

**PLANNING APPLICATIONS COMMITTEE**  
**13<sup>th</sup> February 2020**

**APPLICATION NO.**  
19/P1676

**DATE VALID**  
14/05/2019

**Address/Site** 579-589 Kingston Road, Raynes Park, SW20 8SD

**Ward** Dundonald

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

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

**Contact Officer:** Tim Lipscomb (0208 545 3496)

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**RECOMMENDATION**

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

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**CHECKLIST INFORMATION**

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

## 1. **INTRODUCTION**

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

## 2. **SITE AND SURROUNDINGS**

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

### 3. PROPOSAL

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

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

### 3.12 Brief summary of changes:

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

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

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

3.14 The application is accompanied by the following supporting documents:

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

#### 4. PLANNING HISTORY

4.1 Relevant planning history is summarised as follows:

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

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

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

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

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

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

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

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

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

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

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

5. CONSULTATION

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

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

5.2 Councillor Anthony Fairclough:

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

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

### **Affordable Housing**

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

### **CIL/S 106 obligations**

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

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

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

5.3 Internal consultees:

5.4 LBM Environmental Health Officer:

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



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

#### 5.5 LBM Highway Officer:

Highways comments on 19/P1675 and 19/P1676

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

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

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

#### 5.6 LBM Transport Officer:

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

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

#### CPZ

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

#### Vehicular Access

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

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

#### Residential Car Parking

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

#### Disabled bays

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

#### Car Parking

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

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

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

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

### Cycle Parking

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

### Residential Cycle Parking

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

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

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

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

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

### Trip Generation

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

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

### Servicing and Deliveries

#### Residential Servicing

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

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

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

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

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

#### B1 use servicing

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

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

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

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

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

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

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

Informative:

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

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

Travel Plan:

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

Refuse:

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

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

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

5.7 LBM Flood Risk Engineer:

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

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

There is a significant reduction in surface water runoff from the site which currently is unrestricted. The scheme proposes to limit maximum discharge to no more than 4.02l/s and the drainage network is designed to accommodate the 1 in 100 year storm plus 40% climate change allowance, with no above ground flooding. 350m<sup>3</sup> of attenuation is provided in attenuation tanks. A linear swale is proposed at the northern boundary of the site. It should be noted that there has been a number of flood incidents associated with the pumping station and surcharging of the man-holes on Abbott Avenue, therefore, we welcome the fact that the scheme does not propose to discharge into the northern boundary combined network.

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

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

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

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

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

Informative:

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

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

#### 5.8 LBM Climate Change Officer:

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

Updated guidance

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

BREEAM

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

SAP calculations

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

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

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

#### Be lean

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

#### Be Clean

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

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

#### Be Green

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

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

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

#### Overheating analysis

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

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

#### Water Usage

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

### 5.9 LBM Waste Services:

#### **1. Waste Container Storage Area:**

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

#### **2. Waste Bin Capacity for the residential units:**

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

#### **3. Bulky waste:**

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

- b. This area should be about 10<sup>2</sup> metres, or waste items to be collected from the bin store area if there is adequate room. This storage area must be within the property.

**4. Access for Collection vehicle:**

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

Waste Bin Capacity for the residential units:

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

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

5.10 LBM Urban Design Officer:

No concerns raised.

5.11 External consultees:

5.12 TfL:

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

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

**Car Parking**

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

**Crossrail 2**

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

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

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

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

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

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

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

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



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

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

#### 5.14 Metropolitan Police – Designing out Crime Officer:

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

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

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

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

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

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

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

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

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

Suggested condition wording:-

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

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

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

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

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

#### 5.15 Thames Water:

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

#### 5.16 Environment Agency:

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

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

#### 5.17 Network Rail:

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

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

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

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

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

5.18 Network Rail (further comments):

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

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

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

5.19 Merton Green Party:

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

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

5.20 External Financial Viability Consultant (Summary of comments):

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

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

5.21 Greater London Authority:

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

5.22 Merton Cycling Campaign:

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

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

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

5.23 Wimbledon Swift Group:

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

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

#### 5.24 The Wimbledon Society:

The Wimbledon society would like to object to both schemes.

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

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

## 6. POLICY CONTEXT

### 6.1 National Planning Policy Framework (2019)

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

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

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

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

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

#### 6.5 Supplementary planning guidance.

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

## 7. **PLANNING CONSIDERATIONS**

### 7.1 Key Issues for consideration

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

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

### 7.2 Principle of development

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

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

### 7.3 Need for additional housing, residential density and housing mix

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



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

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

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

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

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

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

7.3.10 In terms of housing mix, the scheme provides no three bed units, whereas the previous scheme proposed 6.1% provision of 3 bedroom units (6 units on a 99 unit scheme).

