing target of 9,180 new homes. By providing 116 new units the proposals would make a significant contribution to meeting that target and providing much needed new housing.

- 7.5.1 The proposal to introduce residential use to this site is considered to respond positively to London Plan and Core Strategy planning policies to increase housing supply and optimise sites and is strongly supported by Officers and the GLA.

7.6 Residential density

London Plan Policy D2 sets out that 'The density of development proposals should: 1) consider, and be linked to, the provision of future planned levels of infrastructure rather than existing levels 2) be proportionate to the site's connectivity and accessibility by walking, cycling, and public transport to jobs and services (including both PTAL and access to local services). Policy D9 states that Tall buildings should only be developed in locations that are identified as suitable in Development Plans.

- 7.6.1 The site is well served by public transport in the form of underground and bus services and is situated in close proximity to the CS 7 cycle route. It is also in close proximity to a major super market and a high number of other service providers. Being situated in a designated Opportunity Zone means that tall and thereby denser development has been considered acceptable in principle and such areas are intended for more intense levels of development and infrastructure improvement in the future
- 7.6.2 In addition to an estimated £319,000 in Mayoral CIL, the Council would expect to receive around £1,489,000 in CIL contributions which can be directed to infrastructure improvements.
- 7.6.3 Notwithstanding the need to undertake a wider planning policy assessment, including an examination of design/urban design and interconnected factors such as impact on conservation areas and parking and servicing arrangements, it is considered that a high density development would be appropriate in this location and that refusal simply on the grounds of density would not appropriate.

7.7 Housing mix

London Plan Policy H 10 'Housing size mix' is a newer more relevant policy on this subject that Merton's Sites and Policies Plan policy DM H2 which set out a roughly 1/3 split on 1, 2 and 3 bed units in new developments. Policy H 10 is less prescriptive and allows greater flexibility on size mix. This proposal is for 54 studio and 1 bedroom units, 51x 2 bedroom units and 11x 3 bedroom units. This breakdown is market led and reflects the lower demand for 3 bedroom family flats. However it is noted that the GLA have welcomed the fact that 7 of the 11 three bedroom units will be included within the affordable homes offer with five as low cost rent. The housing mix proposed is therefore considered acceptable.

- 7.7.1 Draft policy 11.3 in the Merton Draft Local Plan looks to provide an approximately 1/3 split on housing sizes between 1, 2 and 3+ units across the borough. The borough level housing mix will be applied having regard to relevant factors, including individual site circumstances, site location, identified local needs and economics of provision. . Based on Merton's Strategic Housing Needs Assessment evidence it is expected that the focus of new market housing provision will be on two and three bed properties. Continued demand for family housing can be expected from newly forming households. There may also be some demand for medium-sized properties (2 and 3 beds) from older households downsizing and looking to release equity in existing homes, but still retain flexibility for friends and family to come and stay. The council are keen to encourage socially mixed, sustainable communities with a greater choice and mix in the size, type and location of housing. Schemes should seek to reflect the diversity of the local population, local needs and provide an appropriate mix of smaller and larger homes including houses and flats to meet a mix of different households such as single households, families with children and older people.

A judgement is required in this instance as to whether strict adherence to either adopted or proposed housing mix on a proposal for flatted accommodation in a tall block is necessarily the right approach. Nearby side roads offer family housing and in this respect the proposals would widen the mix locally.

7.8 Affordable and accessible housing

Policy H6 of the London Plan requires a minimum of 30% of units to be low cost rented homes (London Affordable Rent or Social Rent), 30% intermediate products and the remaining 40% to be determined by the borough as low cost rented homes or intermediate products. Merton's Core Strategy sets a strategic target to achieve 60% of affordable housing as social rented homes, and 40% as intermediate with the emerging Local Plan requiring a 70/30 split also in favour of low cost rent.

- 7.8.1 As originally submitted the application attracted a number of objections relating to the type of affordable housing that was being offered did not provide sufficient affordable rent housing. The concerns of objectors, officers at LBM and the GLA were addressed by the applicants in the form of an amended accommodation schedule. The affordable housing offer, which would be located within the smaller of the two towers would see the proposed delivery of 46 affordable units which equates to an affordable housing offer of 44.5% on a habitable room basis which satisfies the GLA fast-track threshold, meaning that further viability assessment would not be required. In terms of tenure split the applicant has confirmed that 60% of the initial 35% affordable housing by habitable room (required to meet the fast track threshold) will be low cost rent. This tenure split accords with Council's strategic target when assessed against a 35% offer and as such meets with the Fast-Track route as outlined within Policy H6 of the London Plan and is therefore policy compliant.

7.9 Accommodation and amenity standards

In order to ensure a satisfactory standard of accommodation The London Plan 2021 and the DCLG Technical standards set out a minimum GIA that must be attained based on the number of bedrooms and intended number of future occupiers. The proposal includes 116 units, all of which meet with or exceed the proscribed minimum floor area requirements. All the units would meet the standard for private external amenity space and additional provision would be available at roof level which would include communal amenity space which would be available to all residents as well as the ground floor children's play area and the improvements to the riverside.

7.9.1 It is encouraged that wherever possible units should be dual aspect and whilst 72% will be dual aspect, none of the single aspect units are north facing and consequently officers consider given that greater weight may reasonably be attached to the significant contribution the scheme can make to housing targets and given the particular circumstances of this site. As the two blocks are orientated away from each other rather than being directly opposite views between units are at an oblique angle with the closest windows being 9.2m apart. The layout has been devised to provide a layout which avoids any overlooking from a living space to a bedroom considering natural sightlines from a window.

7.9.2 The Daylight and sunlight report that accompanied the application considered the impact of the design on the amenity of future occupiers in relation to sunlight to the units. It found that Overall, the scheme returns full Average Daylight Factor compliance and full Annual Probable Sunlight Hours compliance to rooms with a predominant southerly aspect. The results also demonstrate that rooms with a predominant northerly aspect will also retain good levels of APSH, with no single aspect north-facing units included within the scheme.

7.9.3 The report considered that 'This has been achieved through the careful design of the scheme which has sought to optimise levels of daylight potential to the proposed residential dwellings by careful positioning of the proposed blocks, maximising the glazing area and the offset balcony design'.

7.9.4 The layout would provide a maximum of seven units per core which is considered acceptable. Whilst the Council's Urban design officer had some concerns regarding the internal layouts of some units officers from the GLA considered that the internal layout of the proposed development appears efficient and likely to result in a good level of amenity for future residents and accord with the requirements of Policy D6 of the London Plan.

7.9.5 In relation to servicing matters such as refuse and cycle storage areas these have also been an integral part of the design process throughout and will be located at ground level and are accessed directly from either the central core or the exterior of the building in order to provide better accessibility.

7.10 Children's Play space

London Plan Policy S4 seeks to ensure that development proposals include suitable provision for play and recreation, and incorporate good-quality, accessible play provision for all ages, of at least 10 sqm. per child. The policy states that at a minimum, playspace for children under five should be provided on-site. Based on London Plan

requirements, as a minimum the development is required to provide 218 sqm of playspace for under fives which would be provided through a central courtyard providing formal play space for 0-4 year old children through natural play features such as mounds, timber stepping stones and balance logs. These are placed within green landscaping to ensure a soft-landing when playing. A second play space, again for 0-4 years olds, would be located on a timber deck, containing natural play features such as balancing logs and low rope bridges.

7.10.1 As a total playspace area of 452 sqm is required for all anticipated children this would leave a deficit of 234 sqm because due to the confined nature of the site there is insufficient space on site to provide play space for under 14's although there are public parks in close proximity to the site. However the whole objective with play space is that it is immediately accessible and does not require children under 5 and their parents/guardian's to walk elsewhere and that would be achieved in this instance. Whether a failure to provide space for older children would warrant a sustainable reason to refuse the application is a matter to be weighed against the merits of a substantial increase in dwelling numbers. Officers consider that it would not be unreasonable for greater weight to be attached to the delivery of new dwellings in making a decision on the application.

7.11 Inclusive and safe access

Policy D5 of the London Plan seeks to ensure that proposals achieve the highest standards of accessible and inclusive design. Any application should ensure that the development can be entered and used safely, easily and with dignity by all; is convenient and welcoming with no disabling barriers, providing independent access without additional undue effort, separation or special treatment; is designed to incorporate safe and dignified emergency evacuation for all building users; and as a minimum at least one lift per core should be a fire evacuation lift suitable to be used to evacuate people who require level access from the building.

7.11.1 Policy D7 of the London Plan requires that at least 10% of new build dwellings meet Building Regulation requirement M4(3) 'wheelchair user dwellings' (designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users); and all other new build dwellings must meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'. As the proposal would provide 12 (10.4%) wheelchair user dwellings (Part M4 (3) it meets this policy requirements and this can be secured through the use of conditions.

7.12 Fire safety

Policy D12 of the London Plan states that major applications should be accompanied by a fire statement, prepared by a suitably qualified third party assessor, demonstrating how the development proposals would achieve the highest standards of fire safety, including details of construction methods and materials, means of escape, fire safety features and means of access for fire service personnel. Additionally London Plan Policy D5 requires developments to incorporate safe and dignified emergency evacuation for all building users, with fire evacuation lifts suitable to be used to evacuate people who require level access from the buildings.

7.12.1 The application was accompanied by a Fire Statement that set out the methods, products and materials to be used, means of escape, features to reduce fire risk to life, methods to minimise both internal and external fire spread, details of access and facilities for the fire service and future proofing the scheme against fire. The Fire Statement confirmed that The Fire Safety design of the proposed development, and

the fire safety information contained within that Fire Statement, satisfies the requirements of London Plan Policy D12(A), D12(B) and D5(B5). A condition to ensure that appropriate Fire Safety considerations are secured by way of condition is recommended.

7.13 Safety and security

Merton SPP Policy DM D2 requires development proposals to provide layouts that are safe, secure and take account of crime prevention and are developed in accordance with Secured by Design principles. London Plan Policy D11 states boroughs should work with their local Metropolitan Police Service 'Design Out Crime' officers and planning teams, whilst also working with other agencies such as the London Fire Commissioner, the City of London Police and the British Transport Police to identify the community safety needs, policies and sites required for their area to support provision of necessary infrastructure to maintain a safe and secure environment and reduce the fear of crime.

7.13.1 The Designing out Crime officer (Metropolitan Police) has been consulted on this application and put forward a number of initial concerns in relation to uncontrolled access, the need to increase natural surveillance and remove concealment opportunities, improved signage, alarms/locks, CCTV and lighting. The applicant has noted these comments and the issue of crime prevention and a safe and secure environment is considered to be securable through the imposition of suitable conditions.

7.14 Air quality

The Site is located within the London Borough of Merton (LBoM) Air Quality Management Area (AQMA), declared due to exceedances of the annual mean Air Quality Objective (AQO) for nitrogen dioxide (NO₂) and the 24-hour mean AQO for Particulate Matter (PM). The Site is also located in an area where air quality is mainly influenced by road traffic emissions along the A24 and the local road network and as such, elevated pollutant concentrations may be experienced at this location. Subsequently, the development may lead to the exposure of future occupants to poor air quality, as well as adverse air quality impacts at nearby sensitive receptors, as a result of fugitive dust emissions during construction and road vehicle exhaust emissions during operation. As such, an Air Quality Assessment is required to determine baseline conditions at the Site, consider its suitability for the proposed end-use and to assess potential impacts associated with the Proposed Development, in accordance with the requirements of the National Planning Policy Framework (NPPF).

7.14.1 Consequently an Air quality assessment and Air quality neutral assessment compiled by Deltasimons Ltd was submitted with the application. The report found that the assessment of construction phase impacts associated with fugitive dust and fine particulate matter of an aerodynamic diameter of less than 10 and 2.5 microns, respectively (PM₁₀ and PM_{2.5}) emissions has been undertaken in line with the relevant Institute of Air Quality Management (IAQM) guidance. This identified that there is a medium to negligible risk of dust soiling impacts, a low to negligible risk of increases in particulate matter concentrations and a low to negligible risk of ecological impacts due to unmitigated construction activities. However, through good site practice and the implementation of suitable mitigation measures, the effect of dust and particulate matter releases would be significantly reduced. The residual effects of the construction phase on air quality are considered to be not significant.

7.14.2 The Proposed Development is not predicted to result in traffic increase above the relevant criteria once operational and therefore no significant effects on air quality are anticipated at existing receptors.

7.14.3 An assessment of the potential for future users of the Proposed Development to be exposed to poor air quality has also been undertaken. Pollutants considered in this assessment were NO₂, PM₁₀ and PM_{2.5}. The results indicate that concentrations at relevant proposed receptors are likely to be more than 5% below the annual mean objective for NO₂, PM₁₀ and PM_{2.5} concentrations, classed as APEC Level A. As such, the implementation of additional mitigation measures is not required. The residual effect of air quality on future occupiers of the Proposed Development is judged to be not significant.

7.14.4 The Proposed Development incorporates a limited number of disabled car parking spaces, which are expected to generate a nominal number of new trips. In addition, on-site Energy and Heat Generation is not proposed to result in any emissions to the atmosphere, and therefore no further consideration of air quality neutrality is required. Therefore, it is anticipated that the Proposed Development will be better than Air Quality Neutral with regard to relevant guidance and as such the residual effects of the operational phase on air quality are considered to be not significant. The implementation of additional mitigation measures is therefore, not required.

7.15 Design and impact on character and appearance of the surrounding area

7.15.1 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 as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, while not preventing or discouraging appropriate innovation or change (such as increased densities).

7.15.2 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 SPP 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.

7.15.3 London Plan Policy D3 requires development proposals to enhance the local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape. Developments should be of a high quality, with architecture that pays attention to detail, and gives thorough consideration to the practicality of use, flexibility, safety and building lifespan through appropriate construction methods and the use of attractive, robust materials which weather and mature well.

7.15.4 The proximity of the site to the Wandle Valley Conservation Area, which includes a number of statutory and locally listed buildings at Merton Abbey Mills mean that the proposals are also subject to consideration in light of heritage policies such as HC1 of the London Plan and DM D4 of the Merton sites and Policies Plan. The applicants have also been provided with comprehensive pre-application feedback and comments by

Urban Design officers which is considered to have resulted in improvements to the quality and design detail of the building's exterior.

7.15.5 Design is a subjective matter and variations in opinion are common. Officers at local and GLA level consider the exterior finish to be acceptable and appropriate for its location, reflecting the London vernacular of design. Officers consider the exterior would have been more attractive with the balconies all being recessed and there being no protruding balconies however the loss of internal GIA that would have resulted would have reduced the quantum of accommodation and affordable housing that could be provided without the blocks needing to be built to a greater height.

7.16 Height, bulk scale and massing

The issue of the height of the blocks has been one of the main concerns of objectors. At the pre application stage the applicants were recommended to consider a smaller development of a similar nature to the new development at 40 Station road on the site of an old furniture warehouse and indeed a number of objectors have expressed the same suggestion.

7.16.1 However, the site is within the designated Wimbledon/ Colliers Wood/ South Wimbledon Intensification/Opportunity Area and as such is subject to greater weight being given to the suitability of taller buildings being developed in the area. The location on the edge of a town centre that is within the designated area has an emerging context of more dense residential-led taller buildings. In this instance, the higher density residential-led mixed use scheme is considered appropriate for the locality in terms of the strategic planning goals of the GLA. The site's suitability for tall buildings is supported by both Policy CS 14 of the Merton Core Strategy and Policy SD 1 of the Local Plan which identify Colliers Wood as an area that may be an appropriate location to accommodate higher density development including tall buildings. That is subject to the 19 storey Brown and Root Tower (Now known as Britannia Point) remaining as the pinnacle building in terms of height. Consequently the proposal would accord with Part B of Policy D9 of the London Plan as the 13 storey block would remain some six storeys lower than Britannia Point.

7.16.2 In addition to that building there is a degree of precedence in the wider area with the 12 storey block at Mizen Heights on St Georges/ Christchurch Road to the south east and the recently approved 10 storey blocks of flats on the High Path estate to the west.

7.16.3 GLA officers are of the view that the height and mass of the building appropriately responds to the challenges and opportunities of this site in strategic planning terms and as was shown at the Benedict Wharf application the GLA is generally supportive of taller buildings that can provide policy compliant levels of affordable housing. The findings of the public enquiry at the Burlington Road Tesco site where the Inspector approved towers of up to 14 storeys in height would demonstrate that the need to provide more housing within London whilst not impinging on Green belt and MOL means that there is a consistent drive towards greater height provided that the scheme is otherwise policy compliant and accord with policies such as London Plan policy D9 which states that tall buildings should be of an exemplary quality, reinforce the spatial hierarchy, and aid in legibility and wayfinding.

7.16.4 Policy D9 sets out a number of criteria and considerations in relation to tall buildings. With regards to immediate views from the surrounding streets – its states attention should be paid to the base of the building. It should have a direct relationship with the street, maintaining the pedestrian scale, character and vitality of the street. Where the edges of the site are adjacent to buildings of significantly lower height or parks and other open spaces there should be an appropriate transition in scale between the tall

building and its surrounding context to protect amenity or privacy. There is a less pronounced step down in relation to the adjacent superstore to the east but where the drop in height is greater this is set back either by the river and its banks or the road network whilst the development at Abbey Wall Works will represent a more gradual reduction on that side.

- 7.16.5 D9 sets out that whether part of a group or stand-alone, tall buildings should reinforce the spatial hierarchy of the local and wider context and aid legibility and wayfinding. As shown earlier there are other tall buildings in the area and this proposal would aid in wayfinding in the area.
- 7.16.6 Tall buildings should provide architectural quality and materials of an exemplary standard to ensure that the appearance and architectural integrity of the building is maintained through its lifespan. Whilst design is a subjective matter the design of this proposal is considered to have been developed with regard to its context and to use an attractive and appropriate palette of materials that would meet these requirements.
- 7.16.7 The buildings are considered to have been designed with safety in mind and to meet the tests of functionality set out in Policy D9 including the provision of employment, good access to transport facilities, no impact or disturbance to the surrounding public realm, not interfere with surrounding public spaces or with aviation. The impact on heritage sites is discussed elsewhere but it is considered that the proposals accord with policy D9.

7.17 Site Layout

Originally proposed as single building the proposal has evolved into the current two tower arrangement with the slight offset between the two building footprints. The layout of the buildings, public space, parking, servicing, footpaths, site routes and the footbridge have been an ongoing process and one which the GLA consider to 'appear to be logical'. The buildings of 8 and 13 storeys would locate the taller of the two closer to the town centre which is consistent with the surrounding building hierarchy whilst reducing the impact towards the heritage assets at Merton Abbey Mills.

- 7.17.1 It is acknowledged that the site is a confined one but it considered that the layout has been well designed to provide all that is needed on site, whilst looking to blend in well with the river front. The existing site is something of an island site and the new footbridge is intended to enhance connectivity through the site and integrate it with the existing public realm to the east and west. This is intended to enhance connectivity not only for residents but also to facilitate the commercial uses to work efficiently and to site comfortably within the location. Officers concur with colleagues at the GLA officers and share the opinion that the site layout is efficient and appropriate for the location and proposed uses, and as such raises no concern of strategic importance.

7.18 Public Realm

Whilst the site fronts the River Wandle and the existing building is surrounded on three sides by foliage it is not readily accessible from the public realm and its appearance is generally one of a neglected poor quality natural environment. This proposed redevelopment of the site incorporates substantial public realm improvements along the river front including a new foot bridge that would connect the river path on the western bank to the town centre via the site.

