

**PLANNING APPLICATIONS COMMITTEE
20 SEPTEMBER 2018**

<u>APPLICATION NO.</u>	<u>DATE VALID</u>
16/P2585	03/09/2016
Address/Site	141 The Broadway, Wimbledon, SW19 1NE
Ward	Abbey
Proposal:	Redevelopment of site with demolition of 1st & 2nd floors levels, remodeling of retained ground floor restaurant (Class A3) and erection of 6 storey building consisting of 16 residential units (7x 1 and 9 x 2 bedroom flats). (Identical to previous application 14/P1008 dismissed at appeal for lack of legal agreement relating to affordable housing)
Drawing Nos	A1000, A1-100 Rev G, 101 Rev J, 102 Rev H, 103 Rev H, 104 Rev F, 105 Rev L, 106 Rev J, 108 Rev B, 109 Rev A, 110 Rev A and 111
Contact Officer:	Stuart Adams (0208 545 3147)

RECOMMENDATION

GRANT Planning Permission subject to S106 agreements and conditions.

CHECKLIST INFORMATION.

Heads of agreement: - Affordable Housing & Permit Free
Is a screening opinion required: No
Is an Environmental Statement required: No
Has an Environmental Impact Assessment been submitted – No
Press notice – No
Site notice – Yes
Design Review Panel consulted – No
Number of neighbours consulted – 103
External consultations – No.
PTAL score – 6a
CPZ – VOs

1. **INTRODUCTION**

- 1.1 The application has been brought before the Planning Application Committee for consideration in light of the number of objections and also at the request of former Councillor Charlie Chirico.

2. **SITE AND SURROUNDINGS**

- 2.1 The application site comprises a three storey period building with a hipped roof on the south side of The Broadway, Wimbledon. The ground floor has been in use as a bar/restaurant (Class A3/A4) for a number of years with residential accommodation above. The building has a single storey rear extension with plant equipment accommodated on top and with an external seating area behind. The property is gated to the front with a low wall and metal railings to the public footpath and main road. Vehicular access is possible to a service area to the west flank of the building.
- 2.2 The immediate surrounding area is mixed both in use and townscape terms. Immediately to the west of the site is Ashville House (Nos 131-139 Broadway), a 1980's four storey mixed use red brick building. To the east is 151 The Broadway (CIPD building), a relatively recent 5/6 storey office development with a contemporary appearance and a distinctive curved glazed frontage with a buff brick surround. Opposite the site is Broadway House, a recent 6/7 storey residential led mixed-use development with retail at ground floor constructed in a mixture of brick, white/grey cladding and timber. To the west of the site are houses in Palmerston Road.
- 2.3 The site is not in a Conservation Area nor is the building included on the statutory or non-statutory list.

3. **CURRENT PROPOSAL**

- 3.1 The proposal is for the redevelopment of site with demolition of 1st & 2nd floors levels, remodeling of retained ground floor restaurant (Class A3) and erection of 6 storey building consisting of 16 x residential units (7x 1 and 9 x 2 bedroom flats).
- 3.2 The new upper floors would maintain the set back above the ground floor and would be set back further at top floor level. It adopts a modern design approach with front projecting glazed bays set either side of external balconies. Proposed materials are a mixture of yellow stock brick and part render at the upper levels. In height terms, the proposed building would provide a transition between 151 The Broadway (CIPD) on one side and Ashville House on the other. The proposed building would feature a small internal courtyard on its eastern side.