7.3.11 The LBM Housing Strategy Manager has reviewed the housing mix element of the proposal and does not support the mix which reduces the proportion of three bed units across the site. The Housing Manager advises that many three bed homes in Merton's existing housing supply are not available for families needing three bed accommodation, as there is a high rate of under-occupation in the owner-occupied sector which makes up 60% of all tenures in Merton. There is also an emerging trend across London that large homes in the private rented sector are increasingly occupied by house-sharers. In terms of demand for family-sized homes, the Council's Housing Register (c. 10,000 households or 12% of all Merton households) shows 29% of households with 'reasonable preference' (as defined by the Housing Act 1996) require three bed homes. Although these households are applying for housing owned by housing associations (social housing), in reality most will have to continue to rely on private sector housing, as only around 20% of social housing available for let are family-sized homes with three beds or above, and only between 300-400 social homes are available for let annually. In addition, the Housing manager recommends that 35% of all new housing (all tenures) should be three bed or above. The percentage remains consistent with the recommended percentage of units of 3 bedrooms and above in the table at paragraph 2.34 of the Merton Sites and Policies Plan.

7.3.12 The Housing Strategy Manager has further commented that the existing housing mix across the borough cannot reasonably be used as a justification for an under-provision of three bed units in a new development

but must be informed by current and projected future demand (which takes into account the existing provision of family sized dwellings in the borough).

7.3.13 The applicant argues that the housing mix has been carefully selected for the following reasons:

- In August 2017, the Mayor of London adopted supplementary planning guidance, “Homes for Londoners” which includes advice specifically on Build to Rent schemes. The SPG notes that to encourage the development of this type of housing, the London Plan has made clear that LPAs should recognise the distinct economics of the sector relative to mainstream ‘build for sale’ market housing, and should take account of this when considering planning applications for Build to Rent schemes. One distinct aspect of BtR schemes is unit mix and design, in which the aim is to utilise the flexibilities that already exist in London Plan policies to support high quality BtR developments. Paragraph 4.31 notes:

“Build to Rent can be particularly suited to higher density development within or on the edge of town centres or near transport nodes. Local policies requiring a range of unit sizes should be applied flexibly to Build to Rent schemes in these locations to reflect demand for new rental stock, which is much greater for one and two beds than in owner-occupied or social/affordable rented sector.”
- The mix of units has been carefully considered in the context of the development site and its location. Given the urban location, adjacent to commercial units, the railway line and Kingston Road, a flatted development is considered to be entirely appropriate. It would be inappropriate to provide private amenity space on the site, and this leads to the provision of 1- and 2-bedroom flats, rather than a significant number of 3 bed units which would require the provision of such external amenity space.
- In addition, the site is located opposite the Apostles, where a very substantial number of 3-bed properties are found. The Core Strategy describes Raynes Park as a whole as a “relatively affluent, high quality suburban area” (paragraph 14.2). It is also an area of “high public transport accessibility” (paragraph 14.2), and on the Kingston Road, is characterised by a substantial amount of commercial property. In considering the mix of units within the approved scheme, the officer’s report noted that, the 2011 Census data for the Merton area identifies the following unit size mix – 7.1% 1 bed, 14.4% 2 bed and 78% 3 bed. There is a very high proportion of larger dwellings in Merton, thus the proposal would contribute to balancing the housing choice in Merton as a whole.

7.3.14 Given the move away from prescribed housing mix figures in the emerging London Plan and the arguments put forward by the applicant, it is considered that the failure to provide three bedroom units is sufficiently justified.

## 7.4 Affordable Housing

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

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

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

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

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

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

7.4.5 If the proposal does not meet this 35% provision, it will be necessary to submit a full viability assessment in order to demonstrate that the scheme is delivering as much affordable housing as is financially viable.

7.4.6 The previous scheme was accompanied by a viability statement and provided 27 affordable housing units peppered throughout the development.

7.4.7 The Council has employed an external financial viability consultant who has considered the argument put forward by the applicant and concludes that no provision of on-site or off-site commuted sum would be financially viable. Therefore, despite officers' reservations over this matter, the scheme has reasonably justified that no affordable housing contribution is financially viable. Officers recommend that the s.106 agreement include viability review mechanisms at early and late stages of the development, to ensure that if the situation changes, any contribution can be captured.