- 7.18.1 The nature of the works are such that much of the new areas of public realm would be in the form of new hard and soft landscaping features intended to blend the natural soft landscaping around the river into the more urban hard surface environment of the town centre. It is intended that the areas of public realm retain many of the established trees to provide visual and acoustic screening for the site. On the more urban edges of the site by Merantun Way there is a need for more hardstanding areas to facilitate servicing but these would be softened by landscaping strips and the planting of 13 of the proposed 21 new trees on the site. Footpaths through the site as well as seating areas are proposed to make the site more of a destination and integrate it with the commercial uses.
- 7.18.2 During the evolution of the proposal it has been noted by officer that considerable efforts have been made by the applicant to ensure that the proposed public realm would be an attractive, safe, functional and inviting area that relates to the site and its surrounding. Policy D8 of the London Plan seeks to ensure that the public realm is well-designed, safe, accessible, inclusive, attractive, well-connected, related to the local and historic context, and easy to understand, service and maintain. Landscape treatment, planting, street furniture and surface materials should be of good quality, fit-for-purpose, durable and sustainable. It is considered that these proposals accord with that policy as well as Merton's policy DM D1 to ensure a high quality of design for buildings and places within the borough. It is recommended that a condition be attached in order to secure appropriate management and maintenance arrangements of these areas.

7.19 Impact on the heritage assets

- 7.19.1 In considering the impact of a proposal upon a heritage asset that is a listed building the decision 'should have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'. For this application the assessment has to be made in terms of the impact on the Wandle Valley Conservation Area and upon those buildings at Merton Abbey Mills, namely two Grade II listed buildings the Wheel House and Colour House at Misters Liberty's Printworks. Additionally a number of locally listed buildings are also located in the vicinity of these Grade II listed buildings including the Showhouse, the Long Shop, the 1929 Shop, the Apprentice Shop, the Coles Shop and the Block Shop.
- 7.19.2 To support the application and to assist in determining the level of harm caused by the development upon surrounding heritage assets a Heritage and Townscape, Visual Impact Assessment (HTVIA) has been submitted in accordance with the requirements of the NPPF and London Plan. In terms of the impact upon the character of the WVCA, the HTVIA states that at present, the existing building on site is of low architectural quality and detracts from the character of the WVCA.
- 7.19.3 The erection of two blocks of this height and scale will be readily apparent from most of the surrounding area including the conservation area and the historic buildings at Merton Abbey Mills with a resultant impact on their context. The GLA found that 'In terms of bulk and mass, the increase on site is significant, however it is consistent with other nearby buildings that, although somewhat further away are also visible from the heritage assets in question. Further, in strategic terms, the proposed massing is somewhat representative of the expected emerging context of the opportunity area in which it is located.'
- 7.19.4 The HTVIA found that the historic significance of the Mills buildings was largely defined by the clustering of the buildings rather than their actual setting, other than by being next to the river, which was otherwise dominated by 20th Century development. The

proposed blocks will form a backdrop to these buildings when viewed from the south although it is noted that from other orientations backdrops include electricity pylons, the Sainsbury's/M&S building (Previously a wood mill), a KFC drive through and a Travelodge, compared to all of which this proposal is considered to be a markedly more attractive backdrop.

7.19.5 London Plan Policy D9 relating to tall buildings states that proposals should take account of, and avoid harm to, the significance of London's heritage assets and their settings. Proposals resulting in harm will require clear and convincing justification, demonstrating that alternatives have been explored and that there are clear public benefits that outweigh that harm. The buildings should positively contribute to the character of the area. Whilst the new blocks are considered a better backdrop than others in the area it is acknowledged that the current site is quite low level and open above that building line and therefore there would be some level of harm to the setting of the historic buildings. However given the quality of the design and the materials of the new blocks as well as the benign nature of a residential development it is considered that this level of impact/harm would be 'less than substantial harm to the significance of these designated heritage assets'. In such a case the NPPF requires that this level of harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. In this instance the public benefit would be the provision of 46 Affordable units and 70 market units, the improvements to the public realm along the riverbank and the provision of flexible commercial space on site. In view of which the benefits are considered to outweigh the impact on the heritage assets.

7.20 Impact on neighbouring amenity

London Plan policy D3 and SPP policy DM D2 require that proposals do not have an unacceptable and materially harmful impact on neighbour amenity. The proposed height of the buildings has generated a lot of objection from neighbouring residents concerned about the impacts including loss of light and overshadowing, visual intrusion and loss of privacy.

7.20.1 To support the application it was accompanied by a Daylight, Sunlight and Overshadowing Report compiled by GIA Chartered Surveyors. They undertook a technical daylight, sunlight and overshadowing assessment of the scheme to understand the potential effect of the development on the daylight and sunlight amenity of the relevant neighbouring properties. An assessment of the daylight quality within a comprehensive sample of units comprising the proposed development has also been undertaken.

7.20.2 Sunlight

The testing related to the following properties which GIA have identified as relevant for daylight and sunlight assessment:

- 40 Station Road
- 42, 44 & 46 Dane Road
- 18-32 and 33-41a Mill Road

The remaining surrounding residential properties are either too far away to be affected by the implementation of the proposed development or do not have habitable windows facing the development Site. Detailed daylight and sunlight assessments have therefore not been undertaken to these properties

7.20.3 Two sites failed to meet Building Research Establishment guidelines both in Vertical Sky Component and No Sky Line.

VSC provides an assessment of the amount of skylight falling on a vertical plane (generally a window) directly from the sky, in the circumstance of an overcast sky (CIE standard). The national numerical value target “ideal” for VSC is 27%. The BRE Guidelines advise that upon implementation of a development, a window should retain a VSC value of 27% or at least 0.8 of its former value (i.e. no more than a 20% change).

The NSL calculation assesses where the sky can and cannot be seen from inside a room at the working plane, *“in houses the working plane is assumed to be horizontal and 0.85m high”*. The change in position of the NSL between the existing and proposed scenario is then calculated.

- 7.20.4 40 Station Road is a new development of apartments on the other side of the river to the application site
The report found that an isolated number of site-facing windows assessed in this property will experience minor reductions in VSC and NSL beyond the recommendations of BRE Guidelines. However, it is noted that the majority of these windows serve bedrooms, which carry less significance in daylighting terms in accordance with the BRE. All living rooms will remain fully compliant for NSL.
- 7.20.5 The report noted that all windows will retain in excess of 18% VSC and continue to meet the recommended Average Daylight Factor level for new development. This calculation considers not only the amount of skylight falling on the vertical face of the window, but also the glazing size, transmittance value, average reflectance, room area and room use. It is therefore a more detailed analysis of the daylight levels within a room. For sunlight, the results are fully BRE compliant and overall, the daylight and sunlight effects are satisfactory and would not cause unacceptable harm.
- 7.20.6 32 Mill Road is a nearby end of terrace house. The report found that a number of site-facing windows assessed in this property will experience reductions in VSC beyond the recommendations of BRE Guidelines. However, it is noted that the retained levels are in excess of 20% VSC and the rooms will experience good levels of daylight distribution as evidenced by the NSL test. 6.25 For sunlight, the results are fully BRE compliant and overall, the daylight and sunlight effects are satisfactory and would not cause unacceptable harm.
- 7.20.7 The daylight and sunlight analysis has been considered by reference to the criteria and methodology within the Building Research Establishment Guidelines (2011), which when published, recognised that it should not form a mandatory set of criteria, rather it should be used to help and inform design.
- 7.20.8 The results of the assessments highlight BRE compliance for the majority of the windows and rooms tested. Overall, 70% of neighbouring windows meet the BRE daylight recommendations for Vertical Sky Component and 88% of neighbouring rooms meet the recommendations for No Sky Line. For sunlight, 100% of rooms served by predominantly south-facing windows meet the recommended Annual Probable Sunlight Hours levels.
- 7.20.9 An isolated number of site-facing windows and rooms in neighbouring properties will experience reductions in daylight beyond the recommendations of BRE Guidelines due to the atypical daylight levels afforded by the part vacant existing site.
- 7.20.10 Where transgressions of the BRE Guidelines occur, the results demonstrate retained VSC values of generally above 20%. This is considered an acceptable retained value for a site within an urban location, particularly when read in conjunction with the NSL results.

- 7.20.11 Where neighbouring properties are served by outdoor amenity space, the overshadowing results demonstrate full (100%) BRE compliance. In addition, the proposed play area and public amenity space comprising the Proposed Development have been assessed for Sun Hours on Ground and the results demonstrate full BRE compliance.
- 7.20.12 For internal daylight and sunlight, the comprehensive sample of rooms tested within the Proposed Development were found to be fully compliant with the recommendations of the BRE Guidelines.
- 7.20.13 Overall, when constructing buildings in an urban environment, alterations in daylight and sunlight to adjoining properties are often unavoidable. This is especially true when sites are of low height with open car parking areas (such as the subject site), which creates an atypical baseline from which to assess the daylight and sunlight effects of new development. As such, the numerical guidance given in the BRE document should be treated flexibly.
- 7.20.14 The report concludes that based on the underdeveloped context of the Site and its position within an Opportunity Area, the Proposed Development is appropriate in its context and the changes in daylight and sunlight satisfy Policy DM D2 of the Local Plan and Policy CS 14 of the Core Strategy.

7.20.15 Overshadowing

The results of the report testing demonstrate that all neighbouring back gardens will achieve BRE compliance by receiving more than two hours of sunlight to over 50% of their area on March 21st or experience reductions of less than 0.8 times of their former value. The overshadowing effects to neighbouring back gardens will be negligible and fully BRE compliant.

In addition, the proposed play area and public amenity space comprising the Proposed Development have been assessed for Sun Hours on Ground and the results demonstrate full BRE compliance.

- 7.20.16 Based on this technical assessment of Daylight and sunlight it is considered that there would be insufficient harm caused to warrant a robust refusal of the application on the grounds of loss of light and overshadowing.

7.21 Loss of privacy

SPP policy DM D2 and London Plan policy D3 seek to protect neighbour amenity from a loss of privacy and this has been raised as a common concern of neighbouring residents. There are neighbouring properties in proximity to the site on the other side of the River Wandle, the closest of which are 21m (measured horizontally) away. However, what is not evident in plan form are the number and size of the mature trees that are on that western bank of the river. These trees are considered to provide a significant screen between the properties on either side of the river and whilst upper floors will be above the top of the trees, as the units get higher the relative distance between properties increases and the ability to discern any details decreases as does the level of material harm to privacy.

7.22 Noise pollution

SPP policy DM EP2 aims to ensure that development is managed to minimise its impact on the local environment and residential amenity. The application was accompanied by a Noise Impact Assessment which noted that the building services plant will need to be designed to achieve suitable noise emission limits at the nearest noise sensitive premises. It is proposed that the rating noise level from external building services plant, as defined within BS 4142, should be limited to a level 5 dB below the typical background level at the nearest noise sensitive receiver. According to BS 4142, this would result in a low impact. The limits shall apply at 1 m from the façade of the nearest noise sensitive receptors. This was considered acceptable by environmental health officers who agreed a wording for an appropriate condition for this to be assessed.

- 7.22.1 For internal noise levels It is proposed that the development will be designed to achieve internal sound levels in line with the guidance set out within BS 8233: 2014. In addition, maximum sound levels in bedrooms at night will be designed not to exceed 45 dB LAmax,f more than 10-15 times per night, in line with WHO guidance.
- 7.22.2 In view of these factors it is considered that noise levels from the development and within it would fall within standard parameters of acceptability and would not be grounds for the refusal of the proposal.

7.23 Transport, parking and cycle storage

- 7.23.1 Merton SPP Policy DM T2 seeks to ensure that development is sustainable and has minimal impact on the existing transport infrastructure and local environment. Policy DM T3 seeks to ensure that the level of residential and non-residential parking and servicing provided is suitable for its location and managed to minimise its impact on local amenity and the road network.
- 7.23.2 Core Strategy Policy CS20 and SPP Policy DM T5 requires that development would not adversely affect pedestrian or cycle movements, safety, the convenience of local residents, street parking or traffic management, that that they minimise any impacts on the safe movement of people or goods, are appropriately located and connected to the road hierarchy; respect the streets character and environment.
- 7.23.3 London Plan Policy T2 seeks to promote and demonstrate the application of the Mayor's Healthy Streets Approach to: improve health and reduce health inequalities; reduce car dominance, ownership and use, road danger, severance, vehicle emissions and noise; increase walking, cycling and public transport use; improve street safety, comfort, convenience and amenity; and support these outcomes through sensitively designed freight facilities.
- 7.23.4 London Plan Policy T6 considers that car-free development should be the starting point for all development proposals in places that are (or are planned to be) well-connected by public transport, with developments elsewhere designed to provide the minimum necessary parking ('car-lite'). Car-free development has no general parking but should still provide disabled persons parking.
- 7.23.5 The site has a PTAL of 3-4 which is considered good to very good. The site is also bounded by Controlled Parking Zones, CPZs SW to the west, S3 and CW1 to the north, CW 2 & CW 5 to the east
- 7.23.6 The application was accompanied by a Transport Assessment that has been amended following the comments of officers. The purpose of the (TA) is to consider the transport implications of the proposals with regard to transport policy and existing and future site

conditions. It provides an assessment of the modal trip generation associated with the development and includes details on the construction and operation of the site. The TA, along with the Framework Travel Plan have been formulated to accord with the principles of the Mayor's Healthy Streets Approach, with the aim of encouraging residents to walk, cycle, and use public transport.

7.24 Car parking

The issue of car parking and site servicing was another significant concern amongst objectors who felt that with no on-site parking for 116 flats and their visitors this would put unacceptable pressure on parking in the area. There is no policy requirement for minimum car parking provision and indeed policies increasing discourage car ownership. The development is proposed to be car-free with the exception of five Blue Badge car parking spaces which would accord with London Plan Policy T6.1. Three of those spaces would be provided on site while the remaining two would be electric car-club parking spaces (with the potential to be suitable for people with mobility impairments) that would also be located adjacent to the blue badge parking, within Station Road west of the site's boundary. All the car parking will be provided with Electric Vehicle Charging Points. The GLA have supported this but noted that the three blue badge spaces on the site should be provided with electric vehicle charging infrastructure in order to accord with Policy T6.1. It is recommended that this should be secured by condition which also would ensure that the parking would be monitored, managed and enforced through a Parking Design and Management Plan.

Given that the site is surrounded by CPZ's it is recommended that the parking be controlled via a S106 agreement preventing parking permits from being issued

7.25 Cycle parking

Core Strategy Policy CS18 seeks to promote active transport by requiring new development to provide cycle parking, it encourages design that provides, attractive, safe, covered cycle storage, cycle parking and other facilities (such as showers, bike cages and lockers).

7.25.1 London Plan Policy T5 requires developments to provide appropriate levels of cycle parking which should be fit for purpose, secure and well-located. Developments should provide cycle parking at least in accordance with the minimum standards set out in Table 10.2. The proposal provides a total of 198 long-stay and 4 visitor cycle bays. It is also understood that ten of the residential long-stay cycle parking spaces will be allocated for adapted cycles.

7.25.2 A total of three long stay commercial cycle parking spaces will be provided as part of the development. These will be located within the commercial units. Commercial visitor cycle parking, comprising 24 spaces, will be provided within the urban realm in the form of Sheffield stands. These will be located in close proximity to the commercial units and along the river frontage

7.25.3 Foldable Brompton bikes and an e-cargo bike will be available for day-long rental on site. The Brompton bikes will be accessible from a centrally located Brompton dock, situated between the two residential buildings and the e-cargo bike will be available for hire from one of the commercial units. They will be available for hire to all users and will not be restricted to residents or tenants. It is envisaged that e-scooters will be available in the future for hire, also from a centrally located dock.

7.25.4 A bike repair facility, will be provided and will be accessible to the public free of charge. The repair station will serve as an appropriate location for cyclists to stop when using the Wandle Trail.

7.25.4 In line with the aims of Vision Zero, there may be scope to provide safety improvements for pedestrians and other road users in the area. This could include implementing signage along Morden Road (location where PIA data shows a cluster of two serious accidents on Morden Road (A219) at the junction with The Path) to alert all road users to the presence of cyclists and other vulnerable road users.

7.26 Healthy Streets and Active Travel Zone

In terms of healthy streets, due to the provision of cycle storage facilities and a lack of on-site parking, the proposed development would see an increase in pedestrian and cycle trips to and from the site. Additionally the scheme would deliver new pedestrian access points, a new pedestrian footbridge over the River Wandle and an access ramp into the site. These factors would be positive Healthy Streets indicators in relation to reducing car dominance, improving accessibility and permeability through the site, and promoting sustainable and active travel in accordance with Policy T2 of the London Plan.

7.26.1 Following feedback the Transport Assessment (TA) was amended to include an accident analysis and to identify Vision Zero improvements. Vision Zero for London aims to eliminate all deaths and serious injuries on London's transport system.

7.26.2 The GLA noted that Transport for London (TfL) has a Healthy Streets scheme on the A24 Meranton Way and Station Road which seeks to deliver infrastructure improvements for pedestrians and cyclists and there is unimplemented consent for works to the listed wall to improve access to the quiet cycle route through Morden Hall Park. The GLA requested that a contribution towards these improvements is secured through the S106 agreement however that consent predates this application and it is unclear how funding unrelated works is appropriate.

7.26.3 The application was accompanied by a Framework Residential Travel Plan. This identifies that the scheme would have a Travel Plan coordinator to implement and monitor various initiatives including;

- All new residents will be provided with a travel pack at the start of the tenancy/ upon purchase of an apartment. The travel pack will contain the following information: An introduction to the TP, Links to local bus service timetables, Local pedestrian and cycle routes within the vicinity of the site and Full details of all measures promoted in the TP and the benefits to residents.
- a TP information board located within a communal area (i.e. the reception) to provide information to both residents and visitors of the alternative transport options available.
- management, promotion, and marketing measures, to promote the use of sustainable modes of transport and reinforce the aims and objectives of the TP
- A personalised journey planning service will also be offered to the residents
- Marketing materials such as posters, Public transport information including route maps and timetables, Walking and/or cycling route maps and a description of distance, time, and routes for travelling from the site to key local destinations on foot and by public transport
- Monitoring the Travel plan and Action Plan for five years through surveys

7.26.4 It is recommended that the details set out within the Travel Plan be secured by via a S106 obligation to ensure compliance with active transport and healthy streets policies.

Covering costs of monitoring a travel plan would need to be secured via a S106 obligation as a condition cannot cover this.

7.27 Refuse

7.27.1 Merton Core Strategy Policy CS17 requires new developments to demonstrate integrated, well-designed waste storage facilities that will include recycling facilities.

7.27.2 London Plan Policies SI 7 and SI 8 identifies that in order to manage London's waste sustainably, the waste management capacity of existing sites should be optimised and developments should be designed with adequate, flexible, and easily accessible storage space and collection systems that support, as a minimum, the separate collection of dry recyclables (at least card, paper, mixed plastics, metals, glass) and food.

7.27.3 The proposals provide each block with its own central refuse storage facility on the ground floor of each block with the proposal being that on the relevant designated collection days the site management company/companies will arrange for the bins to be moved to a designated refuse collection point near the entrance to the site. The bins will wait at this location for collection by the council's contractors and the bins then returned to the stores by the site's employees.

7.28 Circular Economy

London Plan 2021 aims for London to be a zero-carbon city by 2050 and so Policy SI 7 requires major applications to develop Circular Economy Statements. The accompanying statement sets out what measures would be incorporated at the site, through the design progression and construction phase to ensure that the principles of a circular economy are met. Officers concur with those at the GLA that the statement appears to be prepared in accordance with the Circular Economy Statement Guidance. It is recommended that a suitable condition be imposed to ensure that those initiatives outlined within the statement to reduce waste and encourage reuse are secured.

7.29 Sustainability

7.29.1 London Plan Policies SI 2 and SI 5 expects a minimum on-site reduction of CO2 emissions at least 35 per cent beyond Building Regulations for major developments. Residential development should achieve 10 per cent, and non-residential development should achieve 15 per cent through energy efficiency measures. Where it is clearly demonstrated that the zero-carbon target cannot be fully achieved on-site, any shortfall should be provided, in agreement with the borough, either: 1) through a cash in lieu contribution to the borough's carbon offset fund, or 2) off-site provided that an alternative proposal is identified and delivery is certain. Development proposals should also achieve mains water consumption of 105 litres or less per head per day.