- 3.3 The proposed flat sizes in relation to the London Plan GIA standards are as follows:

	Dwelling type (bedroom (b)/ /bedspaces (p))	London Plan	GIA (sq m)	Amenity Space (Lon Plan)	Amenity Space (Proposed)
Flat 1	2b3p	61	61	6	12
Flat 2	1b2p	50	53.4	5	10
Flat 3	1b2p	50	50	5	0
Flat 4	2b4p	70	105	7	7
Flat 5	2b3p	61	61	6	12
Flat 6	1b2p	50	53.4	5	10
Flat 7	1b2p	50	50	5	0
Flat 8	2b4p	70	105	7	7
Flat 9	2b3p	61	61	6	12
Flat 10	1b2p	50	53.4	5	10
Flat 11	1b2p	50	50	5	0
Flat 12	2b4p	70	105	7	7
Flat 13	2b3p	61	61	6	12
Flat 14	1b2p	50	50	5	13
Flat 15	2b4p	70	105	7	7
Flat 16	2b4p	70	101	7	77

- 3.4 The proposal is identical to the previous application 14/P1008 (other than amendments made to materials), which was refused at Planning Application Committee in October 2015. Although the subsequent appeal was dismissed in May 2016, the Inspector's decision letter found in favour of the appellant in relation to the effect of the proposed development on the character and appearance of the street scene and dismissed the appeal only because a signed and completed legal agreement had not been submitted in respect of the affordable housing.

4. **PLANNING HISTORY**

- 4.1 17/P0296 - Redevelopment of site to create 20 x self-contained flats within a six storey residential block with new frontage to ground floor commercial unit – Pending decision
- 4.2 14/P1008 - Demolition of first and second floors of existing building, retention of ground floor within use class A3 and erection of six storey building to provide 16 residential units – Refused at Planning Application Committee on 13/10/2015 for the following reason:

The proposed building due to its design, detailing, materials and proportions would fail to appropriately relate to the architectural forms, language, detailing and materials which complement and enhance the character of the wider setting and would therefore fail

to achieve a high quality design that relates positively and appropriately to the rhythm, proportions and materials of surrounding buildings. The proposal would therefore be contrary to policies DM D2 Design considerations in all developments & DM D3 Alterations to existing buildings of Merton's Sites and Policies Plan and CS 14 (Design) of Merton's Core Planning Strategy (July 2011).

An appeal was lodged against the refusal , (Appeal Ref – APP/T5720/W/16/31430), which was dismissed by the Planning Inspector in May 2016. In reaching his decision to dismiss the appeal, the planning inspector considered that the two main issues to be the effect of the proposed development on the character and appearance of the street scene and whether the proposed development makes adequate provision in respect of local infrastructure.

The planning inspector considered that the proposed development would not have an unacceptable impact on the character and appearance of the street scene. However, he found that although the appellant had indicated their willingness to enter into a legal agreement, the lack of a signed and completed agreement meant the appeal proposal failed to secure appropriate financial or other contribution towards the provision of affordable housing and so would be in conflict with Policy DM H3 of the Sites and Policies Plan and Policy CS8 of the Core Strategy and therefore dismissed the appeal.

- 4.2 07/P0817 - Display of various internally illuminated signs to the building and a freestanding double sided internally illuminated sign in the forecourt – Grant - 04/05/2007.
- 4.3 02/P2477 - display of various externally illuminated signs to the building and forecourt – Grant - 09/01/2003
- 4.4 98/P1619 - Display of non-illuminated fascia signs and an externally illuminated pole sign – Grant - 23/03/1999 23/03/1999
- 4.5 98/P1072 - Erection of single storey front extension in conjunction with use of ground floor of property as restaurant/bar with alterations to roof of existing rear conservatory, provision of covered dining area with a canopy within existing rear beer garden and erection of 2.4m high gates across side passage – Grant - 20/11/1998
- 4.6 94/P0404 - Erection of a canopy above front entrance – Grant - 13/07/1994
- 4.7 94/P0403 - Installation of no.1 externally illuminated fascia sign on front

elevation of premises – Grant - 13/07/1994

- 4.8 89/P0469 - Display of a double sided internally illuminated projecting box sign – Grant - 20/06/1989
- 4.9 87/P1598 - Erection of a single storey conservatory at rear of existing public house – Grant - 11/02/1988
- 4.10 MER7/70 - Single sided illuminated box sign – Grant - 19/03/1970
- 4.11 MER855/69 - Double sided illuminated sign – Grant - 27/10/1969