7.4.8 Subject to a suitable claw-back mechanisms in the s.106 legal agreement, it is considered that the proposal has justified its acceptability in terms of affordable housing.

## 7.5 Impact on visual amenity and design

7.5.1 The National Planning Policy Framework (NPPF) states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. London-wide planning policy advice in relation to design is found in the London Plan

(2015), in Policy 7.4 - Local Character and 7.6 - Architecture. These policies state that Local Authorities should seek to ensure that developments promote high quality inclusive design, enhance the public realm, and seek to ensure that development promotes world class architecture and design.

- 7.5.2 Policy DM D2 seeks to ensure a high quality of design in all development, which relates positively and appropriately to the siting, rhythm, scale, density, proportions, height, materials and massing of surrounding buildings and existing street patterns, historic context, urban layout and landscape features of the surrounding area. Core Planning Policy CS14 supports these SPP Policies.
- 7.5.4 The bulk and massing of Blocks A, B and C is similar to that previously approved and no objection is raised in this regard.
- 7.5.6 In terms of the proposed Block D, it is noted that a scheme incorporating terrace style dwellings in this location was withdrawn following officer concern (under application ref. 17/P2529). This concern primarily related to the interface between the private and public areas and the requirement for high fencing adjacent to the central courtyard area and the potential harmful impact on realising the development of the adjacent site (Dundonald Church).
- 7.5.7 However, it is noted that the circumstances have materially altered since that time, in that planning permission has been granted at the adjacent site (Dundonald Church) which will result in a three storey flank wall standing on the eastern boundary of the application site boundary (17/P0763). This planning permission represents a material consideration in the assessment process.
- 7.5.8 Part of the concerns raised in relation to the terraced dwellings under 17/P2529 was the interface between the private gardens to the terraced dwellings and the communal courtyard within the development. The relationship would have resulted in unreasonable overlooking of the private gardens (if not enclosed by a high solid form of barrier) and, if a high solid barrier had been proposed, it would have detracted from the quality of the courtyard amenity space by creating an inactive edge.
- 7.5.9 The current scheme has responded to this concern and the intention is to create a suitably planted and landscaped buffer area that would provide some privacy for future occupiers whilst not creating a 'fortress like appearance' when viewed from the courtyard. It is considered that, subject to the details of this landscaped buffer, the impact on both visual amenity and the amenity of future occupiers would be suitably safeguarded.
- 7.5.10 Officers would, under other circumstances, have had some reservations over single aspect units being introduced. However, in this case there is a clear justification for this built form (given the three storey wall that would be created to the eastern site boundary). The proposed Block D would effectively mask the blank expanse of three storey wall that would be created at the adjacent site. There is no opportunity to provide an outlook to the other three elevations and as such, the proposed provision of single aspect units in this location is considered to be appropriate and would enable this land to be suitably developed.
- 7.5.11 The changes to the layout and landscaping of the communal courtyard is generally supported by officers in visual term and, the more organic layout

of soft landscaping and amenity spaces is considered to contribute to the sense of place that would be created.

7.5.12 The current scheme proposes refuse collection be carried out from the highway with a central bin store, accessed directly from Kingston Road. This would mean that a refuse vehicle is not required to access the site for refuse/recycling collection and therefore an opportunity arises in that the courtyard would be less constrained for pedestrian use, as it would no longer need to regularly accommodate large turning vehicles. This is positive in principle, and is addressed in detailed later in this report.

7.5.13 The proposal is considered to be acceptable in terms of its impact on the character of the area and the proposed Block D would make effective use of the space left over from the previous scheme,

## 7.6 Impact on neighbouring amenity

7.6.1 Policy DM D2 seeks to ensure that development does not adversely impact on the amenity of nearby residential properties.

7.6.3 The applicant has submitted a Daylight/Sunlight Analysis to justify the relationship and officers consider that the impact of the scheme on neighbouring properties and other properties within the scheme would be similar to that approved under 16/P1208.

7.6.4 The interface between the proposed Block D and the courtyard space is a key consideration in the assessment. The landscaped/planted buffer strip would allow for some degree of privacy to be retained by future occupiers, whilst maintaining the quality of the courtyard amenity space. Therefore, with the detailing shown, officers support this element of the proposals.

7.6.7 No overriding concern is raised in relation to the remainder of the proposals in terms of the impact on neighbouring amenity.