7.29.2 London Plan Policies SI 2 and Merton Core Strategy Policy CS15 seeks to maximise opportunities for on-site renewable energy, this includes the use of solar photovoltaics, heat pumps and solar thermal. London Plan policy SI 2 requires that development proposals should calculate whole life-cycle carbon emissions through a nationally recognised Whole Life-Cycle Carbon Assessment and demonstrate actions taken to reduce life-cycle carbon emissions.

7.29.3 A Whole Life Cycle Carbon Assessment was carried out and this report concludes that an option for reducing emissions is to use cement replacements within concrete applications whereby 50% of the cement content to be used in the substructure concrete is replaced with Ground Granulated Blast Furnace Slag (GGBS) whilst this replacement is at 25% for the superstructure concrete. This would save 2.37% in the while life cycle emissions over the 60 year life span of the buildings. Condition 26 covers this.

7.30 Biodiversity

7.30.1 Whilst much of the existing site is covered by a building and a concrete forecourt the remainder of the site benefits from a greener environment of unmanaged dense continuous scrub and an area of broadleaved woodland to the north with a designated Green Corridor extending along the riverbank. Greenspace in the vicinity includes Wandle Park and Wandle Meadow Nature reserve 330m and 700m north respectively. To the south greenspace is slightly scarcer, with the nearest area of greenspace, Morden Hall Park, located 970m from site. All of these areas are connected to the site via the River Wandle corridor. A proposal such as this will impact that natural environment and policies including SPP policy DM O2, Core strategy Policy CS13 and London Plan policies G1 & G7 seek to protect and enhance biodiversity as well as London's network of green and open spaces, and green features in the built environment which should be protected and enhanced. Green infrastructure should be planned, designed and managed in an integrated way to achieve multiple benefits whilst managing impacts on biodiversity with an aim to secure net biodiversity gain.

7.30.2 Cognisant of the importance of local biodiversity and proactive in terms of capitalising on the benefits of an attractive riverfront location the applicants have undertaken a number of ecological studies to support the application.

7.30.3 A Biodiversity Impact Assessment compiled by Greengage accompanied the application. This assessment aimed to establish the change in ecological value of the site in light of the proposed development, taking into account direct and indirect impacts. The London Plan mandates a 10% uplift in biodiversity value.

7.30.4 A Preliminary Ecological Appraisal site visit was undertaken on 14th February 2020 and included a desk study and Phase 1 habitat survey, following best practice guidance and methodology. This survey sought to identify and classify habitats present on site and to identify the potential for the site to support notable and/or protected species.

7.30.5 The appraisal identified five distinct habitats on site, Semi-natural broadleaved woodland, Dense/continuous scrub, Mesotrophic running water, Amenity grassland with scattered trees and Hardstanding. To calculate the ecological value of the pre- and post-development sites, the Dept. Environment, Farming and Rural Affairs Metric 2.0 methodology was utilised, following best practice guidance from DEFRA and joint guidance from CIEEM Chartered Institute of Ecology and Environmental Management, IEMA Institute of Environmental Management and Assessment and CIRIA Construction Industry Research and Information Association.

7.30.6 This metric uses Biodiversity Units (separated into habitat, hedgerow and river units) as a proxy for the ecological value of area or linear based habitats. The areas of each habitat parcel are measured, with each parcel assigned a 'Distinctiveness' and 'Condition' score. Distinctiveness is a default score for that habitat classification, representing its inherent ecological value, whereas condition refers to the state each parcel is in relative to a predetermined set of criteria outlined in the supplementary

Defra Metric 2.0 guidance. Strategic significance is a measure of whether the location is of ecological benefit beyond the context of the site itself.

7.30.7 For post-development habitat areas, additional multipliers are applied taking into account the time taken to reach maturity and difficulty of creation of the habitats. An assessment of the predicted change in ecological value is undertaken comparing the Biodiversity Units and assessing percentage change. Trading down of habitats (from higher to lower distinctiveness) is not permitted.

7.30.8 Using this data the report concluded that under the development proposals, the development stands to result in a **net gain of 0.42** biodiversity units associated with area-based habitats from pre-development levels and **0.19** river units. This constitutes a **net gain of 69.64%** for area-based habitats and **32.23%** for river units, exceeding the future 10% net gain mandate to be set out in the Environment Bill 2021 currently on its 3rd reading in the House of Lords.

7.30.9 Details of the ecological mitigation, compensation and enhancement measures, confirmed as required following the suite of phase 2 protected species surveys, should be incorporated into an Ecological Management Plan (EMP) which should be secured by planning condition.

7.30.10 A Bat Survey Report compiled by Greengage was submitted with the application. The survey aimed to establish the relative levels of bat activity at the site and identify spatial and temporal trends in the ways in which bats use the site in order to identify an approach to mitigation for foraging and commuting bats, in light of the proposed development works.

The survey;

- Identified high levels of foraging from common pipistrelles (*Pipistrellus pipistrellus*) and soprano pipistrelles (*Pipistrellus pygmaeus*) over the river and riverbanks on site. Terrestrial habitats were considered to be of negligible value for foraging bats. Activity levels were highest in August 2020 and lower in spring and autumn of 2020.
- Visual observations made during transect surveys indicate that the site is of high importance for a low number of bats, with the peak count of bats being four at any time.
- No swarming or roosting was detected.
- The proposed development may result in minor loss of foraging habitat on the riverbanks and increases in local lighting levels. However, avoidance and mitigation recommendations are made including:
- Implementation of a Construction Environment Management Plan (CEMP) to ensure there are no impacts to the river during construction phases. Additionally, this should detail lighting controls during construction. enhancement of the riverbanks and river channel where all trees on the riverbanks are sought to be retained throughout the scheme. This will provide a valuable screen to prevent any potential light spill from the development hitting the valuable foraging habitat within the internal river channel.
- installation of living roofs and installation of bat boxes within the built form of the new development
- All lighting for the proposed development will be designed in line with Bat Conservation Trust and Institute of Lighting Professionals guidance. Specifically:
- Illumination should be completely avoided in areas where it is not strictly necessary;

- Light spill onto the trees on the eastern riverbank and river corridor is to be minimised insofar as possible. This should be achieved through external lighting featuring no upward lighting ratio, lighting columns being as low as possible and directional and establishment of buffer zones;

7.30.11 Should recommendations within this report be set out, proposals stand to result in no adverse impacts on foraging and commuting bats, in line with relevant planning policy.

7.30.12 Because of the riverside location a Riparian Mammal Survey Report has been prepared by Greengage Environmental Ltd. This survey aimed to establish the presence/likely absence of water vole and otter from the site and to identify a suitable approach to mitigation in light of the survey results. However the survey confirmed the likely absence of water vole and otter from the site. All field signs of riparian mammals recorded were attributable to brown rat. As such there is no formal mitigation required but the report did recommend that the Construction Environment Management Plan (CEMP) should provide detail on avoidance and mitigation of potential impacts to the riparian habitats.

7.31 Trees and landscaping

7.31.1 Policy DM O2 seeks to protect trees, hedges and other landscape features of amenity value and to secure suitable replacements in instances where their loss is justified whilst London Plan policy G7 states that Development proposals should ensure that, wherever possible, existing trees of value are retained.¹⁴⁰ If planning permission is granted that necessitates the removal of trees there should be adequate replacement based on the existing value of the benefits of the trees removed, determined by, for example, i-tree or CAVAT or another appropriate valuation system.

7.31.2 The application was accompanied by a Tree Survey and Arboricultural Impact Assessment compiled by Greengage Environmental Ltd the purpose of which was to provide an assessment of the arboricultural value of the trees based on their current quality and to provide recommendations, to help inform any initial design and site layout considerations.

7.31.3 34 Trees were identified and categorised on the site and they are generally either associated with the western boundary, which runs along the banks of the River Wandle, or the eastern boundary which are on a verge at the entrance to the adjacent supermarket.

7.31.4 The majority of trees associated with the Wandle are categorized as B2 due to their landscape value. Most are sycamores (*Acer pseudoplatanus*) located on the eastern bank of the River Wandle which contribute to the recreation value and character of the area. They also provide a valuable visual screen, blocking the sight of the development site from the river corridor when in full leaf. They have all been heavily pruned on the eastern side to prevent conflict with the existing building. The trees themselves are not particularly good specimen and many are ivy smothered and show low vigor, however they still deliver landscape contribution.

7.31.5 Trees along the eastern boundary are of poor quality. Whilst they provide some limited landscape and screening value, the trees are in poor condition with many health defects. Horse chestnut (*Aesculus hippocastanum*) trees in this area all suffer from bleeding canker on the main stems, and the sycamore trees all feature heavy leans

on the main stems or are growing around/engulfing waste materials dumped at their base.

7.31.6 Of the 34 trees on the site 11 trees require removal to facilitate the scheme. This includes one category B and ten category C trees. Five of the category C removals have extensive horse chestnut bleeding canker and have limited prospects in their current setting. These are shown within the accompanying report but need to be removed because

- T1 requires removal to facilitate the proposed below-ground services and the site entrance from Station Road.
- T2 requires removal to facilitate the proposed below-ground services and the site entrance from Station Road.
- T22-T26 are horse chestnuts in poor health. Some require removal due to conflicts with the proposed building footprint and to facilitate planting of higher quality specimen.
- T27-T30 are poor sycamores and ash trees to be removed due to either conflict with the proposed building footprint or to facilitate improved public realm area planting.

7.31.7 The remaining trees would be retained and it is recommended that a detailed methodology for tree retention and protection should be set out in an Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) for the site, be secured through planning condition.

Tree planting is proposed across the site to compensate for the loss of arboricultural value. Removed trees will be replaced with higher quality specimens including alder (*Alnus glutinosa*), cherry (*Prunus avium*), apple (*Malus sp.*), lime (*Tilia cordata*), hornbeam (*Carpinus betulus*) and birch (*Betula pubescens*). This will constitute an improvement in the arboricultural value of the site.

7.31.8 The replacement planting would be along the southern and eastern boundaries to restore the screening/landscape value of removed trees. These planted areas will also activate the public realm at the site entrance and along the eastern boundary to provide a safer and improved entrance to the adjacent supermarket. There is also additional tree planting in the central play space. Officers concur with the reports recommendation that the proposed landscaping should be subject to a 5-year management plan to ensure long-term deliverance of the proposals which may be secured through planning condition. Any trees or shrubs that die, are removed or severely damaged within the first 5-years should be replaced with a similar specimen.

7.31.9 In addition to the tree planting and landscaping the proposals involve improvement to the riverbank vegetation through removal of invasive non-native species (INNS) and establishment of native riparian vegetation. The existing riverbanks are currently dominated by bramble (*Rubus fruticosus agg.*) with very few other herbs. Also present is Japanese knotweed (*Fallopia japonica*), and Himalayan balsam is also present in the immediate vicinity of the site with both species on schedule 9 of the Wildlife and Countryside Act (1981),. Additionally, species listed by the London Invasive Species Initiative (LISI) were also found, these include: Buddleia (*Buddleja Davidii*), Cherry Laurel (*Prunus laurocerasus*); and Snowberry (*Symphoricarpos albus*). Proposals will seek the suppression of brambles and removal of INNS and establishment of native riparian planting reflective of naturalised chalk stream riverbanks.

7.31.10 In view of all these factors it is considered that the proposals will improve the quality of the local natural environment and through the adherence to the expert appraisal recommendations and the imposition of suitable conditions enhance and increase the biodiversity of the area to the betterment of the wider area.

7.32 Urban Greening

London Plan G 5 states that Major development proposals should contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage. B Boroughs should develop an Urban Greening Factor (UGF) to identify the appropriate amount of urban greening required in new developments. The UGF should be based on the factors set out in Table 8.2 of the plan, but tailored to local circumstances. In the interim, the Mayor recommends a target score of 0.4 for developments that are predominately residential.

7.32.1 An Urban Greening Factor Assessment compiled by Greengage Environmental Ltd was submitted with the application. The assessment seeks to quantify the quality and quantity of urban greening, soft landscaping and habitat creation on site for biodiversity and water regulation. In order to establish if the proposal will meet the UGF requirement of 0.4 areas of each post-development habitat classification were measured using the proposal drawings and each parcel is matched to the closest typology within the London Plan. Each area is multiplied by the factor for that specific typology, and all factor scores are totalled and divided by the total site area to get the UGF score. The UGF methodology is solely concerned with post-development habitats. Therefore, it doesn't take into account pre-development habitats and doesn't compare pre- and post-development scores. As such, it is not within the UGF methodology to quantifiably assess whether the proposals will improve conditions at site.

7.32.2 Having assessed and extrapolated the results the report concludes that a UGF of 0.4469 would be the result. The target for predominantly residential developments is 0.4, therefore proposals exceed the target by approximately 0.05 and would consequently accord with the requirements of policy G5.

7.33 Flood risk and drainage

London Plan policy SI 12 and SPP policy DM F1 seek to ensure that developments are not at risk from nor contribute to flooding or increased flood risk. Despite the close proximity to the River Wandle the site is in Flood Zone 1 and has a low probability of flooding from groundwater, fluvial and tidal sources and a very low probability of surface flooding. Areas of Flood Zone 3 are located to the west of the site associated with the river. The application was submitted in conjunction with a Flood Risk Assessment and Drainage Strategy. The report sets out to demonstrate that the proposed development has a low risk of flooding from tidal, fluvial, pluvial, groundwater and artificial sources. It also confirms that surface water runoff from the site can be managed sustainably to ensure that flood risk is not increased elsewhere.

7.33.1 In order to ensure no impact on flood storage in the 1 in 100 plus climate change (35%) event there would be no development or changes in ground level proposed below 14.13m Above Ordnance Datum.

- 7.33.2 Consultation was undertaken with the EA to agree the offsets (distance from the building to the waterway) provided to the River Wandle and on the design parameters for the proposed pedestrian footbridge. The current offset from the River Wandle to the existing building is a minimum of 1.7m. As agreed with the EA, the proposals achieve a 6.5m offset to the river along the main part of the site at ground floor level. The northern building is generally offset 6.5m or more from the top of bank at ground level, with a pinch point of 6.0m. The southern building is offset a minimum of 7.8m at ground level and much greater than this in the south of the Site.
- 7.33.3 These offsets would provide a fully accessible pathway adjacent to the River Wandle, something which is not the case at present. Whilst there are no flood defences in this location, appropriate easements have been incorporated to ensure maintenance of the River Wandle bank can take place, as and when required.
- 7.33.4 In line with EA guidance the bridge is designed so as to be higher than flood water levels and would not impede the river flow at these times or impact on floodplain storage.
- 7.33.5 As the proposals involve works within 8m of the top of bank a Flood Risk Activity Permit would need to be obtained prior to any physical works taking place.
- 7.33.6 Policy SI 13 Sustainable Drainage states that development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible. The report confirms that the proposed surface water drainage system would be designed to convey surface water only, with foul water being discharged separately. The design would be in accordance with BS EN 752 – Drain and Sewer Systems Outside Buildings, BS EN 12056 – Gravity Drainage Systems Inside Buildings, and Approved Document H of Building Regulations and in order to achieve this it is proposed that geo-cellular tanks will be provided in both catchments to attenuate runoff before discharging to the River Wandle.

7.34 Site contamination

SPP policy DM EP4 seeks to minimise pollution and protect residents and the environment from its effects. Due to the existing commercial nature of the site, its use for rail tracks and a timber yard and its proximity to the former paper and card mills that occupied the adjacent Sainsbury's/M&S site as well as other surrounding industrial uses a Combined Geo-environmental Desk Study and Ground Investigation Report was submitted with the application.

- 7.34.1 The report assessed a number of elements which included the potential for unexploded ordnance. A Preliminary UnExploded Ordnance Risk Assessment was carried out in accordance with CIRIA (Construction Industry Research and Information Association) C681 [10] and in addition to the consideration of the potential for aerial delivered UXO, consideration was also given to mitigation factors, namely: (i) the extent of post-war development; and (ii) the extent of proposed intrusive works. The assessment concluded that the risks associated with UXO are Moderate therefore a detailed UXO risk assessment is required prior to any extensive earthworks. Consequently it is recommended that a condition to that effect is attached to any consent for the redevelopment of the site in the interest of safety.
- 7.34.2 The report involved a number of core samples which were analysed for potential pollutants. It considered that the Made Ground a potential source of contamination due to recorded elevated concentrations of some contaminants. These have the potential to impact people, controlled waters (River Wandle), aquifer (Secondary), and below ground infrastructure (water supply pipework and concrete). The report set out a

number of risks that have been identified as being above Low which will require mitigation as part of development.

- 7.34.3 The report was considered by the council's Environmental Health team which recommended that the imposition of standard contamination mitigation and verification conditions, as much of the site is covered by the building there was a limitation on how extensive the report surveys could be and so a contamination assessment would still be required.

8. ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS.

The applicants submitted requests for a screening opinion because the proposal site falls within a small outer boundary area of the Scheduled Ancient Monument, Merton Priory. As such the proposals comprise Schedule 2 Part 10(b) development due to part of the site falling within the curtilage of a defined 'sensitive area' i.e. a scheduled monument within the meaning of the Ancient Monuments and Archaeological Areas Act 1979. These matters have been assessed by officers and determined not to require an EIA submission

9. CONCLUSION

- 9.1 The loss of the previously established use as a children's soft play area is not considered to be contrary to policy and the proposals will provide new commercial spaces for use within the new E Use Class. The building which housed the indoor play barn activity is one with little architectural merit and its demolition is considered to be acceptable.
- 9.3 The two new blocks of flats that will replace the building have been subject to a protracted design process such that they are now considered by officers to be an appropriate design for the site. Overall the proposal will provide 70 market units in the taller North block and 46 affordable units within the South block thereby making a significant contribution to Merton's housing target of over 900 units per annum. In addition to the new housing and commercial opportunities the proposals provide a new footbridge across the Wandle and improvements along that currently neglected side of the river as well as improvements to the wider public realm.
- 9.4 The two blocks, at up to 13 storeys they are significantly higher than the adjacent residential area. However as they are located within a designated intensification and opportunity area they are on a site that has been designated as being appropriate for taller buildings and they can be seen within the wider context of taller buildings at Britannia Point, Christchurch Road and on the High Path Estate as well as within the context of the recent appealed scheme on Station Road and the bulk and massing of the neighbouring Sava Centre
- 9.5 The height makes the blocks readily visible from neighbouring properties, the adjacent Wandle Valley Conservation Area and the listed buildings at Merton Abbey Mills. Officers judge that the visual impact to the heritage assets would not be considered 'significant' and that the benefits of the proposals in the form of more housing including affordable housing significantly outweigh other considerations in this instance.
- 9.6 Despite the height of the proposals they have been shown not to be materially harmful to the amenity of neighbours. The results of the daylight and sunlight assessment highlight BRE compliance for the majority of the windows and rooms tested. Overall, 70% of neighbouring windows meet the BRE daylight recommendations for Vertical Sky Component and 88% of neighbouring rooms meet the recommendations for No Sky Line

whilst the overshadowing effects to neighbouring back gardens will be negligible and fully BRE compliant. The presence of a dense tall mature woodline on the western bank of the river would mitigate the impact of overlooking and privacy for neighbouring residents.

9.7 The site is quite compact and requires space for the buildings themselves as well as for land to service them and for the provision of amenity and play space. It is considered that the balance of uses is acceptable and all the units would meet the minimum standards for amenity space. It is acknowledged that the site is only able to provide sufficient dedicated play space for the under fives with older children needing to utilise nearby public parks and open spaces. However the following factors fall within the consideration of the impacts of this, i) Child play policy gives greater emphasis to catering for the under fives and this would be met in this instance. ii) Reducing the height of the buildings would not provide more space for play areas and iii) smaller schemes such as the one next door at 40 Station Road are not required to provide any child play space. Therefore whilst the provision of more play space would be ideal it is not considered that the lack of on-site space for older children would have sufficient negative impact as to warrant a refusal of the proposal and that greater weight may be attached to the merits of a significant uplift in housing and affordable housing.

9.7 The new residential units will all meet the required internal and external space standards and whilst only 72% are dual aspect there are none that are north facing. The development will be car free but provide disabled parking with electric vehicle charging capacity and space for delivery vehicles. Cycle and refuse facilities are located at ground floor and with no residential accommodation at that level the proximity of the river to the site is not considered an issue for flooding residential accommodation and the site is within the lower flood risk category.