5. **CONSULTATION**

- 5.1 The application has been advertised by major site notice procedure and letters of notification to the occupiers of neighbouring properties.
 - 5.1.1 In response to the consultation, 19 letters of objection, including one from Wimbledon E Hillside Residents Association (WEHRA) and The Wimbledon Society have been received. The letters raise the following objections:
 - Overlooking from balcony and windows, glass on the side elevation must be obscured glazed
 - Overshadowing and loss of light. Light pollution from the use of artificial light
 - Use of cheap and nasty materials. Above ground floor extension is too close to the pavement and dominates. Request for the use of more brick and less render. The images still do not show the quality of the materials, white render will look dirty unless regularly painted
 - Should be a condition preventing visual clutter from storage of items such as prams, BBQ's etc on balconies
 - Landscaping/ tree planting needed fronting Broadway
 - Solar panels should be installed
 - Application does not include a daylight/sunlight report, no roof plan, no plans showing effects of balconies, poor elevations, no work/construction schedule, minimal energy/sustainability report, no details on plant machinery which could have impact on noise levels.
 - Height of building could create urban corridor comprising featureless tall buildings, overbearing and out of character, too high and will detract from CIPD next door. Negative impact upon listed building (Wimbledon Theatre). The Council should be aiming for higher quality on this part of the Broadway.
 - No plant or machinery should be allowed on the roof to protect the vista from the other side of the street.

- Increase traffic, lack of parking and pressure on surrounding roads. The development must be permit free but will not stop owners applying for visitor parking permits. Travel plan is not robust enough.
- Existing Infrastructure is inadequate.
- Noise and vibration
- 40% affordable housing target must be met, application provides no comment on the financial or other contribution towards provision of affordable housing (reason why appeal was dismissed), viability assessment should be made public

5.1.2 WEHRA raises the following objections:

- Proposal has ignored the context of the site adjacent to the distinctive and very high standard of CIPD. The hodgepodge of retaining a restaurant on the ground, rebuilding behind, looks really uncomfortable.
- Building should be demolished and new building designed to complement CIPD, whereby allowing the inclusion of a pocket park. Some semi mature trees/landscaping and bit of paving and benches for staff/visitors to use.
- Been advised by Merton Council that the Broadway would have four star, highest quality offices, how does that sit with this proposal?
- Flats with balconies/terraces are wrong in this location (drying clothes and storing old toys, rusting bikes and miscellaneous junk in full public view. Request that balconies/terraces are removed.
- The design has a bizarre mixture of large plate glass on top of a traditional Victorian style restaurant fascia. This is not design; it is a mishmash that is not good enough for Future Wimbledon.
- The proposed render at this location is white/grey. Concerns over the use of render as seen on 120 The Broadway (very filthy). Materials subject to condition if allowed to require more expensive render with anti-mold properties built in, allowing for longer life without requiring regular repainting.
- Where are the PV panels to reduce energy bills, why isn't the BREEAM rating higher, why is there no proposal for rainwater storage and use?

5.1.3 The Wimbledon Society raises the following objections:

- The plan does not show the effect the proposed very tall new building with its windows and balconies will have on the adjoining residential gardens.
- The character of the proposed development does not integrate sufficiently well with the white rendered façade of the remaining ground floor.
- No mention of affordable housing in application and so fails to make adequate provision in terms of local infrastructure.

- 5.1.4 Former Councillor Chirico states that although this is not in Trinity Ward, our residents will be directly affected yet again by a development being approved without any parking. Trinity and South Park roads are already completely over used by Broadway visitors, the last thing they need is extra pressure. Former Councillor Chirico raises the following objections:
- Height is too high for the Broadway. The Premier Inn should be the exception not the rule, whilst I appreciate it is not as high as the Premier Inn the current height should be the limit for this site as vertical expansions continue to offend the suburban Broadway feel and look our Wimbledon residents wish to retain.
 - Lack of parking (none)
 - Inadequate materials (too much glass, why not better quality London brick?)
 - Inadequate restrictions on balcony use

5.1.5 Transport Planning – No objection subject to condition and S106 agreement (permit free development)

5.2 Climate Officer

5.2.1 The submitted energy statement indicates that the proposed development should achieve an 68.64% improvement in CO2 emissions on Part L 2013. This exceeds the minimum sustainability requirements of Merton's Core Planning Strategy Policy CS15 (2011) and Policy 5.2 of the London Plan (2015), and is equivalent to the 25% improvement over Part L 2010 required under Code for Sustainable Homes Level 4.