## 7.7 Standard of Accommodation

7.7.1 The detailed design of the proposed development should have regard to the requirements of the London Plan (2016) in terms of unit and room sizes and provision of external amenity space. The requirements of SPP Policy DM D2 will also be relevant in relation to the provision of amenity space (see paragraph 6.17 of the supporting text).

7.7.2 The proposed units would meet or exceed the minimum GIA set out in the London Plan.

7.7.3 The amount of private external amenity space provided would meet the minimum requirements of the London Plan and no objection is raised in this regard.

7.7.4 As set out above, the proposed single aspect layout of the proposed units in Block D is considered to be acceptable in this instance. Overall 90% of the proposed units would be dual aspect to some degree. There are no north facing single aspect units proposed.

7.7.5 The provision of external amenity space is considered to be acceptable. The more organic layout is such that the quality of the space is likely to be higher with more visual interest and character created. The overall level of

external amenity space is similar to the previous scheme and is not considered to be objectionable.

7.7.6 A scheme for landscaping and to secure the provision of suitable play equipment and ongoing maintenance would be controlled by way of planning condition in the event that planning permission is granted.

7.7.7 At least 10% of units should be wheelchair accessible. In addition, Standard 18 of the Mayor's SPG on Housing sets out that each designated wheelchair accessible dwelling should have a car parking space that complies with Building Regulations Part M4(3). The floor plans show there to be 11 wheelchair accessible units with 11 disabled parking spaces and therefore no overriding objection is raised in this regard.

7.7.8 The standard of accommodation is considered to be acceptable.

## 7.8 Transport, highway network, parking and sustainable travel

7.8.1 Policy 6.1 of the London Plan (2016) states that the Mayor will support developments, which generate high levels of trips at locations with high levels of public transport accessibility and which improves the capacity and accessibility of public transport, walking and cycling. At a local level Policy CS.19 of the Core Planning Strategy states that the council will ensure that all major development demonstrates the public transport impact through transport assessments. Travel plans will also be required to accompany all major developments. Policy CS.18 promotes active transport and encourages design that provides attractive, safe, covered cycle storage, cycle parking and other facilities (such as showers, bike cages and lockers).

7.8.2 The scheme proposes 33 car parking spaces on site, of which, 11 would be for disabled users. As with the previous scheme, the development would result in the predicted number of vehicles likely to be associated with the number, mix and tenure of dwellings proposed being greater than the number of spaces to be made available (by 13 spaces). As a consequence, planning controls in the form of a S106 agreement to exclude future occupiers from eligibility for parking permits in the surrounding CPZ would be necessary so as to avoid undue additional pressure on kerbside parking locally.

7.8.3 Therefore, it will be necessary to enter into a s.106 to restrict the issuing of parking permits, to provide 5 years free car club membership and to provide a dedicated car club bay.

7.8.4 At least 20% of parking spaces would have electric charging points, in line with London Plan standards.

7.8.5 It is noted that TfL raise objection to the number of parking spaces and assert that less should be provided to meet the aim of 80% of trips within London being made by sustainable modes. However, the ratio of parking is 0.28, which is very low and it would not be reasonable to insist on less parking than that which is proposed.

7.8.6 The grouped cycle parking that was proposed in the previous scheme would have provided a number of small cycle stores in close proximity to the stair cores they would serve. These stores were well located and individuals would feel a sense of ownership to these smaller cycle stores. The proposed combined cycle parking areas were initially not supported by

officers as it is considered that this could be a large, uninviting space which would not foster good community relations. The London Cycle Design Standards sets out that cycle parking should be convenient, accessible and as close as possible to the destination. However, the applicant has presented arguments to support this arrangement, such as the benefit of providing of a workshop area to serve the users. On balance, it is considered that the larger cycle stores would have some merit in terms of providing a workshop area which would benefit residents.

7.8.7 The additional 19 units proposed, over and above the approved scheme, would not justify the highway improvements suggested in representations. The provision of 215 cycle spaces for the residential element and 16 spaces for the commercial element would not warrant off-site improvement works. However, it is possible that pooled CIL monies could be used for this purpose. However, this is not a consideration for this specific planning application.

7.8.9 In terms of refuse collection, satellite bin stores would be managed on-site with staff taking the various bins to the main bin store for collection. Provided that a management company is set up to accommodate this arrangement this approach would be acceptable in principle. The management company would need to be secured by way of condition.