9.8 In view of all these factors it is considered that the proposals, when considered in the round, may reasonably be supported broadly according with key relevant planning policies. The proposals will provide much needed new homes including a welcome element of affordable housing within an attractive development that optimises the potential of the site with attractive buildings set within an improved river side environment and consequently the proposals are recommended for approval.

RECOMMENDATION

Grant planning permission subject to any direction from the Mayor of London
a S106 agreement and conditions

- Permit free development.
- Off site car club bays.
- Carbon-offset contributions of £110,853
- Public realm improvements including bridge maintenance
- Affordable housing provision.
- Monitoring of the Travel Plan
- 'Be Seen' energy monitoring

1. A1 Commencement of Development
2. A7 Approved Plans Site location plan and drawings;

172_GSA_XX_XX_DR_A_2000W2-02, 172_GSA_XX_00_DR_A_2100W2-10,
 172_GSA_XX_01_DR_A_2101W2-07, 172_GSA_XX_02_DR_A_2102W2-08,
 172_GSA_XX_03_DR_A_2103W2-04, 172_GSA_XX_04_DR_A_2104W2-08,
 172_GSA_XX_05_DR_A_2105W2-08, 172_GSA_XX_06_DR_A_2106W2-08,
 172_GSA_XX_07_DR_A_2107W2-08, 172_GSA_XX_08_DR_A_2108W2-08,
 172_GSA_XX_09_DR_A_2109W2-08, 172_GSA_XX_10_DR_A_2110W2-07,
 172_GSA_XX_11_DR_A_2111W2-02, 172_GSA_XX_12_DR_A_2112W2-02,
 172_GSA_XX_RL_DR_A_2115W2-05, 172_GSA_B2_XX_DR_A_2200W2-05,
 172_GSA_B2_XX_DR_A_2201W2-05, 172_GSA_B1_XX_DR_A_2202W2-04,
 172_GSA_B1_XX_DR_A_2203W2-04, 172_GSA_XX_XX_DR_A_2210W2-02,
 172_GSA_B1_XX_DR_A_2211W2-02, 172_GSA_XX_XX_DR_A_2212W2-01,
 172_GSA_B2_XX_DR_A_2213W2-02, 172_GSA_B1_XX_DR_A_2300W2-10,
 172_GSA_B1_XX_DR_A_2301W2-10, 172_GSA_B1_XX_DR_A_2302W2-10,
 172_GSA_B1_XX_DR_A_2303W2-09, 172_GSA_B2_XX_DR_A_2300W2-10,
 172_GSA_B2_XX_DR_A_2301W2-10, 172_GSA_B2_XX_DR_A_2303W2-10,
 172_GSA_XX_XX_DR_A_2312W2-06, 172_GSA_XX_XX_DR_A_2313W2-03,
 172_GSA_XX_XX_DR_A_2314W2-03 & 172_GSA_XX_XX_DR_A_6000W2-06.

3. B1 External Materials to be Approved – No development, other than demolition, shall take place until details of particulars and samples of the materials to be used on all external faces of the development hereby permitted, including window frames and doors (notwithstanding any materials specified in the application form and/or the approved drawings), have been submitted to the Local Planning Authority for approval. No works which are the subject of this condition shall be carried out until the details are approved, and the development shall be carried out in full accordance with the approved details. **Reason:** To ensure a satisfactory appearance of the development and to comply with the following Development Plan policies for Merton: policies D4 and D8 of the London Plan 2021, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.
4. C07 Refuse & Recycling – No development shall be occupied until details a refuse management plan for the management and collection of waste on site have been submitted in writing for approval to the Local Planning Authority. **Reason:** To ensure the provision of satisfactory management methods for the storage and collection of refuse and recycling material and to comply with the following Development Plan policies for Merton: policies SI 7 and D6 of the London Plan 2021, policy CS17 of Merton's Core Planning Strategy 2011 and policy DM D2 of Merton's Sites and Policies Plan 2014.
5. D10 External Lighting – Any external lighting shall be positioned and angled to prevent any light spillage or glare beyond the site boundary.

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: policies DM D2 and DM EP4 of Merton's Sites and Policies Plan 2014.
6. Fire Statement Prior to the commencement of ground level works a Fire Safety Strategy shall be submitted to and approved in writing by the Local Planning Authority. Prior to occupation of the residential development hereby approved the

Fire safety measures detailed in the approved document shall be implemented and retained thereafter unless or until they require amendment in accordance with updated Fire Safety Regulations. **Reason** to provide a safe living environment and to reduce the risk of fire related danger in accordance with London Plan 2021 policy D12 and Merton Sites and Policies Plan 2014 policy DM D2.

7. No above ground level works shall commence until a Parking Design and Management Strategy has been submitted in writing for approval to the Local Planning Authority. No works that is subject of this condition shall be carried out until this strategy has been approved, and the development shall not be occupied until this strategy has been approved and the measures as approved have been implemented. Those measures shall be maintained for the duration of the use unless the prior written approval of the Local Planning Authority is obtained to any variation **Reason:** To ensure the provision of a satisfactory level of parking and comply with the following Development Plan policies for Merton: policies T6, T6.1 & T7 of the London Plan 2021, policy CS20 of Merton's Core Planning Strategy 2011 and policy DM T3 of Merton's Sites and Policies Plan 2014.
8. H04 Provision of Vehicle parking – The car parking area shown on the approved plan **172** GSA XX XX DR A **6000** Rev **W2-06** (Proposed Landscaping), shall be provided before the commencement of the use of buildings hereby permitted 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 T6 of the London Plan 2021, policy CS20 of Merton's Core Planning Strategy 2011 and policy DM T3 of Merton's Sites and Policies Plan 2014.
9. H5: Prior to the occupation of the development 2 metre x 2 metre pedestrian visibility splays shall be provided either side of the vehicular access to the site. Any objects within the visibility splays shall not exceed a height of 0.6 metres **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.
10. Delivery and servicing plan No above ground works shall commence until a Delivery and Servicing Plan (the Plan) has been submitted in writing for approval to the Local Planning Authority. No occupation of the development shall be permitted until the Plan is approved in writing by the Local Planning Authority and implemented in accordance with the approved plan. The approved measures shall be maintained, in accordance with the Plan, for the duration of the use, unless the prior written approval of the Local Planning Authority is obtained to any variation. **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: policy T7 of the London Plan 2021, policy CS20 of Merton's Core Planning Strategy 2011 and policies DM T2, T3 and T5 of Merton's Sites and Policies Plan 2014.
11. H13 Construction Logistics Plan to be submitted – Prior to the commencement of the development hereby permitted, a Demolition/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. The approved Statement shall be adhered to throughout the construction period unless the prior written approval of the Local Planning Authority is first obtained to any variation. **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 T4 and T7 of the London Plan 2021, policy CS20 of Merton's Core Planning Strategy 2011 and policy DM T2 of Merton's Sites and Policies Plan 2014.

12. H1 New Vehicle Access – Details to be submitted
Prior to the commencement of development, details of the proposed vehicular access to serve the development shall be submitted to and approved in writing by the Local Planning Authority, and the works as approved shall be completed prior to the first occupation of the development. **Reason:** In the interests of the safety of vehicles and pedestrians
13. H2 Vehicle Access to be provided
The development hereby approved shall not be occupied until the proposed vehicle access has been sited and laid out in accordance with the approved plans **Reason:** To ensure the safety of vehicles and pedestrians
14. Travel plan
Development to be undertaken in accordance with details with the approved Framework Residential Travel Plan Document Reference: 5403/003/007 Revision B Date September 2021 Compiled by Robert West. **Reason;** To promote active transport and healthy streets in accordance with Policy CS18 of the Merton Core Strategy and policy T2 of the London Plan 2021
15. H07 Cycle Parking – No development shall not be occupied until the secure cycle parking facilities for the occupants of, and visitors to, the development shown on the approved drawings have been fully implemented and made available for use prior to the first occupation of the development and thereafter retained for use 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 T5 of the London Plan 2021, policy CS18 of Merton's Core Planning Strategy 2011 and policy DM T1 of Merton's Sites and Policies Plan 2014.
16. Arboricultural method statement and Tree protection plan
Reason: To protect and safeguard the existing retained trees in accordance with the following Development Plan policies for Merton: policy G7 of the London Plan 2021, policy CS13 of Merton's Core Planning Strategy 2011 and policy DM O2 of Merton's Sites and Policies Plan 2014.
17. Non-standard condition (Lighting scheme) – Prior to the occupation of the development, an external lighting shall submitted to the Local Planning Authority. The proposed lighting scheme must be submitted for written approval with confirmation that the lighting plan has been approved and signed off by a licensed Bat Ecologist prior to its finalisation to ensure the scheme is suitable for bats.
Reason: To safeguard the amenities of the area, the occupiers of neighbouring properties and the wildlife/biodiversity and ensure compliance with the following Development Plan policies for Merton: policy G6 of the London Plan 2021, policies DM D2 and DM EP4 of Merton's Sites and Policies Plan 2014.

18. No development shall commence until an Ecological Enhancement Plan has been submitted to and approved in writing by the Local Planning Authority. **Reason;** To protect, enhance and mitigate the biodiversity of the site in accordance with the following Development Plan policies for Merton: policies G6 and G7 of the London Plan 2021, policy CS13 of Merton's Core Planning Strategy 2011 and policy O2 of Merton's Sites and Policies Plan 2014.
19. Ecological Management Plan (EMP)
The development shall be carried out in accordance with Chapter 5 of the Ecology Report titled 'Preliminary Ecological Assessment dated April 2021 by Greengage'. Within 6 months of the completion of the works hereby permitted, an Ecological Management Plan detailing how the mitigation measures within Chapter 5 of the report above have been complied with, shall be submitted to and approved in writing by the Local Planning Authority. **Reason;** To protect, enhance and mitigate the biodiversity of the site in accordance with the following Development Plan policies for Merton: policies G6 and G7 of the London Plan 2021, policy CS13 of Merton's Core Planning Strategy 2011 and policy O2 of Merton's Sites and Policies Plan 2014.
20. Construction and Environmental Management Plan. Prior to the commencement of construction a Construction and Environment Method Plan shall be submitted to and approved in writing by the local Planning Authority. This must also include, but not be limited to, the management and protection of the River Wandle and the application site during construction and the sequencing of works and the environmental protection measures associated with the method of working. The approved measures shall be carried out in strict accordance with the details approved. **Reason;** To reduce the risk of harm to the River Wandle and the Green Corridor from the proposed development in accordance with London Plan policies G1, G6 and SI 16.
21. No development shall take place until a landscape and ecological management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas, has been submitted to, and approved in writing by, the local planning authority. The landscape and ecological management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.
The scheme shall include the following elements:
- Plans showing the full identification and plan of the areas in relation to any new habitat created on-site.
 - Details of any proposed planting scheme (native species of local provenance should be used).
 - Details demonstrating how the river buffer zone will be protected during development and managed/maintained over the longer term including adequate financial provision and named body responsible for management plus production of a detailed management plan. Details of the longer term management of invasive non-native species should also be included in addition to details of long term biodiversity management. **Reason;** To minimise impacts on and providing net gains for biodiversity from any new proposed development in accordance with Paragraph 174 of the National Planning Policy Framework.

22. Non-standard condition (bats, protected species) –
Part A: No development shall commence until a Bat License has been applied for and granted by Natural England.

Part B: Following approval of the Bat License by Natural England, development is permitted to commence. The development shall be carried out in full accordance with the measures and recommendations set out in approved reports: Preliminary Ecological Appraisal Report (April 2021) & Bat Survey (April 2021) and any subsequently approved documents and plans relating to the protection of Bats
Reason: To ensure there is no adverse impact on priority or protected species and biodiversity in accordance with Merton Core Strategy policy CS13 and London Plan policy G6.

23. **Residential CO2 reductions and water use**

‘No part of the development hereby approved shall be occupied until evidence has been submitted to the Local Planning Authority confirming that the residential development has achieved CO2 reductions in accordance with those outlined in the energy statement (dated 11th August 2021) and wholesome 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 SI2 of the London Plan 2021 and Policy CS15 of Merton's Core Planning Strategy 2011.

24. **Non-residential CO2 reductions**

‘Unless otherwise agreed in writing by the Local Planning Authority, no part of the development hereby approved shall be used or occupied until evidence demonstrating that the development has achieved CO2 reductions in accordance with those outlined in the energy statement (dated 11th August 2021), has been submitted to and acknowledged in writing by the Local Planning Authority.’

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply the following Development Plan policies for Merton: policy SI2 of the London Plan 2021 and policy CS15 of Merton's Core Planning Strategy 2011.

25. **District Heat Networks – London Heat Networks Manual**

‘No development shall commence until the applicant submits to, and has secured written approval from, the Local Planning Authority evidence demonstrating that the development has been designed to enable connection of the site to an existing or future district heating network, in accordance with the Technical Standards of the London Heat Network Manual (2014).’ **Reason:** To demonstrate that the site heat network has been designed to link all building uses on site (domestic and non-domestic), and to demonstrate that sufficient space has been allocated in the plant room for future connection to wider district heating, in accordance with London Plan policies SI2 and SI3.

26. **Whole Life-Cycle Carbon Assessment**

Once the as-built design has been completed (upon commencement of RIBA Stage 6) and prior to the building(s) being occupied (or handed over to a new owner, if

applicable), the legal owner(s) of the development should submit the post-construction Whole Life-Cycle Carbon (WLC) Assessment to the GLA at: ZeroCarbonPlanning@london.gov.uk. The owner should use the post construction tab of the GLA's WLC assessment template and this should be completed accurately and in its entirety, in line with the criteria set out in the GLA's WLC Assessment Guidance. The post-construction assessment should provide an update of the information submitted at planning submission stage (RIBA Stage 2/3), including the WLC carbon emission figures for all life-cycle modules based on the actual materials, products and systems used. The assessment should be submitted along with any supporting evidence as per the guidance and should be received three months post as-built design completion, unless otherwise agreed in writing.

Reason: To ensure whole life-cycle carbon is calculated and reduced and to demonstrate compliance with Policy SI 2 of the London Plan.

27. The development shall be implemented with regards to the recommendations of the Circular Economy Statement compiled by Stroma Ltd which sets out what measures would be incorporated at the site, through the design progression and construction phase to ensure that the principles of a circular economy are met.
Reason To support the goals of resource conservation, waste reduction, material re-use and recycling and reductions in waste in accordance with policy SI 7 of the London Plan 2021

28. Condition – Construction Management Plan/ Dust Management Plan

1. Prior to the commencement of development, including demolition, a detailed Demolition and Construction Environmental Management Plan (DCEMP) shall be submitted to and approved in writing by the Local Planning Authority. The DCEMP shall include:

- a) An Air quality management plan that identifies the steps and procedures that will be implemented to minimise the creation and impact of dust and other air emissions resulting from the site preparation, demolition, and groundwork and construction phases of the development. To include continuous dust monitoring.
- b) Construction environmental management plan that identifies the steps and procedures that will be implemented to minimise the creation and impact of noise, vibration, dust and other air emissions resulting from the site preparation, demolition, and groundwork and construction phases of the development.

2. The development shall not be implemented other than in accordance with the approved scheme, unless previously agreed in writing by the Local Planning Authority.

Reason: To ensure the development does not raise local environment impacts and pollution in accordance with policy DM EP 4 of Merton's Sites and Policies Plan 2014.

29. Non-standard Condition – Non-Road Mobile Machinery (NRMM)

All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7

of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>

Reason: To manage and prevent further deterioration of existing low quality air across London in accordance with London Plan policy SI 1.

30. No development approved by this planning permission shall commence until a strategy to deal with the potential risks associated with any contamination of the site has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components: 1. A site investigation scheme, 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 the 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 written consent of the local planning authority. The scheme shall be implemented as approved.

Reason To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution in line with paragraph 174 of the National Planning Policy Framework and policy DM EP4 of Merton's Sites and Policies Plan 2014.

31. Prior to any part of the permitted development being occupied a verification report demonstrating the completion of 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.

Reason To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 174 of the National Planning Policy Framework and policy DM EP4 of Merton's Sites and Policies Plan 2014.

32. 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 a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site in line with paragraph 174 of the National Planning Policy Framework and policy DM EP4 of Merton's Sites and Policies Plan 2014.

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33. No infiltration of surface water drainage into the ground is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 174 of the National Planning Policy Framework and policy DM EP4 of Merton's Sites and Policies Plan 2014.

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34. 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 by a piling risk assessment that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 174 of the National Planning Policy Framework

35. Non-standard condition (Demolition and Construction Method Statement) – 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 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 T4 and T7 of the London Plan 2021, policy CS20 of Merton's Core Planning Strategy 2011 and policy DM T2 of Merton's Sites and Policies Plan 2014.

36. The development shall be carried out in accordance with the submitted flood risk assessment (ref April 2021/WIE17026-100-R-2-3-1-FRA/Waterman Infrastructure & Environment Limited) and the following mitigation measures it details:

- Ground levels shall remain as detailed in paragraph 3.3
- Setback shall be as detailed in paragraphs 3.5, 3.6, 3.7
- Bridge shall be designed as detailed in paragraph 3.9

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason

To reduce the risk of flooding to the proposed development, future occupants and not to increase flood risk elsewhere in accordance with Paragraph 164 of the National Planning Policy Framework and policy DM F1 of Merton's Sites and Policies Plan 2014.

37. Due to the potential impact of the surrounding locality on the residential development, a scheme for protecting residents from noise shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. The scheme is to include acoustic data for the glazing system and ventilation system. The internal noise levels shall meet those within B88233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings and ProPG: Planning and Noise- Professional Practice Guide, Publ: (ANC, IOA, CIEH) May 2017 as a minimum. The approved scheme shall be implemented in accordance with the agreed details

Reason To protect resident amenity from noise in accordance with London Plan 2021 policy D14 and policy DM EP2 of Merton's Sites and Policies Plan 2014.

38. D11 Construction Times – 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 D14 of the London Plan 2021 and policy DM EP2 of Merton's Sites and Policies Plan 2014.

39. No demolition or development shall take place until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and
- A. The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
 - B. Where appropriate, details of a programme for delivering related positive public benefits
 - C. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI

Reason; This pre-commencement condition is necessary to safeguard the archaeological interest on this site in accordance with London Plan 2021 policy HC1 and SPP policy DM D4.

40. The works shall be undertaken in accordance with the requirements set out in the Historic England Application for Scheduled Monument Consent Letter Ref

S00241496 dated July 2021. Reason; To ensure the protection of the Scheduled Ancient Monument in accordance with the Ancient Monuments and Archaeological Areas Act 1979 (as amended); Section 2 control of works and with London Plan 2021 policy HC1 and SPP policy DM D4.

41. Non standard –Safer by Design

A. 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 D.11 Safety, security and resilience to emergency of the London Plan.

B. 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 D.11 Safety, security and resilience to emergency of the London Plan.

Informatives

1. INF 08 Construction of Accesses – It is Council policy for the Council's contractor to construct new vehicular accesses. The applicant should contact the Council's Highways Team on 020 8545 3829 prior to any work starting to arrange for this work to be done. If the applicant wishes to undertake this work the Council will require a deposit and the applicant will need to cover all the Council's costs (including supervision of the works). If the works are of a significant nature, a Section 278 Agreement (Highways Act 1980) will be required and the works must be carried out to the Council's specification.
2. INF Traffic Management Order – Alterations to the parking bays and road markings will be carried out via a Traffic Management Order (TMO) once planning consent has been granted. The full cost of amending both shall be met by an applicant. Applicants must be aware that there could be objections to amending TMO.
3. INF 09 Works on the Public Highway – You are advised to contact the Council's Highways team on 020 8545 3700 before undertaking any works within the Public Highway to obtain the necessary approvals and/or licences. Please be advised that there is a further charge for this work. If your application falls within a Controlled Parking Zone this has further costs involved and can delay the application by 6 to 12 months.