5.2.2 The internal water consumption calculations submitted for the development indicates that internal water consumption should be less than 105 litres per person per day, equivalent to Code for Sustainable Homes Level 4.

5.2.3 The Climate Officer is therefore content that the proposed energy approach to the development is policy compliant.

6. POLICY CONTEXT

6.1 Adopted Sites and Policies Plan (July 2014)

DM R1 Location and scale of development in Merton's town centres and neighbourhood parades

DM H2 Housing Mix

DM H3 Support for affordable housing

DM R5 Food and drink/leisure and entertainment uses

DM R6 Culture, arts and tourism development

DM E1 Employment areas in Merton

DM E4 Local employment opportunities

DM D1 Urban design and the public realm
DM D2 Design considerations in all developments
DM EP2 Reducing and mitigating noise
DM T1 Support for sustainable transport and active travel
DM T2 Transport impacts of development
DM T3 Car parking and servicing standards

6.2 Adopted Core Planning Strategy (July 2011)

CS 7 - Centres
CS 12 - Economic Development
CS14 - Design
CS15 – Climate Change
CS18 – Active Transport
CS19 – Public Transport
CS20 - Parking, Servicing and Delivery

LDF Tall Buildings Background Paper (2010) is also pertinent to the application.

6.3 London Plan (2016)

2.15 (Town Centres)
3.5 (Quality and Design of Housing Developments)
3.8 (Housing Choice)
4.1 (Developing London's Economy)
5.1 (Climate Change Mitigation),
5.3 (Sustainable Design and Construction).
7.3 (Designing Out Crime)
7.4 (Local Character)
7.5 (Public Realm)
7.6 (Architecture)

7. **PLANNING CONSIDERATIONS**

7.1 The principal planning considerations relate to the principle of development, the design and appearance and impact upon Wimbledon Town Centre and The Broadway street scene, including the previous appeal decision, impact upon neighbouring amenity, traffic and highway considerations, sustainability and affordable housing provision.

7.2 Principle of Development

7.2.1 The London Plan and both the Council's adopted LDF and Sites and Policies Plan seeks to increase housing provision where it can be shown that an acceptable standard of accommodation will be provided and

provide a mix of dwelling types. The proposed development of the site would create 16 flats on the site. The principle of development is considered acceptable, making a modest contribution towards meeting housing choice and housing targets.

7.3 Impact on the Streetscene/Height/Design /Materials and the Previous Appeal Decision

Appeal Decision

- 7.3.1 The previously submitted application (14/P1008) was refused at the May 2015 Planning Application Committee (14/P1008) on the following grounds:

The proposed building due to its design, detailing, materials and proportions would fail to appropriately relate to the architectural forms, language, detailing and materials which complement and enhance the character of the wider setting and would therefore fail to achieve a high quality design that relates positively and appropriately to the rhythm, proportions and materials of surrounding buildings. The proposal would therefore be contrary to policies DM D2 Design considerations in all developments & DM D3 Alterations to existing buildings of Merton's Sites and Policies Plan and CS 14 (Design) of Merton's Core Planning Strategy (July 2011).

- 7.3.2 In the subsequent appeal by the applicant (Appeal Ref – APP/T5720/W/16/31430), the Planning Inspector considered the main issues to relate to design and appearance and provision of local infrastructure, dismissing the appeal on the basis that a signed legal agreement in relation to affordable housing was not in place. As the proposed application is identical to the appeal scheme, the findings of the Inspector in the May 2016 appeal decision letter carries considerable weight as a material planning consideration.