7.8.10 The Council's Transport Planner had initially raised concern to the principle of on-street servicing for the residential element of the scheme. At the meeting, the concept of providing two on-street lay-bys to accommodate servicing vehicles was discussed. However, due to the level of kerbside required and the potential conflict with parked cars, the Council's Transport planner has suggested that one of these lay-bys be significantly enlarged. The applicant has responded to this concern and accordingly as enlarged the proposed lay-by. Officers are satisfied that the arrangements would not result in material harm to highway safety.

## 7.9 Biodiversity

7.9.1 The application site has been cleared for 8+ years and consists of hard-standing and loose material; as such the application site is considered to be of negligible intrinsic ecological and nature conservation importance. There is however a SINC directly to the north of the site, which coincides with the railway land.

7.9.2 As with the previous scheme, no objection is raised in relation to the impact on biodiversity subject to the implementation measures set out in the Ecological Appraisal that accompanied application 16/P1208.

7.9.3 The comments of the Wimbledon Swift Group are noted. The development would provide an opportunity to incorporate swift friendly design features and an informative in this regard is recommended.

## 7.10 Sustainability

7.10.1 Policy 5.2 Minimising Carbon Dioxide Emissions of the London Plan requires that development proposals should make the fullest contribution to minimising carbon dioxide emissions in accordance with the Mayor's energy hierarchy. Merton's Core Planning Strategy Policy CS15 Climate Change (parts a-d) requires new developments to make effective use of resources and materials, minimise water use and CO<sub>2</sub> emissions.

7.10.2 An energy statement has been submitted with the application. This should demonstrate via SAP calculations and an energy report that the scheme has been designed to achieve a 35% improvement on Part L 2013, in accordance with London and Local Plan policy requirements.

7.10.3 The submission made by the applicant does not fully detail how these necessary energy and water savings would be made and therefore, it is intended to impose a pre-commencement condition ensuring that this information is submitted and agreed before construction commences. If the necessary carbon savings cannot be achieved the applicant will be required to amend the scheme as necessary through a variation of condition application, or to provide a carbon offset financial contribution through a subsequent discharge of condition application.

7.10.4 The comments of the Wimbledon Society are noted. However, there is no policy basis to require greater sustainability credentials than that set out in the London Plan.

#### 7.11 Air quality and potentially contaminated land

7.11.1 The whole of Merton is an Air Quality Management Area (AQMA).

7.11.2 It is noted that no air quality assessment was submitted under the previous application, 16/P1208. However, since the 2016 application was submitted the Council has adopted a new validation checklist, which requires the submission of an air quality statement for proposals introducing residential uses within areas of particularly significant air quality. However, it is considered that subject to the inclusion of conditions requiring a Method of Demolition and Construction Statement, dealing with the control of emissions of dust and dirt, the proposal would be acceptable in terms of air quality, notwithstanding the lack of an air quality statement.

7.11.3 It is noted that this scheme proposes less car parking spaces than the previous scheme, which in itself would be a benefit, albeit limited, in terms of air quality.

7.11.4 Conditions will be imposed on any granting of planning permission to secure a demolition and construction method statement and a limit on noise levels from plant/machinery.

7.11.5 In addition, conditions would be imposed relating to any potential contamination of the land on the site, to include remediation measures if necessary, as was the case under application 16/P1208.

#### 7.12 Flooding and site drainage

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

7.12.2 The site is within Flood Zone 1 (low probability of flooding) and is not within a critical drainage area. However, notwithstanding that, the scheme would include details of a Sustainable Urban Drainage System and demonstrate a sustainable approach to the management of surface water on site.



7.12.3 The Council's Flood Risk Officer and the Environment Agency have raised no objection and the proposal is considered to be acceptable in terms of surface water runoff and flooding considerations.

#### 7.13 S.106 requirements/planning obligations

7.13.1 The affordable housing requirements are referred to above and will need to be controlled by way of a legal agreement. In addition, it will be necessary for the development to be parking permit free and to provide five years free car club membership, by way of legal agreement, as with the previous permission, 16/P1208. Also, the additional requirements identified under 16/P1208 (bus stop improvements, dedication of land as highway to the Kingston Road frontage, provision of loading bays and potentially carbon off-setting), are also required in relation to the current scheme.

7.13.2 The proposed development would be subject to the Community Infrastructure Levy (CIL). This would require a contribution of £220 per additional square metre of floor space to be paid to Merton Council and an additional £60 per additional square meter to be paid to the Mayor. Further information on this can be found at:

<http://www.merton.gov.uk/environment/planning/cil.htm>

#### 8. Conclusion

8.1 The principle of a major mixed use re-development of the site is established by the previous grant of planning permission. Redevelopment of the neighbouring site has also been endorsed with permission being granted subsequent to the consideration of the 2016 application at the current pre-app site.