4. INF 12 Works affecting the public highway - Any works/events carried out either by, or at the behest of, the developer, whether they are located on, or affecting a prospectively maintainable highway, as defined under Section 87 of the New Roads and Street Works Act 1991, or on or affecting the public highway, shall be co-ordinated under the requirements of the New Roads and Street Works Act 1991 and the Traffic management Act 2004 and licensed accordingly in order to secure the expeditious movement of traffic by minimising disruption to users of the highway network in Merton. Any such works or events commissioned by the developer and particularly those involving the connection of any utility to the site, shall be co-ordinated by them in liaison with the London Borough of Merton, Network Coordinator, (telephone 020 8545 3976). This must take place at least one month in advance of the works and particularly to ensure that statutory undertaker connections/supplies to the site are co-ordinated to take place wherever possible at the same time.

5. INF 15 Discharge conditions prior to commencement of work

6. INF Sustainability – 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 outputs and bespoke model outputs; **AND**
 - A copy of the Building Regulations Output Document from the approved software and the bespoke modelling outputs based on the agreed bespoke modelling methodology. The output documents must be based on the 'as built' stage of analysis and must account for any changes to the specification during construction.
 - A BREEAM post-construction certificate demonstrating that the development has achieved a BREEAM rating of not less than the standards equivalent to 'Very Good'

7. INF Water usage:

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'

8. INF Thames Water – Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website: <https://www.thameswater.co.uk/>

9. INF Thames Water – There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimise risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes: <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>.
10. INF Thames Water – The applicant is advised that their development boundary falls within a Source Protection Zone for groundwater abstraction. These zones may be at particular risk from polluting activities on or below the land surface. To prevent pollution, the Environment Agency and Thames Water (or other local water undertaker) will use a tiered, risk-based approach to regulate activities that may impact groundwater resources. The applicant is encouraged to read the Environment Agency's approach to groundwater protection and may wish to discuss the implication for their development with a suitably qualified environmental consultant.
11. INF Thames Water – Thames Water will aim to provide customers within a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
12. INF Thames Water – If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at [thameswater.co.uk/buildingwater](https://www.thameswater.co.uk/buildingwater).
13. INF Thames Water – There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide to working near or diverting our pipes: <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>.
14. GLAAS Informative The written scheme of investigation will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

The archaeological work should include:

Geoarchaeology Coring

Evidence from the geotechnical site investigation works and the two archaeological auger holes demonstrate that the surface of the natural gravel on the site is present at c 11m OD and that alluvium is present. These boreholes should be supplemented with additional archaeological boreholes to provide a transect across the site. Palaeoenvironmental samples from the boreholes should be assessed.

Geoarchaeology is the application of earth science principles and techniques to the understanding of the archaeological record. Coring involves boreholes drilled into the buried deposits to record (and sample) their characteristics, extent and depth. It can assist in identifying buried landforms and deposits of archaeological interest, usually by using the results in deposit models. Coring is often undertaken when the deposits of interest are too deep for conventional digging, or when large areas need to be mapped. It is only rarely used in isolation usually forming part of either an archaeological evaluation to inform a planning decision or the excavation of a threatened heritage asset.

Watching Brief

A watching brief should take place on ground works. The scope of the watching brief will be decided in discussions with GLAAS once final foundation designs and all landscaping plans are available.

A watching brief involves the proactive engagement with the development groundworks to permit investigation and recording of features of archaeological interest which are revealed. A suitable working method with contingency arrangements for significant discoveries will need to be agreed. The outcome will be a report and archive.

15. **Env Agency Informative:** Piling can result in risks to groundwater quality by mobilising contamination when boring through different bedrock layers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater. If Piling is proposed, a Piling Risk Assessment must be submitted, written in accordance with EA guidance document "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention. National Groundwater & Contaminated Land Centre report NC/99/73".

16. **Flood Risk Activity Permit requirements**

Please be aware that the Wandle is a designated 'main river' and under the Environmental Permitting Regulations (England and Wales) 2016, any activity in, over, under or within 8 metres of the river would require a flood risk activity permit (<https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>).

To apply for a flood risk activity permit we recommend you contact one of our Flood and Coastal Risk Management Officers at the following email address: PSO.SWLondonandMole@environment-agency.gov.uk

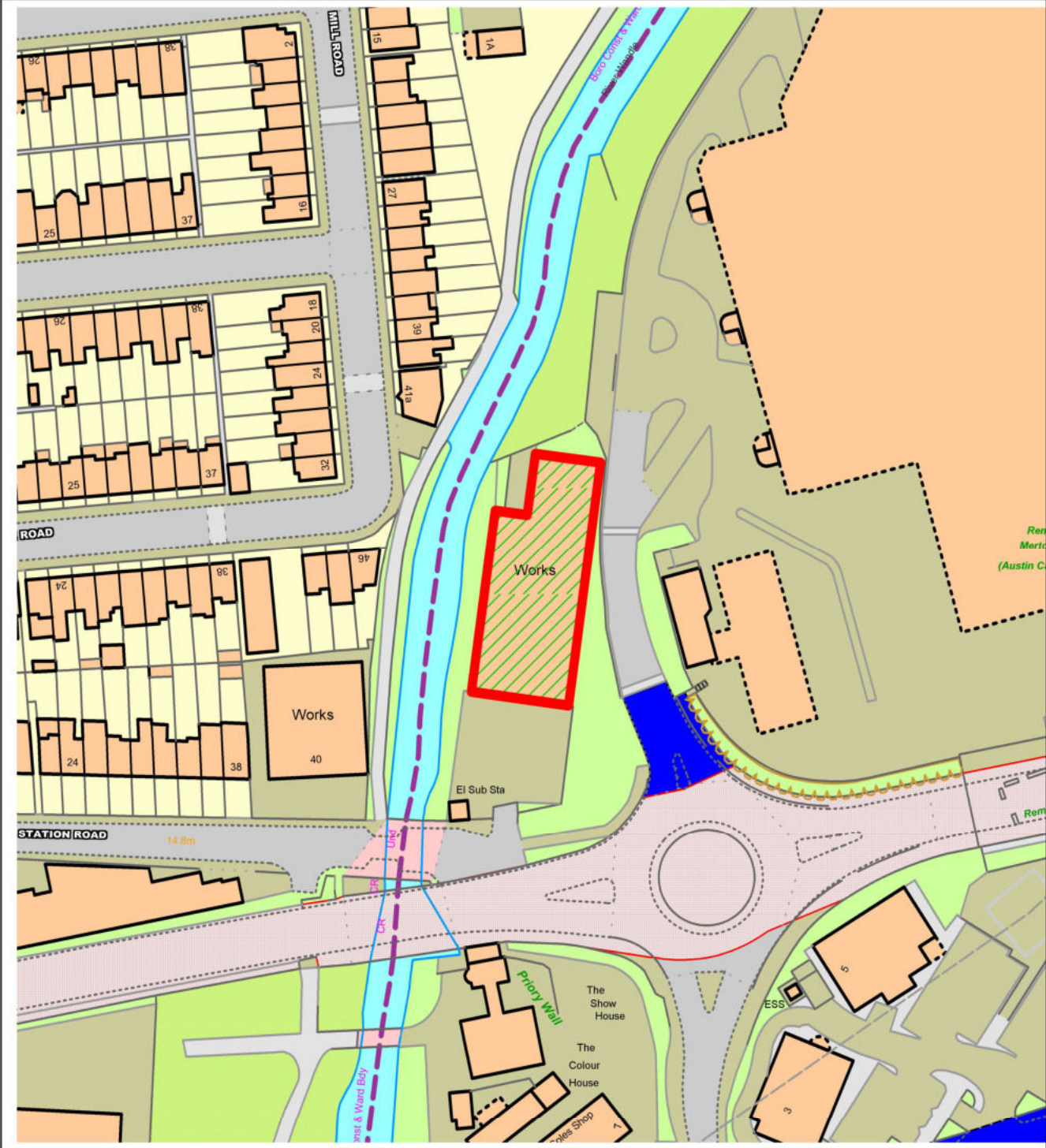
17. Inf 20 New addresses

18. Inf. The applicant is advised that prior to the commencement of works to the footbridge details for an Approval in Principle must be submitted to the council

19. NPPF Informative – approved schemes

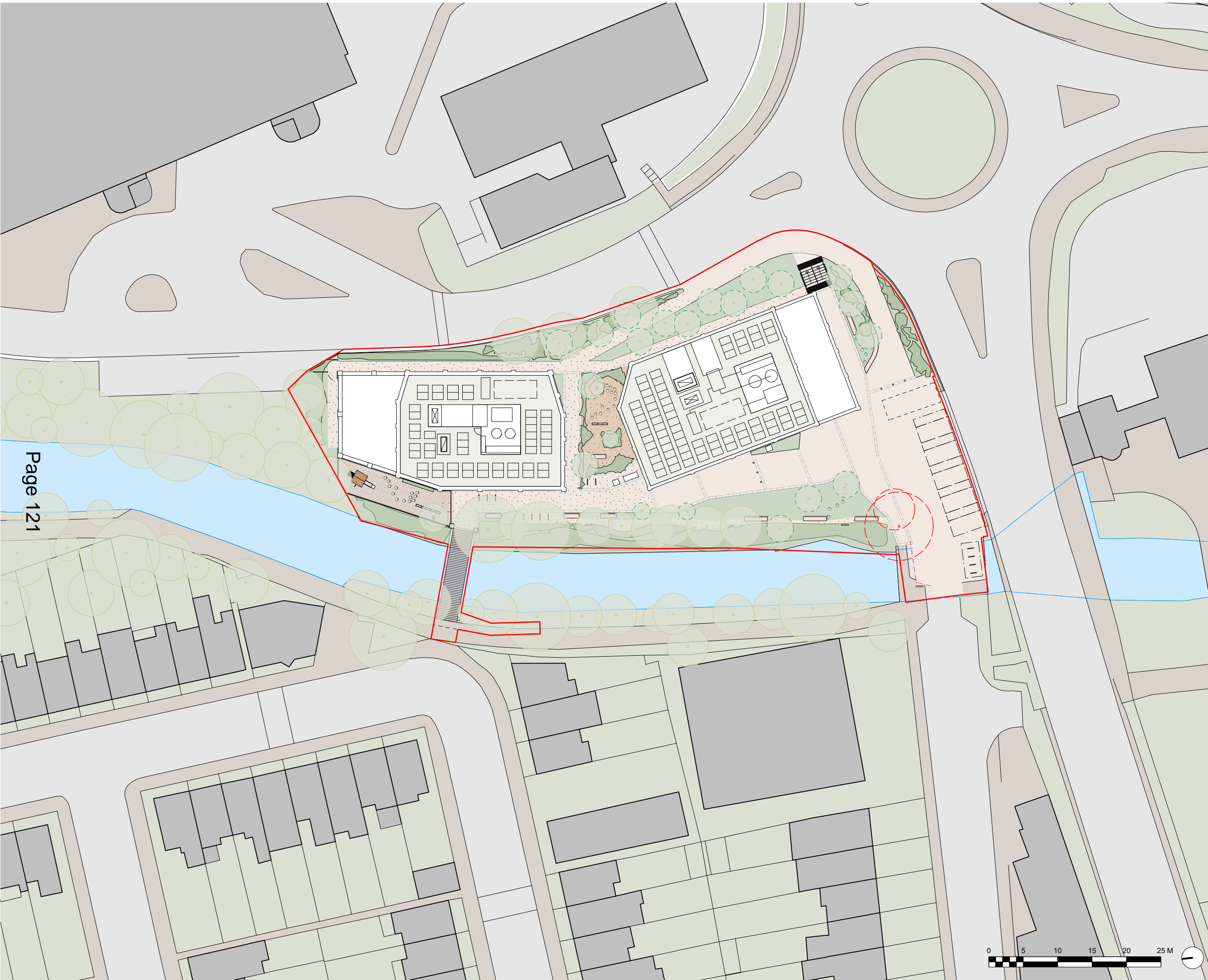
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NORTHGATE SE GIS Print Template



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Rev	Date	Description
W2-00	16/04/2021	ISSUED FOR PLANNING
W2-01	13/08/2021	Planning Amendment - Revised Public Realm
W2-02	02/09/2021	Planning Amendment - Cycle Parking Revised

Notes

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Key Plan

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Client
Hadley Property Group

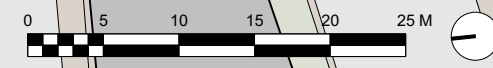
Project
Station Road, Colliers Wood

Drawing Title
Site Block Plan

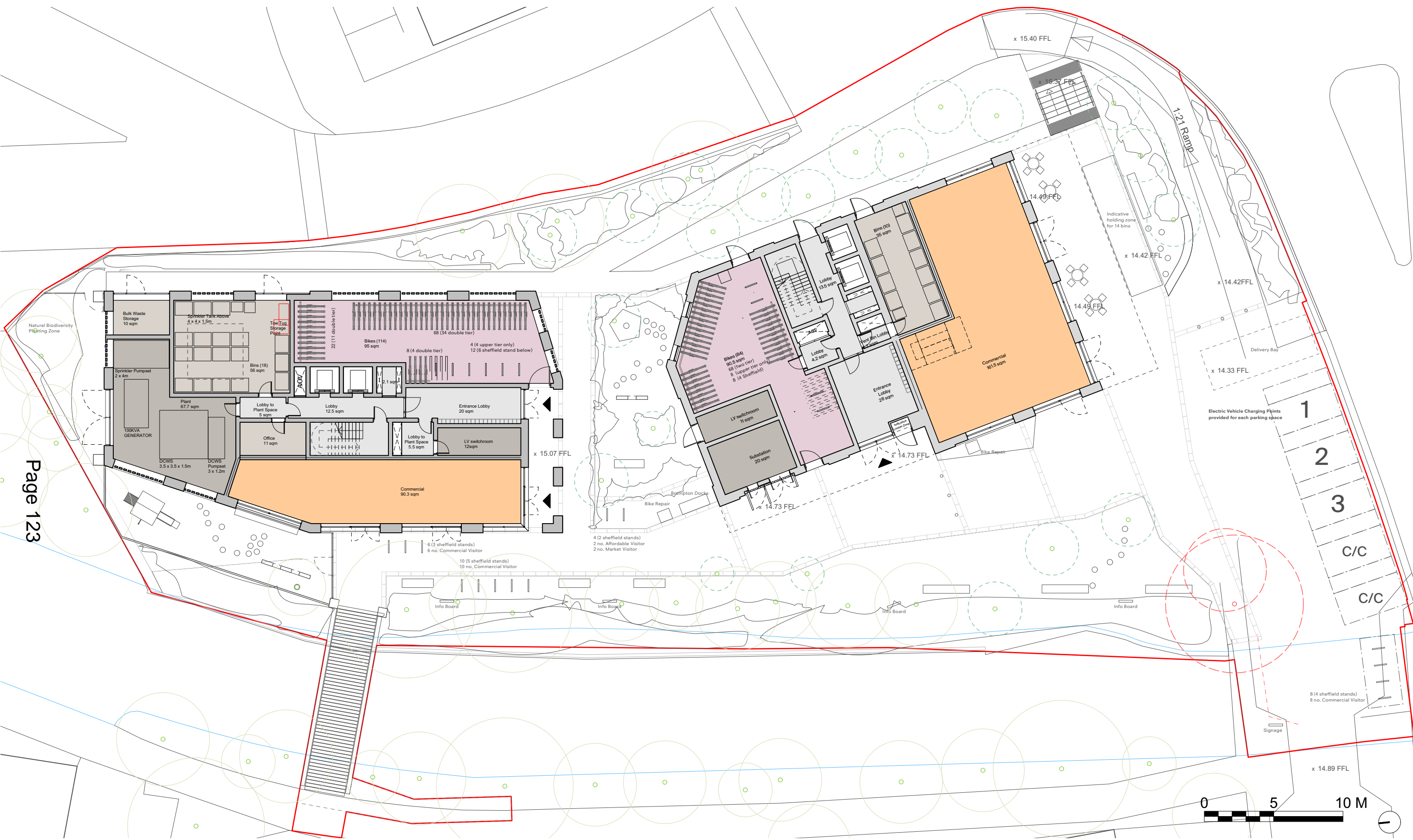
Status
PLANNING

Scale	Drawn	Checked	Date of 1st Issue
1:500@A3	MA	AC	14/07/2020

Project	Source	Zone	Level	Type	Role	Dwg. N°	Rev.
172	GSA	XX	XX	DR	A	2000	W2-02



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Rev	Date	Description	Notes	Key Plan	Architect	Drawing Title
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W2-08	16/04/2021	ISSUED FOR PLANNING				
W2-09	13/08/2021	Planning Amendment - Revised Public Realm				
W2-10	02/09/2021	Planning Amendment - Cycle Parking Revision				

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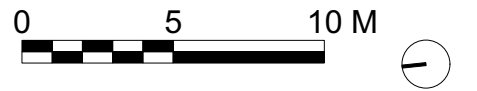
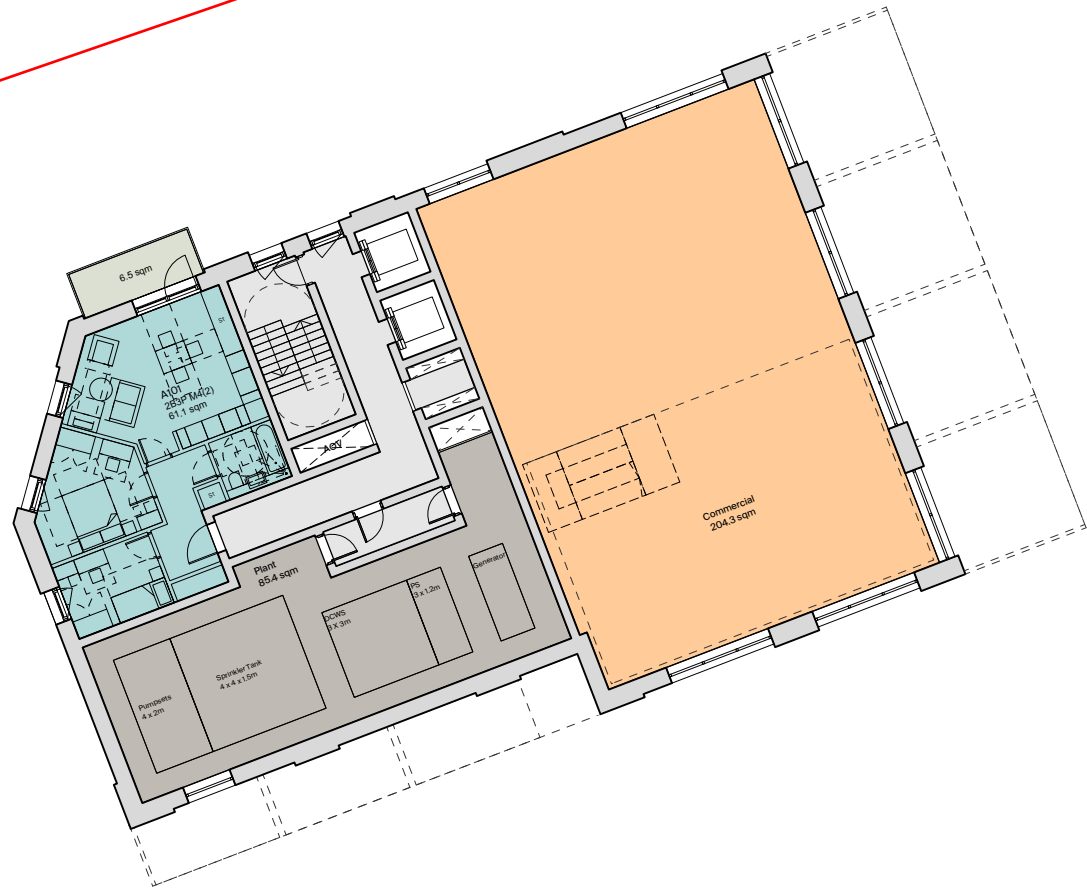
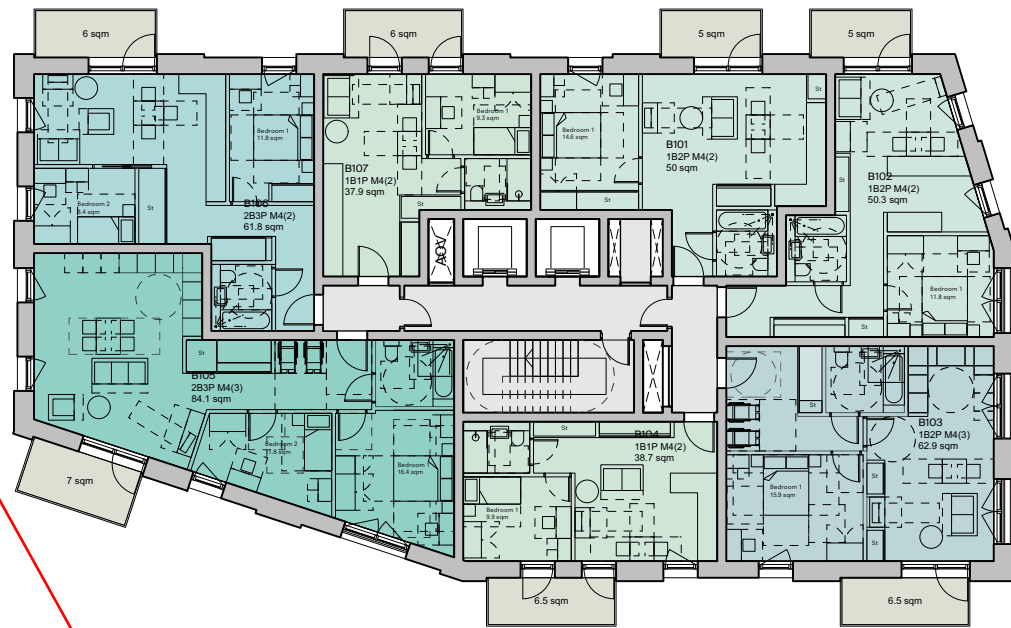
Proposed GF Plan
 Status
PLANNING