- 7.3.3 The relevant extract relating to character and appearance, paras 3-6 of the appeal decision notice, are as follows:

Character and appearance

3. The appeal site is located on the south side of The Broadway. The appeal building itself is a three storey period property, with a hipped roof and the ground floor used as commercial premises. The street scene comprises a mixture of four, five and six storey height forms; with examples of both residential and commercial uses nearby. Many of these buildings are modern in terms of their design, form, appearance and materials.

4. The appeal scheme seeks the demolition of the upper two floors and the creation of a six storey building, with a total of 16 residential units being provided by 7 one-bedroom flats and 9 two-bedroom units. A modern design approach has been adopted for the proposed storeys, with front projecting glazed bays set between central external balconies and a mixture of part brick and part metal cladding. The Council has raised concerns with what appear to be differences in materials as shown on the submitted drawings compared to some CGI images used to illustrate the proposal. However, it is reasonable for matters, such as the specific materials and finishes, to be secured by condition. What is more, the modern nature of nearby buildings permits a fairly wide pallet of materials and finishes, which a condition would allow the Council to control. I do not therefore find that the material finish of the building justifies the dismissal of the appeal scheme.

5. In terms of the building's design, overall this would respond positively to the form, scale and design of other nearby taller buildings along The Broadway. This is reinforced by the fact that there would be a gradual transition between the adjacent CIPD building and Nos 131 to 139 The Broadway. The design proposed would also ensure that the distinctive curved frontage of the CIPD building would be maintained as viewed from both the east and west directions. Overall the combination of these factors means that the proposed design would both reinforce and promote local distinctiveness and relate appropriately to the architectural form and language of the street scene.

6. I therefore conclude that the proposed development would not have an unacceptable impact on the character and appearance of the street scene. As such, it would accord with Policies DM D2 and DM D3 of the Sites and Policies Plan and Policies Map 2014 (SPPPM) and CS14 of the LDF Core Planning Strategy 2011 (CS), which, amongst other aims, seek to ensure that proposals for all development relate positively and appropriately to the siting, rhythm, scale, density, proportions, height, materials and massing of surrounding buildings and existing street patterns.

7.3.4 As set out above, the planning inspector considered that the buildings design overall would respond positively to the form, scale and design of other nearby taller buildings along the Broadway. In terms of the detailing of the building, the planning inspector highlights that the modern nature of nearby buildings permits a fairly wide pallet of materials and finishes, which the Council can control via a planning condition.

Ground Floor

- 7.3.5 There was some inconsistencies between the submitted elevations and CGI' in regards to the treatment of the ground floor. The CGI's submitted with the application and appeal scheme showed the existing ground floor to be retained, whilst the proposed elevations showed a new ground floor treatment. The applicant has now updated the plans/CGI's and confirmed that the proposed alterations to the ground floor are part of the application. This will address concerns raised by objectors in regards to the mismatch design of a traditional retained ground floor and modern above. The detailing of the proposed modern ground floor and its quality can be controlled via a planning condition, requiring details to be submitted and approved prior to development.

Design/Materials

- 7.3.6 As the proposed application is identical to the appeal scheme (apart from some changes to materials). The planning inspector considered the proposed design would both reinforce and promote local distinctiveness and relate appropriately to the architectural form and language of the street scene. The findings of the Inspector in the May 2016 appeal decision letter carries considerable weight as a material planning consideration.
- 7.3.7 The planning inspector also confirmed that the modern nature of nearby buildings permits a fairly wide pallet of materials and finishes, which a condition would allow the Council to control. The inspector did not therefore find that the material finish of the building justified the dismissal of the appeal scheme.
- 7.3.8 Despite the planning inspector confirming that the Council can control materials and finishes as part of a planning condition, the applicant has sought to address some concerns raised by neighbours and committee members by replacing the cladding and render sections between the windows on the flank elevation to brickwork. The introduction of more brickwork is considered to a positive improvement to the design of the building. Whilst the building would still include some render, which can be prone to staining and can appear in a poor condition quickly; this is not the main material. Render is sparingly used at the upper levels where the walls can be easily accessible from flat roof areas for maintenance purposes. The Council can also require as part of the material planning condition that the render includes anti moulding agents.
- 7.3.9 Objections have been received in regards to the use of the front balconies and visual clutter from screening being attached to the balustrade, the space being cluttered by bikes, toys and other related equipment. In order

to mitigate visual clutter of the front balconies, as part of the planning condition relating to materials, the Council can require that the glass balustrade is frameless obscured glazed screen.

7.3.10 As set out in the inspector's appeal decision, the Council can have full control of the proposed materials by way of planning condition. The planning condition would require the submission of details, including type of materials proposed and detailed plans at a scale of 1:20 showing typical key design features such as window reveals, bay detailing and balustrade fixing for the balconies. The applicant has confirmed that details relating to materials can be adequately controlled via planning conditions.

7.3.11 In conclusion, the applicant has now introduced more brickwork and as set out by the planning inspector, the Council can control the materials and finishes through planning conditions to ensure a suitable quality. The design of the proposed building is considered to be an improvement on the appeal scheme with a remodeled ground floor clearly being incorporated into the design and more brickwork being introduced.

Landscaping

7.3.12 The Council's tree officer stated that potentially there is scope to introduce trees within the frontage as part of wider improvements to soft landscaping. The applicant has amended the landscaping plan to take into consideration the comments made by the Council's Tree Officer. The plans include provision for 2 new trees within the frontage and larger planting beds throughout. Full details of landscaping can be secured as part of planning conditions.

7.4 Standard of Accommodation

7.4.1 Planning policy DM H2 (Housing Mix) of Merton's Sites and Policies Plan seeks to create socially mixed communities by providing a choice of housing with respect to dwelling size and type in the Borough. The proposal would create 16 flats (7 x 1 and 9 x 2 bedroom units). No family sized accommodation is proposed (three bedrooms plus), however this is not unusual in a town centre location; particularly where accommodation is on upper levels, making suitable provision of amenity space more challenging.

7.4.2 In terms of the quality of the accommodation, the proposed flats would meet or exceed the London Plan Gross Internal Area minimum standards, each room would be capable of accommodating furniture and fittings in a suitable manner. Each flat, apart from flats 3, 7 & 11 (1b2p) would have direct access to amenity space (balconies/terrace or winter garden). Given the constraints of the site, it is not possible to provide private amenity

space for flats 3, 7 & 11 as these are located on the flank elevation and balconies would cause overlooking of gardens/properties in Palmerston Road. However, given the town centre location, overall quality of the accommodation and flats 3, 7 & 11 offering smaller occupancy levels, it is not considered sufficient grounds to refuse planning permission. It is noted that some rooms face onto the central courtyard and the middle flats within the development have sideward facing windows, however all flats are considered to receive adequate levels of outlook and natural light.

7.4.3 Access to the proposed flats would be gained from the existing side entrance. New landscaping and lighting would be required via a planning condition to ensure an attractive and safe access point.

7.5 Neighbouring Amenity

7.5.1 Ashville House, 131 – 139 The Broadway

7.5.2 The ground and first floor levels of this neighbouring building are in use as office accommodation. Therefore given the non-residential use of these floors there would be no undue loss of amenity.

7.5.3 The second and third floor levels of the building are used for residential purposes with four flats on each floor. The proposed building would not project beyond the frontage of this neighbouring property therefore there would be no undue loss of amenity to the front rooms of the flats. The four flank windows at second and third floor level serve the small kitchen areas for four of the flats. These are not the main habitable rooms and in this urban context, the relationship is considered to be acceptable.