Client	Scale	Drawn	Checked	Date of 1st Issue
Hadley Property Group	1:250@A3	BH	AC	11/09/2020

Project	Project	Source	Zone	Level	Type	Role	Dwg. N°	Rev.
Station Road, Colliers Wood	172	GSA	XX	00	DR	A	2100	W2-10

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Rev	Date	Description
W2-05	19/02/2021	Design Freeze Issue.
W2-06	12/03/2021	Stage 2 Issue
W2-07	16/04/2021	ISSUED FOR PLANNING

Notes Key Plan

Architect Drawing Title

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Proposed 1F Plan

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Status

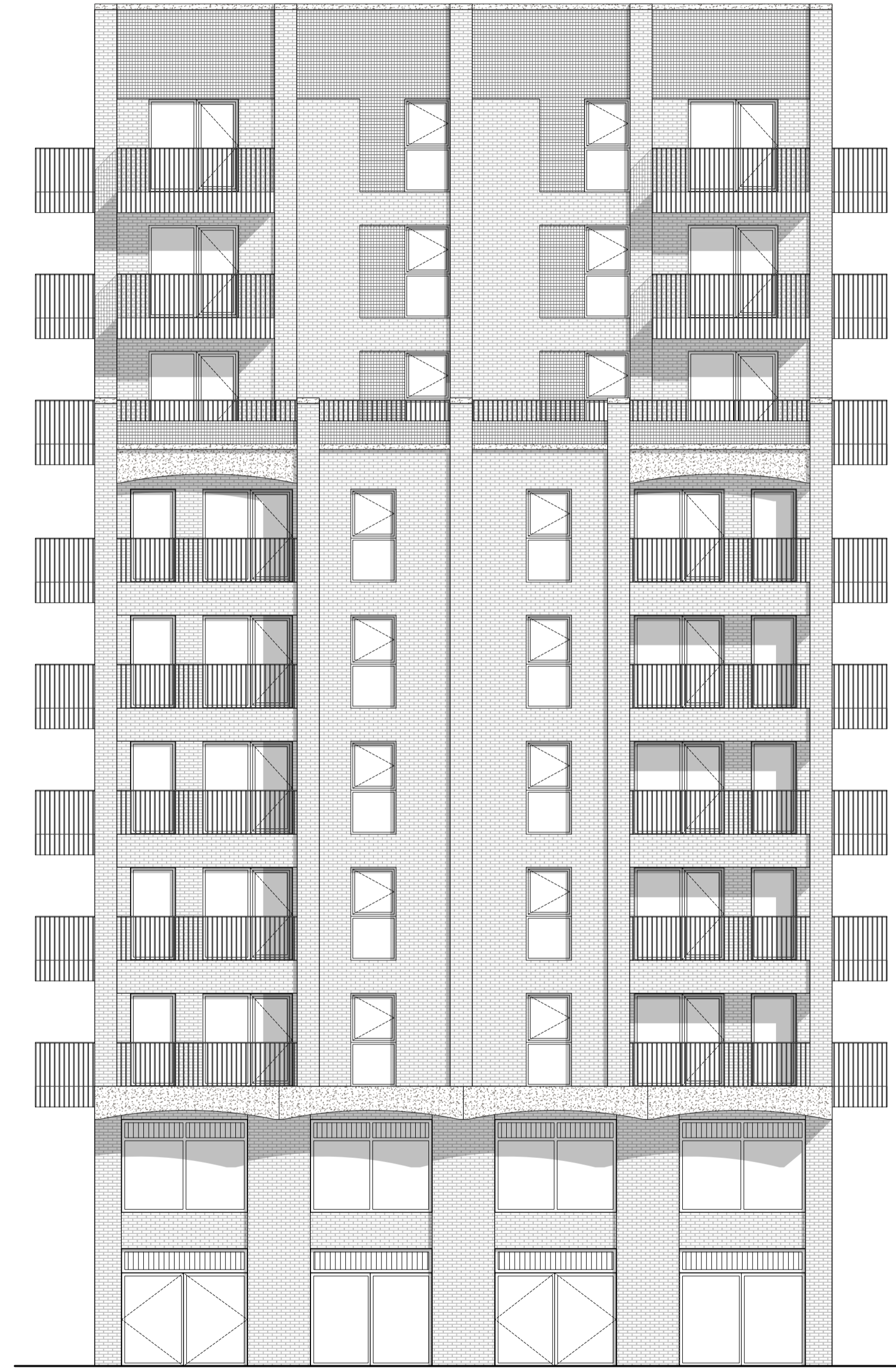
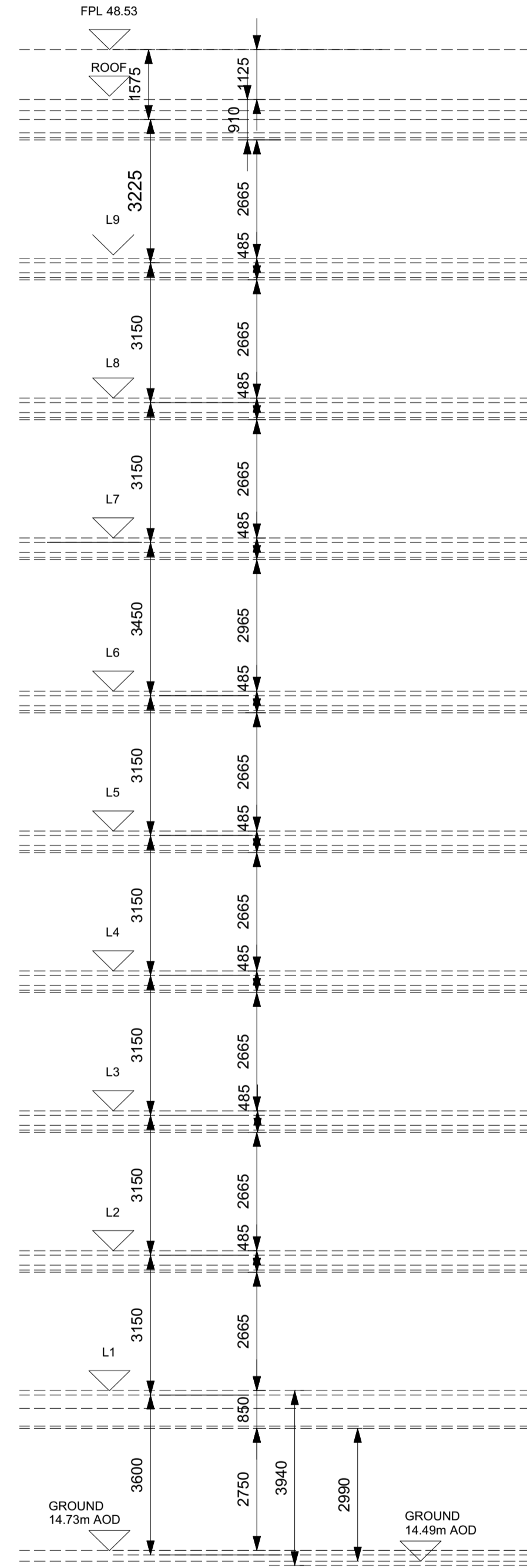
PLANNING

Client	Scale	Drawn	Checked	Date of 1st Issue
Hadley Property Group	1:250@A3	BH	AC	11/09/2020

Project	Project	Source	Zone	Level	Type	Role	Dwg. N°	Rev.
Station Road, Colliers Wood	172	GSA	XX	01	DR	A	2101	W2-07

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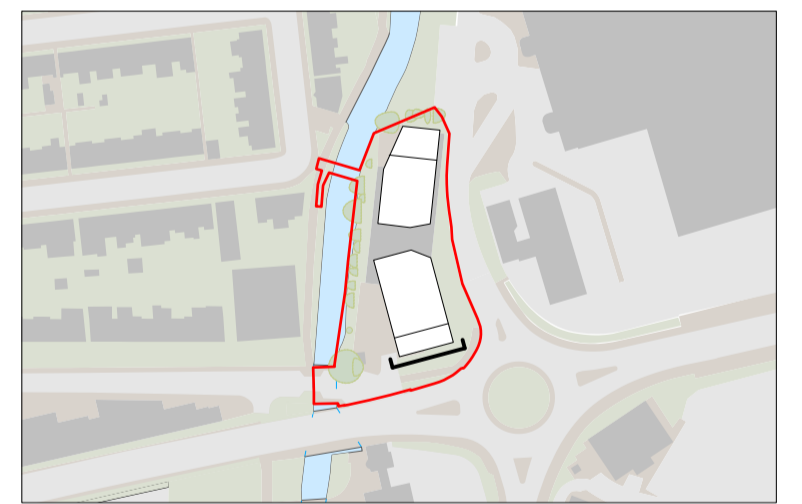
Rev	Date	Description
W2-08	12/03/2021	Stage 2 Issue
W2-09	16/04/2021	ISSUED FOR PLANNING
W2-10	09/08/2021	Southern Facade Revised_Planning Comments



Notes

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Key Plan



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Client

Hadley Property Group

Project

Station Road, Colliers Wood

Drawing Title

B1 - Proposed South Elevation

Status

PLANNING

Scale Drawn Checked Date of 1st Issue

1:100 @ A1 JP BH 11/09/2020

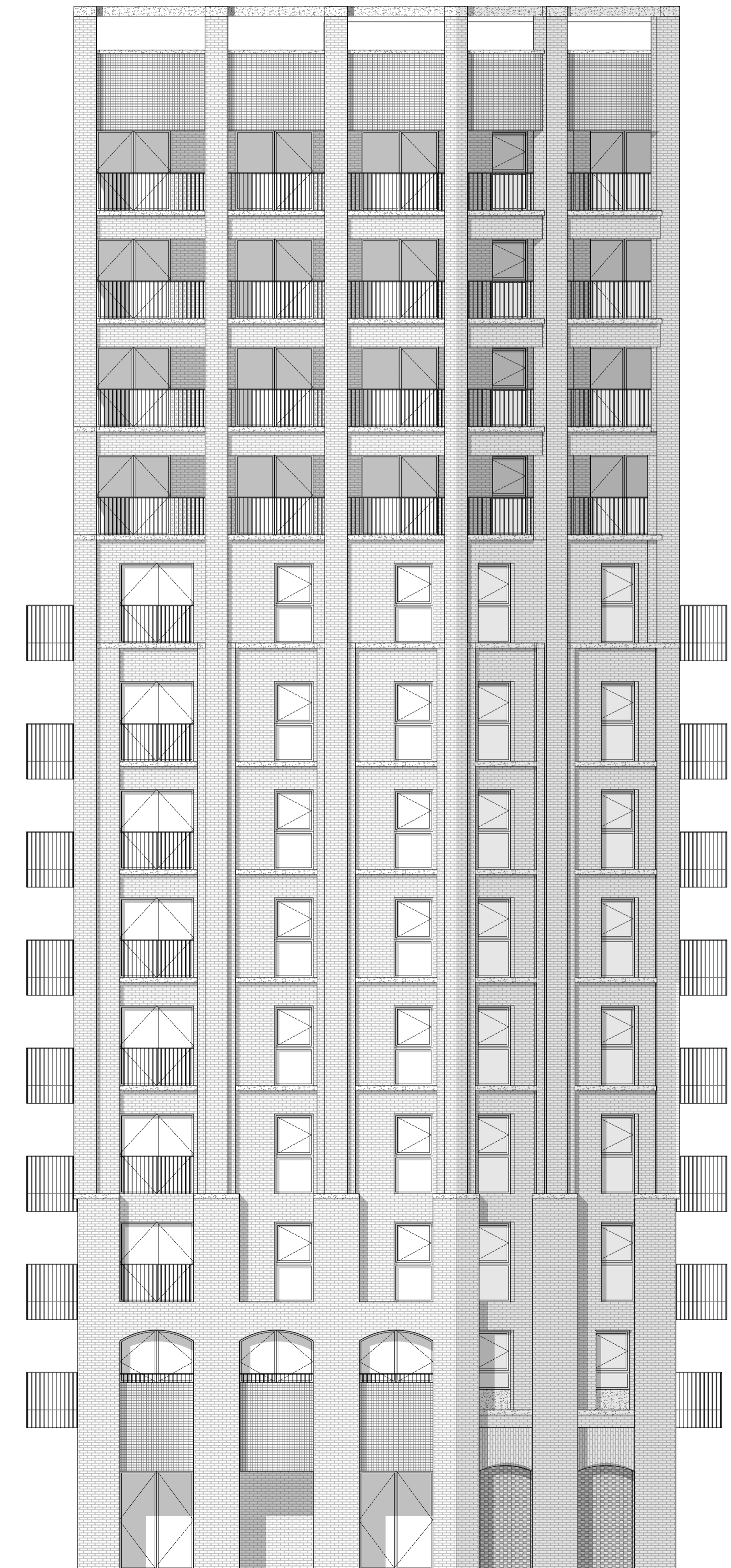
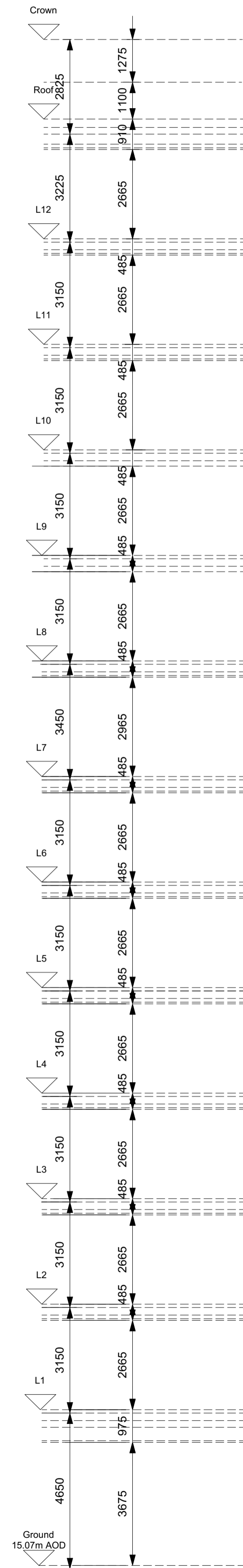
Project Source Zone Level Type Role Dwg. N^o Rev.

172 GSA B1 XX DR A 2301 W2-10



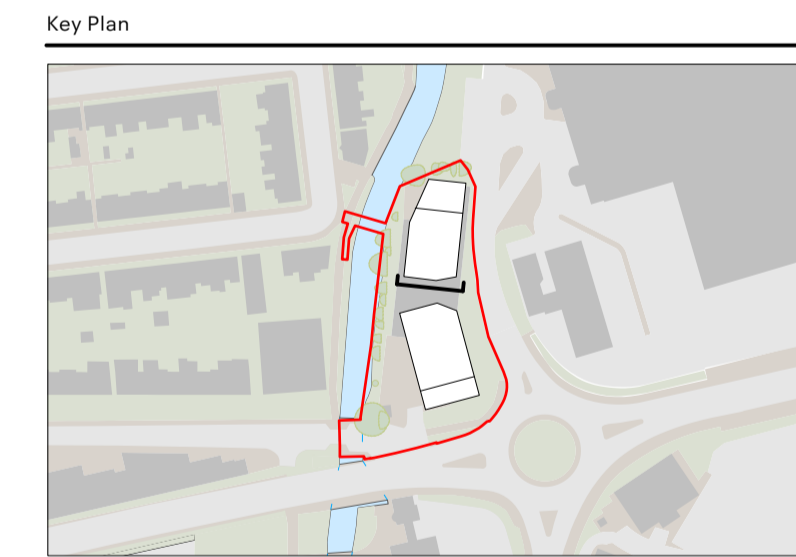
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Rev	Date	Description
W2-08	19/02/2021	Design Freeze Issue.
W2-09	12/03/2021	Stage 2 Issue
W2-10	16/04/2021	ISSUED FOR PLANNING



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Client
 Hadley Property Group

Project
 Station Road, Colliers Wood

Drawing Title
 B2 - Proposed South Elevation

Status
 PLANNING

Scale	Drawn	Checked	Date of 1st Issue
1:100 @ A1	OC	BH	11/09/2020

Project	Source	Zone	Level	Type	Role	Dwg. N ^o	Rev.
172	GSA	B2	XX	DR	A	2301	W2-10



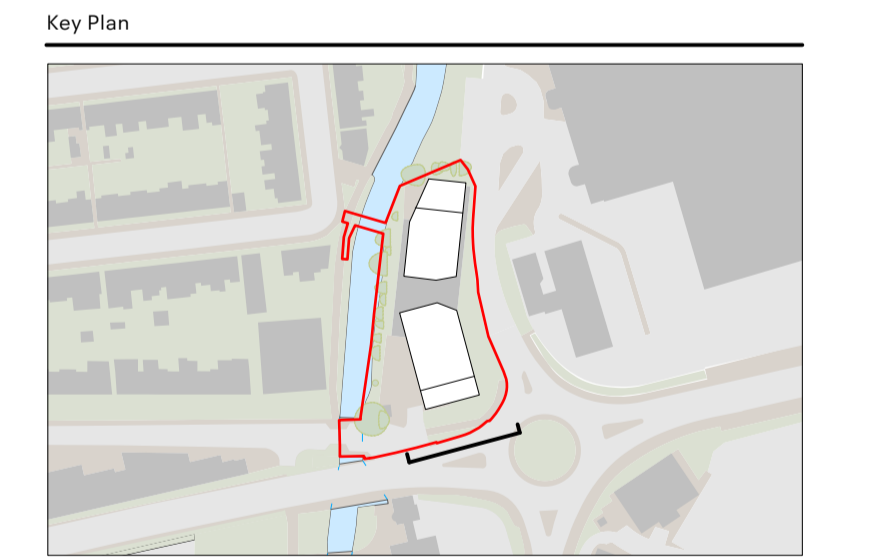
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Rev	Date	Description
W2-00	19/11/2020	Design Freeze
W2-01	11/03/2021	Updated to agreed site levels
W2-02	12/03/2021	Stage 2 Issue
W2-03	16/04/2021	ISSUED FOR PLANNING

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Client
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Project
 Station Road, Colliers Wood

Drawing Title
 Proposed South Elevation - Site Wide

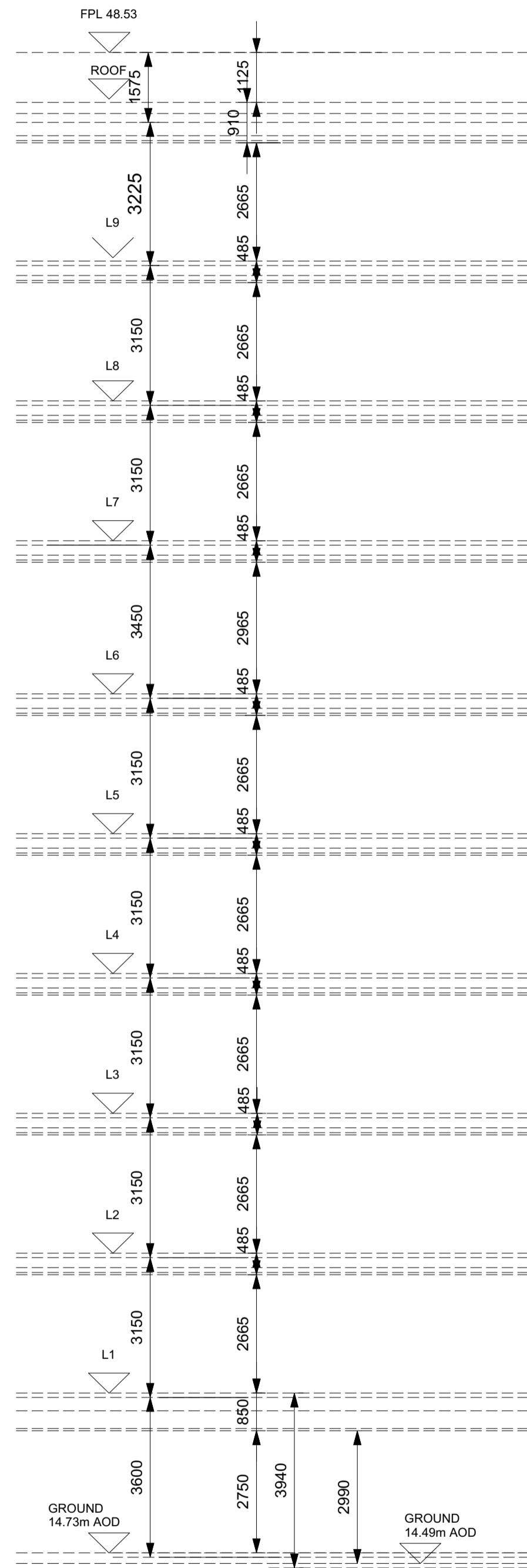
Status
 PLANNING

Scale	Drawn	Checked	Date of 1st Issue
1:250 @ A1	RK	BH	11/09/2020

Project	Source	Zone	Level	Type	Role	Dwg. N ^o	Rev.
172	GSA	XX	XX	DR	A	2314	W2-03



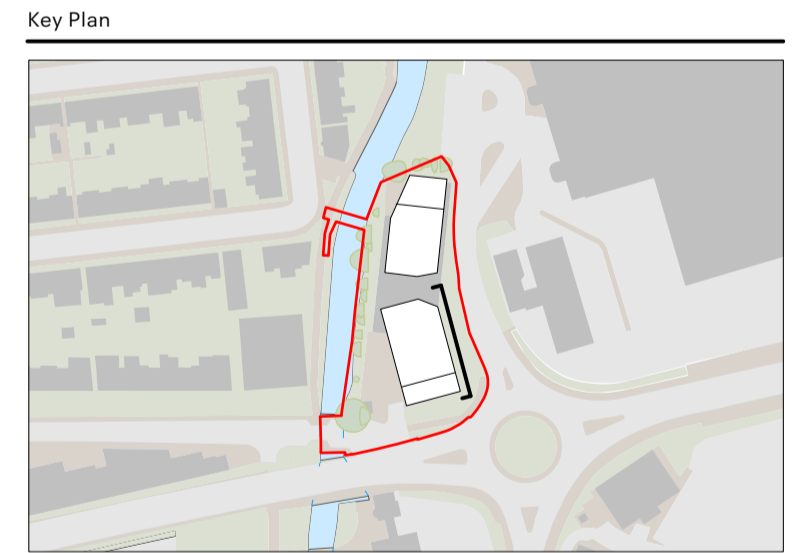
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Rev	Date	Description
W2-08	12/03/2021	Stage 2 Issue
W2-09	16/04/2021	ISSUED FOR PLANNING
W2-10	17/08/2021	Planning Comments Revised southern facade

Notes

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Client

Hadley Property Group

Project

Station Road, Colliers Wood

Drawing Title

B1 - Proposed East Elevation

Status

PLANNING

Scale	Drawn	Checked	Date of 1st Issue
1:100 @ A1	JP	BH	11/09/2020

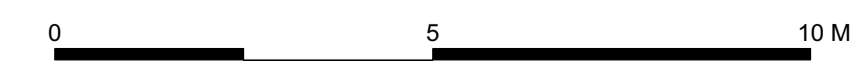
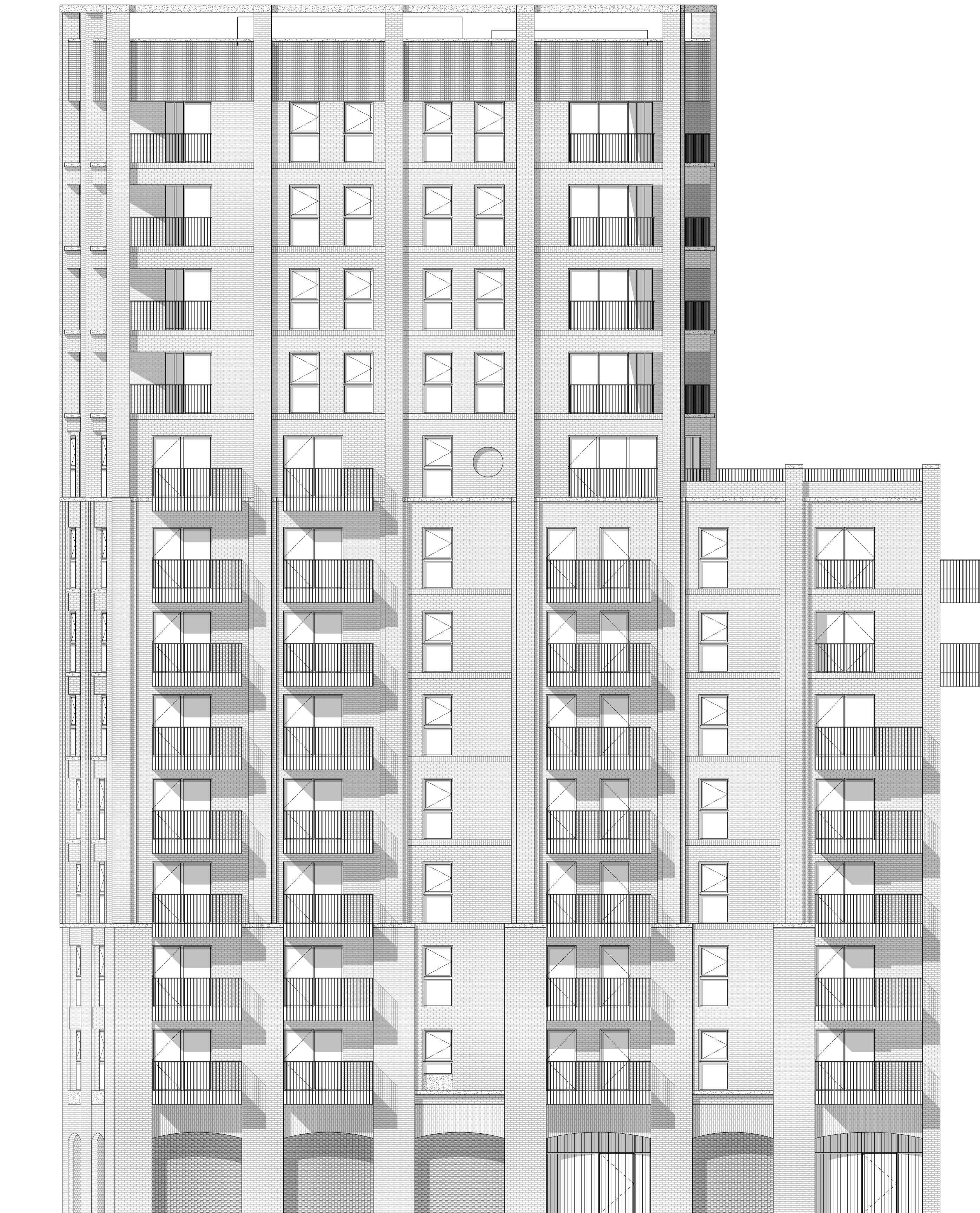
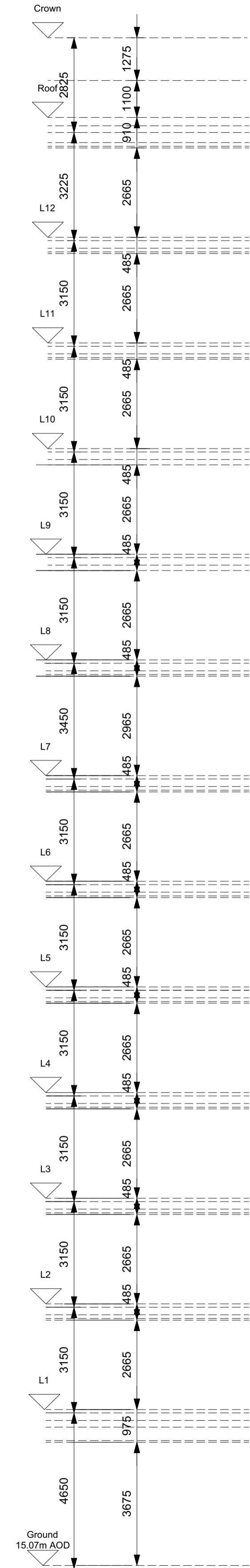
Project	Source	Zone	Level	Type	Role	Dwg. N°	Rev.
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172 GSA B1 XX DR A 2302 W2-10



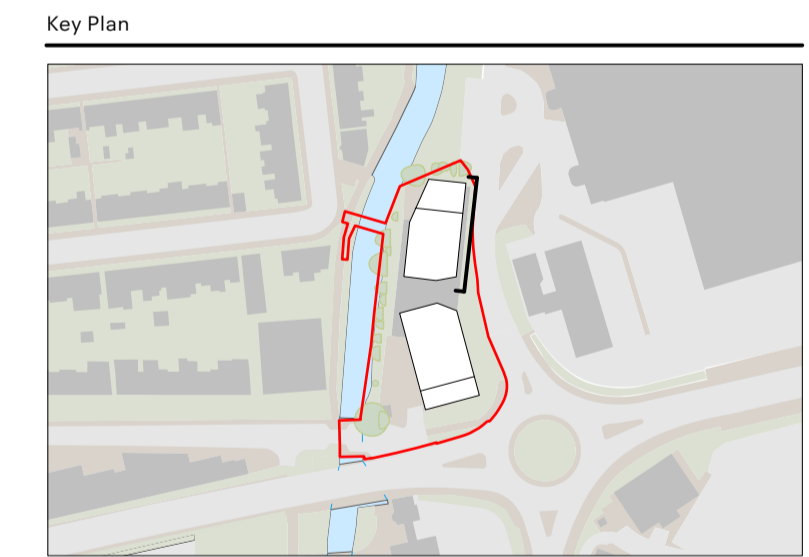
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Rev	Date	Description
W2-08	19/02/2021	Design Freeze Issue.
W2-09	12/03/2021	Stage 2 Issue
W2-10	16/04/2021	ISSUED FOR PLANNING



Notes

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Client
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Project
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Drawing Title
B2 - Proposed East Elevation

Status
PLANNING

Scale	Drawn	Checked	Date of 1st Issue
1:100 @ A1	OC	BH	11/09/2020

Project	Source	Zone	Level	Type	Role	Dwg. N°	Rev.
172	GSA	B2	XX	DR	A	2302	W2-10

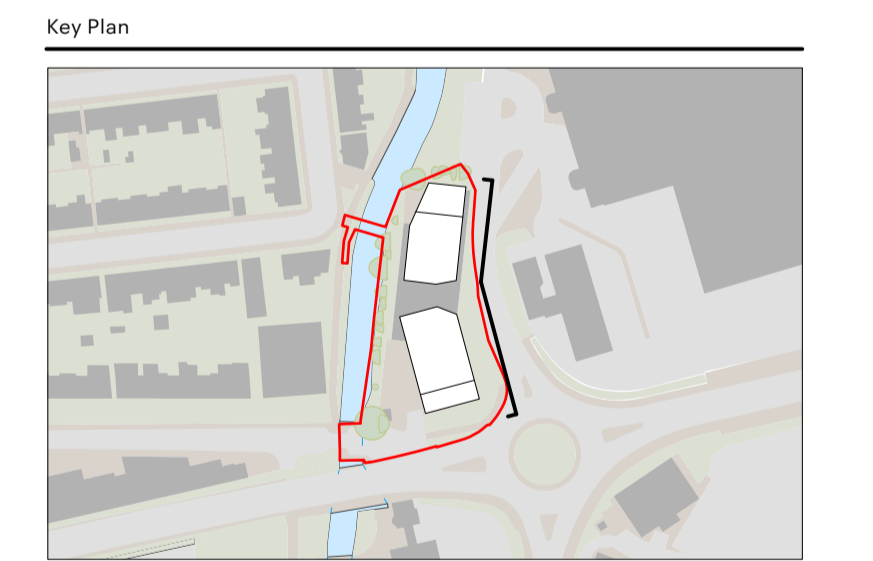
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Rev	Date	Description
W2-04	11/03/2021	Updated to agreed site levels
W2-05	12/03/2021	Stage 2 Issue
W2-06	16/04/2021	ISSUED FOR PLANNING

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Client
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Project
 Station Road, Colliers Wood

Drawing Title
 Proposed East Elevation - Site Wide

Status
 PLANNING

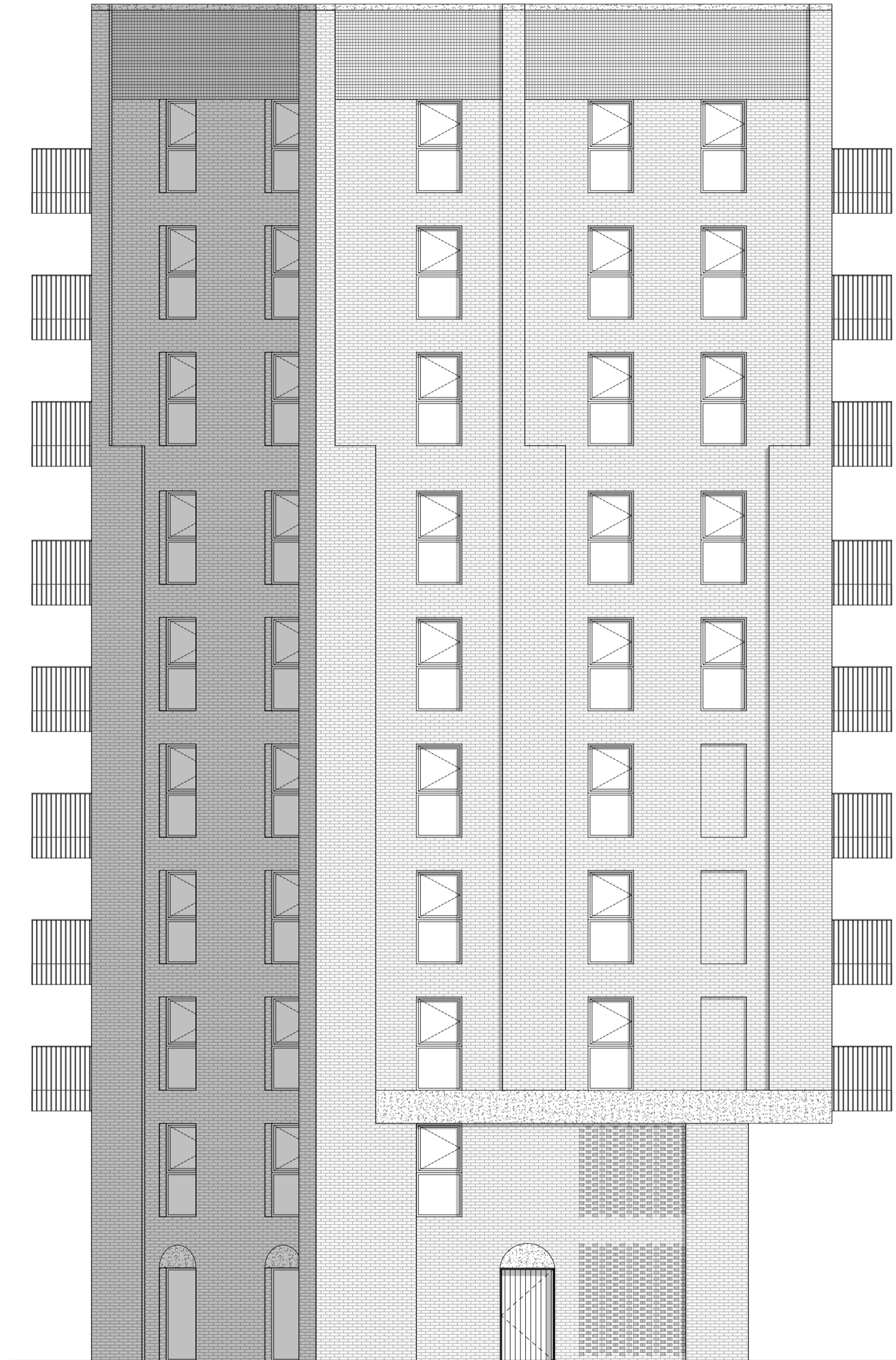
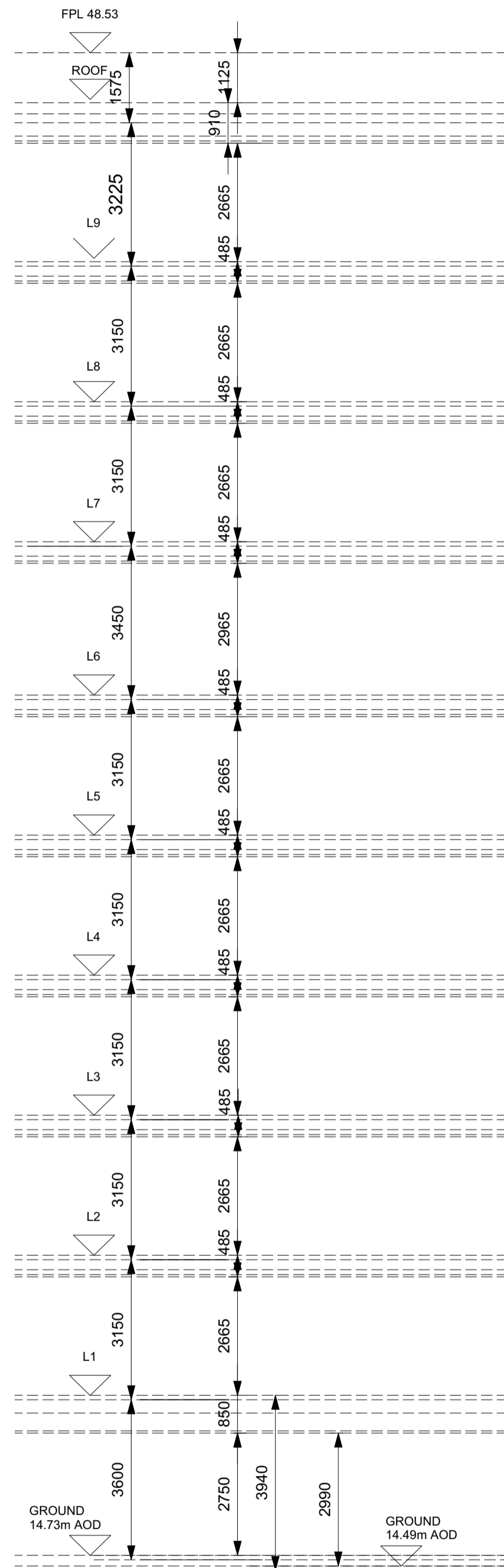
Scale	Drawn	Checked	Date of 1st Issue
1:250 @ A1	RK	BH	11/09/2020