7.5.4 The proposed building at first, second and third floor levels would project 27m beyond the rear elevation of this building. The fourth floor has been set back at the nearest side by 9.5m. The fifth floor (top floor) would be a lightweight structure which would be inset and well set back from the rear of the building. The proposed flank wall of the building would follow the line of the existing building, being inset between 4.1m at its narrowest point and 6.069m at its greatest point from the site boundary. It is considered that due to the elevated position of these neighbouring flats and the setting away of the proposed building from the boundary, this would ensure that there is no undue loss of amenity within this town centre location.

7.5.5 143 – 154 The Broadway (CIPD building)

7.5.6 The proposed building would project parallel with the flank of this building. In addition the CIPD building is as a wholly commercial building and therefore there would be no undue loss of amenity.

7.5.7 2 – 8 Palmerston Road

7.5.8 These neighbouring houses are located to the west and are orientated at a right angle to the application. The proposed houses are distanced at least 20m from the flank wall of the proposed building. The proposed building is also inset between 5.1m and 6.069m from the site boundary. A rear car park to the rear of 2 & 4 Palmerston Road also provides a visual barrier between the application site and these neighbours. In order to mitigate overlooking and sense of being overlooked from the proposed terraces, a planning condition requiring the terraces to be fitted with a 1.7m high obscured side screen would be applied.

7.5.9 It is considered that the proposed building would have no undue impact upon these neighbours' amenity. The proposed building would be seen in context to the larger CIPD building behind. There would be no undue loss of light or overshadowing given the siting and degree of separation.

8. Trees

8.1 The application site is not located within a conservation area and no trees on the site are protected by tree preservation orders. The two trees at the far end of the application site have limited public amenity value and are not protected so they can be removed without any permission. In any event, the proposed building would be set away from these trees which would provide a suitable level of separation for their retention.

9. Traffic, Parking and Highways conditions

9.1 The high PTAL rating of 6a would mean that future occupants would have very good access to a number of alternative public transport options. The area is located within Wimbledon town centre which is controlled by various CPZ's and on street car parking is already very limited. Given the relative modest size of the proposal in a town centre location, it is considered that there would be no undue impact upon existing highway conditions in the vicinity. However, the site is located within a CPZ which is already oversubscribed, therefore given the very good level of public transport options within the area, the development would be required to be car parking permit free which can be controlled via a section 106 agreement.

9.2 Secured cycle parking is provided within a bike store within the building at levels from floor 1 to floor 4. The cycle storage at each floor would accommodate 4 cycle spaces (16 in total), the stores would be safe & secure and can be accessed via the communal corridor and lift facility. The London Plan requires a minimum of 1 cycle space per 1 bedroom unit

and 2 cycle spaces for units with more than one bedroom. In this instance, the development would require 9 further spaces to give a total of 25 to meet the London Plan standards. There is scope to accommodate additional cycle parking within the side passage of the site or potentially within existing structures/stores at the rear/side of the building. The applicant has confirmed that they will provide full details of cycle parking as part of a planning condition. Therefore in order to meet the shortfall in cycle parking provision, a planning condition requiring further details of cycle parking should ensure that the proposal meets London Plan standards.

10. Affordable Housing

10.1.1 Planning policy CS 8 (Housing Choice) of Merton's Core Planning Strategy states that development proposals of 10 units or more require an on-site affordable housing target of 40% (60% social rented and 40% intermediate). In seeking affordable housing provision the Council will have regard to site characteristics such as site size, its suitability and economics of provision such as financial viability issues and other planning contributions.

10.1.2 The amount of affordable housing this site can accommodate has been subject of a viability assessment. The application has been with the Council since November 2016 and following extensive discussions with the Councils independent viability assessor, it is concluded that the scheme is able to support the provision of 4 on-site affordable units (2 rent and 2 intermediate). In this instance, it is noted that there could be difficulties securing and delivering the affordable housing on-site provision by a Registered Provider (RP). This is due to practical difficulties within a town centre location, existing commercial unit being retained and sitting below the residential units and the small number of affordable units on offer. The applicant has submitted some correspondence with RP's which state that the scheme is too small and not suitable. In order to proactively redevelop the site, in this instance, given the circumstances above, if a RP cannot be secured within 6 months of the planning approval (following evidence being submitted that the applicant has taken appropriate measures) then a financial contribution of £500, 000 would be required.