Project	Source	Zone	Level	Type	Role	Dwg. N ^o	Rev.
172	GSA	XX	XX	DR	A	2312	W2-06



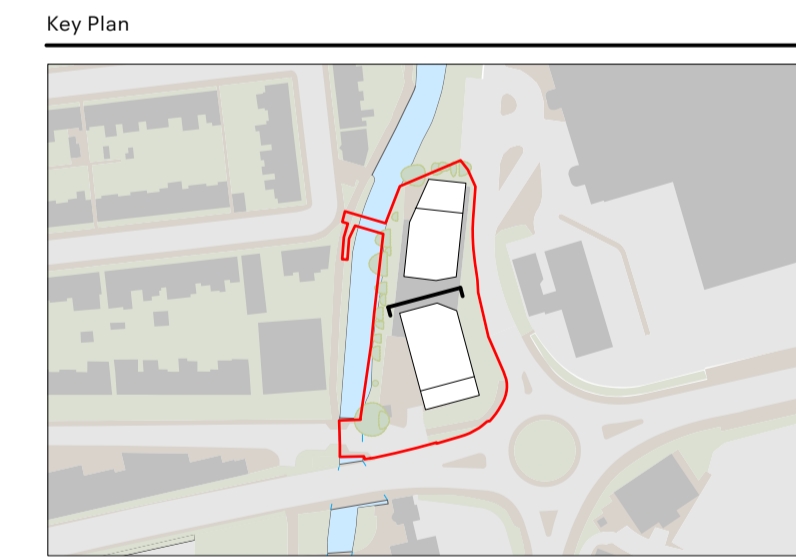
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Rev	Date	Description
W2-07	19/02/2021	Design Freeze Issue.
W2-08	12/03/2021	Stage 2 Issue
W2-09	16/04/2021	ISSUED FOR PLANNING



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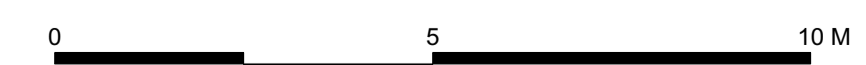
Project
 Station Road, Colliers Wood

Drawing Title
 B1 - Proposed North Elevation

Status
 PLANNING

Scale	Drawn	Checked	Date of 1st Issue
1:100 @ A1	JP	BH	11/09/2020

Project	Source	Zone	Level	Type	Role	Dwg. N°	Rev.
172	GSA	B1	XX	DR	A	2303	W2-09

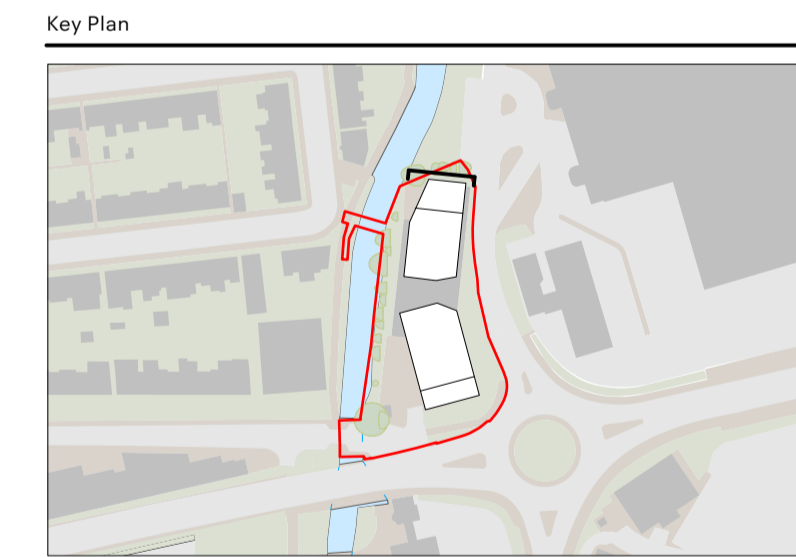


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Rev	Date	Description
W2-08	19/02/2021	Design Freeze Issue.
W2-09	12/03/2021	Stage 2 Issue
W2-10	16/04/2021	ISSUED FOR PLANNING

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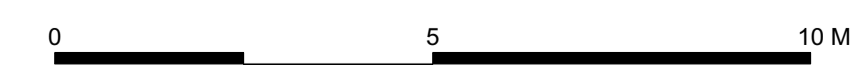
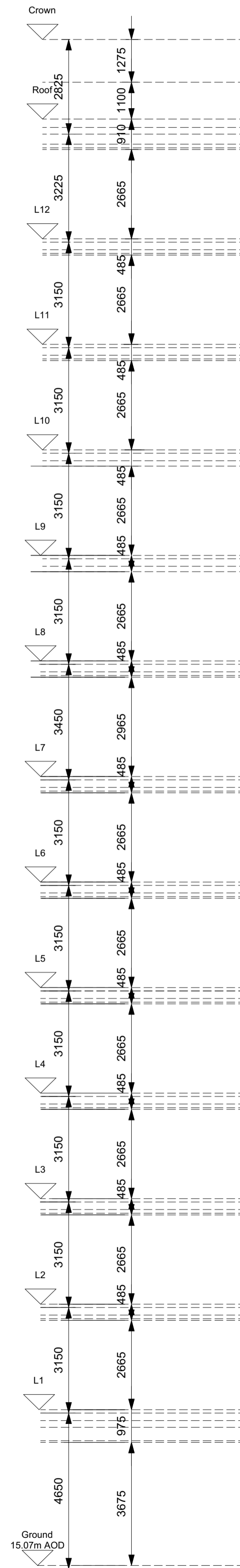
Project
Station Road, Colliers Wood

Drawing Title
B2 - Proposed North Elevation

Status
PLANNING

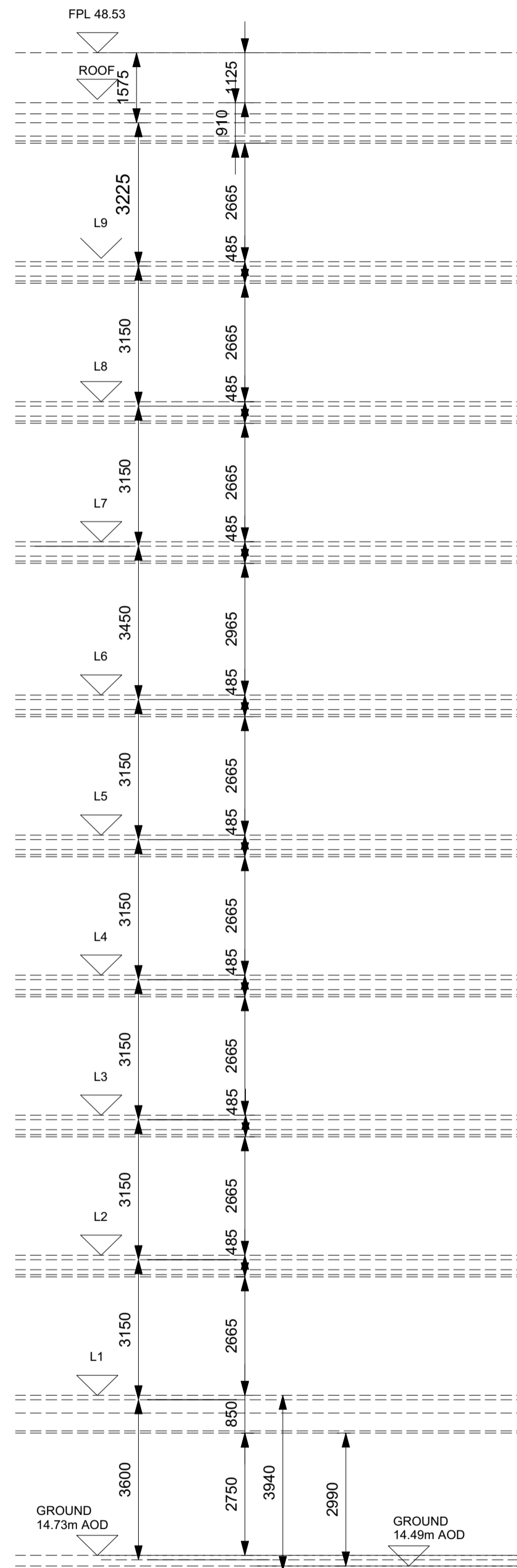
Scale	Drawn	Checked	Date of 1st Issue
1:100 @ A1	OC	BH	11/09/2020

Project	Source	Zone	Level	Type	Role	Dwg. N ^o	Rev.
172	GSA	B2	XX	DR	A	2303	W2-10



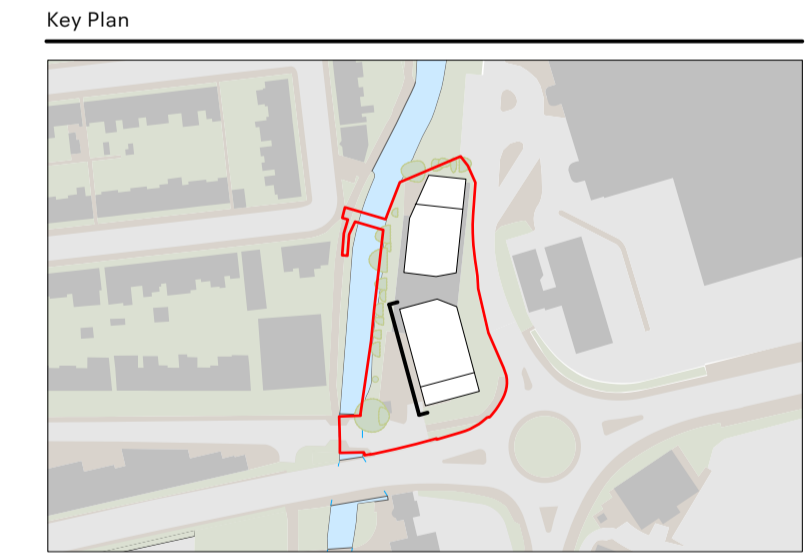
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Rev	Date	Description
W2-08	12/03/2021	Stage 2 Issue
W2-09	16/04/2021	ISSUED FOR PLANNING
W2-10	17/08/2021	Planning Comments Revised southern facade



Notes

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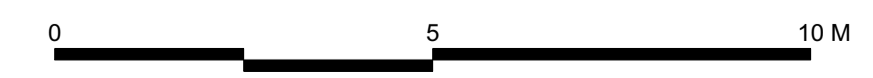
Project
Station Road, Colliers Wood

Drawing Title
B1 - Proposed West Elevation

Status
PLANNING

Scale	Drawn	Checked	Date of 1st Issue
1:100 @ A1	JP	BH	11/09/2020

Project	Source	Zone	Level	Type	Role	Dwg. N ^o	Rev.
172	GSA	B1	XX	DR	A	2300	W2-10



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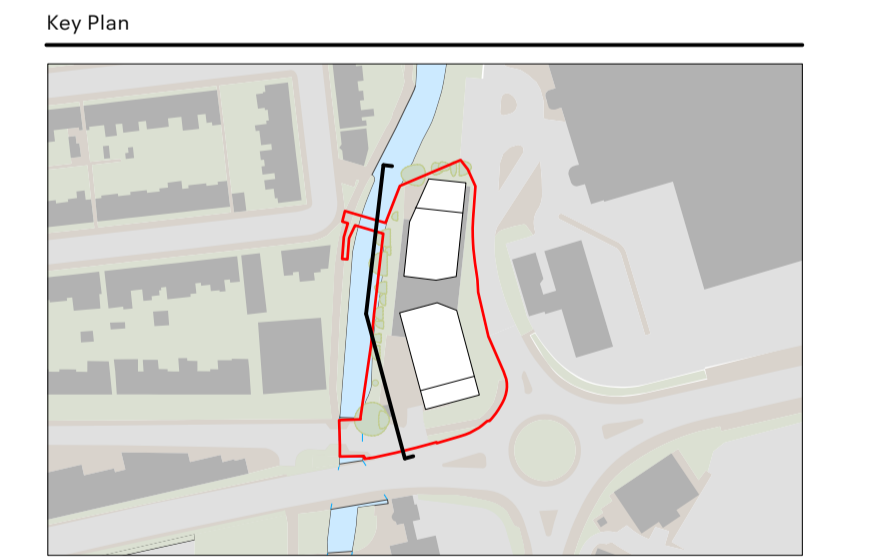
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Rev	Date	Description
W2-00	19/11/2020	Design Freeze
W2-01	11/03/2021	Updated to agreed site levels
W2-02	12/03/2021	Stage 2 Issue
W2-03	16/04/2021	ISSUED FOR PLANNING

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Client
 Hadley Property Group

Project
 Station Road, Colliers Wood

Drawing Title
 Proposed West Elevation - Site Wide

Status
 PLANNING

Scale	Drawn	Checked	Date of 1st Issue
1:250 @ A1	RK	BH	11/09/2020

Project	Source	Zone	Level	Type	Role	Dwg. N°	Rev.
172	GSA	XX	XX	DR	A	2313	W2-03



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Page 149

Rev	Date	Description
W2-04	09/08/2021	Planning Amendment - Revised Public Realm
W2-05	13/08/2021	Planning Amendment - Fencing to north of site added
W2-06	02/09/2021	Planning Amendment - Cycle Parking Revised

Notes Key Plan Architect Drawing Title

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 UK

Proposed Landscape Plan

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Client
Hadley Property Group

Project
Station Road, Colliers Wood

Status
PLANNING

Scale	Drawn	Checked	Date of 1st Issue
1:250@A3	BH	AC	26/02/2021

Project	Source	Zone	Level	Type	Role	Dwg. N°	Rev.
Station Road, Colliers Wood	172	GSA	XX	XX	DR	A	6000 W2-06

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Committee: Planning Applications Committee

Date: 21st October 2021

Agenda item:

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

COUNCILLOR DAVE WARD, 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:	561	¹ (545)	New Appeals:	(0)	(0)
New Complaints	41	(39)	Instructions to Legal	2	(0)
Cases Closed	25		Existing Appeals	2	(2)
No Breach:	18		<hr/>		
Breach Ceased:	5		TREE ISSUES		
NFA ² (see below):	2		Tree Applications Received	50	(32)
Total	25		% Determined within time limits:	50 %	
New Enforcement Notices Issued			High Hedges Complaint	0	(1)
Breach of Condition Notice:	0		New Tree Preservation Orders (TPO)	2	(2)
New Enforcement Notice issued	1	(0)	Tree Replacement Notice	0	
S.215: ³	0		Tree/High Hedge Appeal	0	(0)
Others (PCN, TSN)	1	(1)			
Total	0	(0)			
Prosecutions: (instructed)	0	(0)			

Note (*figures are for the period from (from 14th September 2021 to 12th October 2021*). 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

TRUSTFORD, 67 – 71 PLOUGH LANE, TOOTING, SW19 0BW. On the 14th May 2021, 11 trees were removed from the front boundary to the property. This property is located within the Wandle Valley Conservation Area, and the statutory notice of 6 weeks prior to the commencement of tree work was not given to this Authority. This case is currently under investigation with a view to taking enforcement action. Trustford have begun planting new trees on the site. 12 new Silver Birch trees have been planted alongside the boundary with the River Wandle. New trees are proposed to be planted along the boundary to the front of the site in September, with an additional underplanting of shrubs.

52B Russell Road, Wimbledon, London, SW19 1QL. This is regarding the erection of a 2 metre boundary fence, facing the highway, which had a retrospective planning application submitted ref: 20/P2317 and refused. The applicant appealed the decision to the Planning Inspectorate. The appeal was dismissed on 14th June 2021. An enforcement notice was issued on 13th September 2021 to remove the fence. The

Notice took effect on 15th October 2021 with a one calendar month period of time for compliance.

Land to the rear of 42 Tamworth Lane, Mitcham, CR4 1DA. This is concerning a s215 notice served on untidy land. A s215 notice was issued on 10th May 2021. This notice requires compliance at the end of July 2021 requiring the Land to be tidied up / cleared. The Council have now taken Direct Action and cleared the land.

193 London Road, CR4 2JD. This is concerning a s215 notice served on untidy land. A s215 notice was issued on 1st December 2020. This notice requires compliance at the end of February 2021 requiring the Land to be tidied up / cleared. The Land is actively being cleared.

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 required compliance at the end of February 2020 requiring the Land to be tidied up / cleared. Site visit arranged.

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 and is underway.

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 was dismissed by Decision letter dated 19th August 2020. The compliance date i.e. Demolish the unauthorised rear outbuilding is 19th December 2020. Site visit to be arranged.

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 was 10th February 2020. Further action is under consideration. A new planning application for a reduced structure has now been recommended for approval.

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. Revised scheme re-submitted and approved.

Works are underway to expose the depth and boundary of the foundations in order to confirm an alternative landscaping scheme is feasible. A further scheme is under consideration. A finale inspection is to be undertaken as the requested works / Landscaping has now been carried out.

This Planning Enforcement Notice has now been satisfactorily complied with.

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. An appeal was submitted but subsequently withdrawn. A second Notice was subject of an appeal now determined.

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.

The defendant again appeared in court and pleaded not guilty, a trial date was set for 21st May 2020. Due to the Covid-19 pandemic this has been postponed. The case has been listed for a 'non-effective' hearing on Tuesday 14 July 2020, where a new trial date will be set.

This was postponed until another date yet to be given. The Council has now instructed external Counsel to prosecute in these matters.

The next 'non-effective' hearing date is 2nd October 2020. This date has been re-scheduled to 27th November 2020. This was again re-scheduled to 4th January 2021. Outcome not known at the time of compiling this report.

A trial date has now been set for 28th and 29th April 2021.

At trial the defendant changed his plea from not guilty to guilty on the two charges of failing to comply with the two Planning Enforcement Notices, however due to the current appeals with the Planning Inspectorate relating to two planning application appeals associated with the two illegal developments, sentencing was deferred until 7th October 2021 at Wimbledon Magistrates Court.

The two planning appeals were dismissed by Decision letters dated 5th October 2021.

Sentencing has again be deferred until 16th December 20021at Wimbledon Magistrates Court.

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. This Appeal has now been determined by Decision letter dated 23rd June 2020. The Appeal was dismissed and the Enforcement Notice upheld. The compliance period is 3 months from the date of the Decision letter. Direct action is now under consideration.

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. The appeal was determined by Decision letter dated 18th March 2020. The appeal was dismissed with a slight variation of the wording of the enforcement Notice. The Enforcement Notice had a 2 months compliance period. A further site inspection found that the Enforcement Notice has been complied with.

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 on 16th September 2019, with a compliance period of 3 calendar months. An Appeal has started. This Appeal has now been determined by Decision letter dated 16th July 2020. The appeal was allowed and the Enforcement Notice quashed.

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 submitted, and has started. The appeal site visit was postponed, by The Planning Inspectorate. This Appeal has now been determined by Decision letter dated 17th July 2020. The Appeal was dismissed and the Enforcement Notice upheld. The Notice was varied and the time for compliance extended from 3 months to 6 months from the date of the Appeal Decision letter. However, minor costs were awarded to the appellant for extra work and or time that had been spent on the appeal that were not needed.

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, This Appeal has now started. The date of the Planning Inspectors site visit was 20th October 2020.

By Decision Letter dated 4th November 2020 the appeal was dismissed and the Enforcement Notice was upheld. The compliance date was 4th December 2020. The owner claims the requirements of the Notice have been met and an inspection is to be carried out.

Existing enforcement appeals

2

Appeals determined

0

New Enforcement Appeals

0

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 – the following documents are to be published with this report and form part of the report Background Papers

N/A

12. Background Papers

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