11. Sustainability

11.1 The submitted energy statement indicated that the proposed development should achieve a 68.64% improvement in CO2 emissions on Part L. This exceeds the minimum sustainability requirements of Merton's Core planning Strategy Policy CS15 and 5.2 of the London Plan (2016) and is equivalent to the 25% improvement over Part L (2010) required under Code for Sustainable Homes Level 4. The Councils Climate Officer has

confirmed that he has no objection subject to suitable conditions relating to energy and water.

12 Local Financial Considerations

- 12.1 The proposed development is liable to pay the Mayoral Community Infrastructure Levy, the funds for which will be applied by the Mayor towards the Crossrail project. The CIL amount is non-negotiable however planning permission cannot be refused for failure to agree to pay CIL.

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

- 13.1.1 The application does not constitute Schedule 1 or Schedule 2 development. Accordingly, there are no requirements in terms of EIA submission.

14. **CONCLUSION**

- 14.1 It is considered that subject to suitable conditions, the design and appearance would satisfactorily relate to the Broadway street scene and Town Centre location. The proposal would create 16 new residential units within a town centre which would make a modest contribution to the Borough housing stock, offering flats with a good standard of accommodation and direct access to excellent public transport options. The proposal is considered to be in accordance with Adopted Site and Polices Plan, Core Planning Strategy and London Plan policies. The proposal is therefore recommended for approval subject to conditions and S106 agreement.

RECOMMENDATION

GRANT PLANNING PERMISSION

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

1. Designation of the development as permit-free and that onstreet parking permits would not be issued for future residents of the proposed development.
2. That the developer makes an on-site contribution towards Affordable housing (4 flats) or if a registered provider cannot be secured to deliver the onsite provision then a £500,000 financial contribution will be required.

3. The developer agreeing to meet the Council's costs of preparing, drafting and monitoring the Section 106 Obligations.

And the following conditions:

1. A1 Commencement of Development (full application)
2. A7 Approved Plans
3. B.1 Materials to be approved, including detailed plans at a scale of 1;20 of some of the typical details
4. B.4 Details of Surface Treatment
5. B.5 Details of Walls/Fences
6. C07 Refuse & Recycling (Implementation)
7. C08 Other than the balconies/terraces as shown on the approved plans, 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.
8. The flats shall not be occupied until a scheme of details of screening of the balconies/terrace has been submitted 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 unless the scheme has been approved and implemented in its approved form and those details shall thereafter be retained for use at all times from the date of first occupation.
9. D10 External Lighting
10. D11 Construction Times
11. F01 Landscaping/Planting Scheme including tree planting to front boundary
12. F02 Landscaping (Implementation)
13. H07 Cycle Parking to be implemented
14. H14 Garages doors/gates
15. Sustainability

16. Construction Management Plan
17. 'No part of the development hereby approved shall be occupied until evidence has been submitted to the council confirming that the development has achieved internal water usage rates of 105 litre per person per day. Evidence requirements are detailed in the "Schedule of Evidence Required" for Post Construction Stage from Wat1 of the Code for Sustainable Homes Technical Guide (2010).'
- Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply with the following Development Plan policies for Merton: policy 5.2 of the London Plan 2011 and policy CS15 of Merton's Core Planning Strategy 2011.
18. No part of the development hereby approved shall be occupied until evidence has been submitted to the council confirming that the development has achieved not less than the Part L carbon savings and renewable energy generation equipment outlined the "ENERGY AND SUSTAINABILITY STATEMENT - 141 The Broadway, Wimbledon SW19 1QJ" December 2016 submitted as part of the approved plans.'
- Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply with the following Development Plan policies for Merton: policy 5.2 of the London Plan 2011 and policy CS15 of Merton's Core Planning Strategy 2011.
19. C06 Cycle Parking details to be submitted – 9 additional Cycle spaces required.
20. Noise (plant)
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