8.2 The limited loss of employment space is considered to be suitably justified against the requirements of Policy DM E3.

8.3 The proposed Block D is considered to be acceptable, as set out above in this report.

8.4 The housing mix would not meet the indicative proportions of Policy DM H3, however, the justification put forward by the applicant is considered to be reasonable.

8.5 The applicant has provided detailed financial viability information to demonstrate that the scheme cannot reasonably provide any contribution towards affordable housing.

8.6 The concept of a large shared bicycle store has been justified by the applicant and would result in a benefit to users, over and above the previous scheme.

8.7 Refuse management would be required on an on-going basis on the site, which would be controlled by way of condition.

8.8 Officers consider that the proposal is acceptable in planning terms. Members should consider the key differences between this scheme and the previously approved 16/P1028 and conclude whether the changes are acceptable in reaching their conclusion as to whether planning permission should be granted.

## 9. RECOMMENDATION

Grant planning permission subject to s106 agreement securing the following:

- Restrict parking permits.
- Car club membership for all eligible adults for five years.
- Bus shelter opposite the site is upgrade contribution of £8,554.94.
- Dedication of land as highway to the Kingston Road frontage.
- Provision of loading bays.
- and cost to Council of all work in drafting S106 and monitoring the obligations.

And the following conditions:

1. Time limit
2. Approved Plans
3. B1 External Materials to be Approved
4. B4 Details of surface treatment
5. B6 Levels
6. C03 Obscured Glazing (Fixed Windows)
7. C07 Refuse & Recycling (Implementation)
8. C06 Waste Management Plan (Details to be Submitted)
9. C08 No Use of Flat Roof
10. C10 Balcony or External Staircase (Screening details to be provided)
11. D09 No External Lighting
12. F01 Landscaping/Planting Scheme
13. F02 Landscaping (Implementation)
14. F13 Landscape Management Plan (including swift bricks , number to be agreed)
15. H06 Cycle Parking and workshop facility - Details to be Submitted
16. H01 New Vehicle Access - Details to be submitted
17. H02 Vehicle Access to be provided
18. H04 Provision of Vehicle Parking (including disabled parking and electric vehicle charging)
19. H05 Visibility Splays
20. H08 Travel Plan
21. H10 Construction Vehicles, Washdown Facilities etc (major sites)
22. H13 Construction Logistics Plan to be Submitted (major development)
23. H14 Doors/Gates
24. H11 Parking Management Strategy
25. L2 Code for Sustainable Homes - Pre-Commencement (New build residential)
26. L6 BREEAM - Pre-Commencement (New build non-residential)
27. A Non Standard Condition: The recommendations to protect noise intrusion into the residential dwellings and plant noise criteria as specified in the Sandy Brown, Noise Impact Assessment Report 18404-R01-B, Scheme A, dated 27 March 2019 shall be implemented as a minimum standard for the development. A post construction noise survey shall be conducted within 3 months of occupation and any necessary remedial measures implemented should the submitted criteria fail to be achieved. The remedial measures shall be first agreed in writing by the LPA.

28. A Non Standard Condition: Noise levels, (expressed as the equivalent continuous sound level) LAeq (10 minutes), from any fixed external new plant/machinery shall not exceed LA90-10dB at the boundary with any residential property or noise sensitive premises.
29. A Non Standard Condition: All Non-road Mobile Machinery (NRMM) used during the course of the development that is within the scope of the Greater London Authority 'Control of Dust and Emissions during Construction and Demolition' Supplementary Planning Guidance (SPG) dated July 2014, or any subsequent amendment or guidance, shall comply with the emission requirements therein.
30. A Non Standard Condition: No development approved by this permission shall be commenced until a detailed scheme for the provision of surface and foul water drainage has been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. The drainage scheme will dispose of surface water by means of a sustainable drainage system (SuDS) via infiltration or at the agreed runoff rate (no more than 4.02l/s), in accordance with drainage hierarchy contained within the London Plan Policy (5.12, 5.13 and SPG) and the advice contained within the National SuDS Standards.
31. A Non Standard Condition: The development hereby permitted shall incorporate security measures to minimise the risk of crime and to meet the specific security needs of the development in accordance with the principles and objectives of Secured by Design. Details of these measures shall be submitted to and approved in writing by the local planning authority prior to commencement of the development and shall be implemented in accordance with the approved details prior to occupation.
32. A Non Standard Condition: Prior to occupation a Secured by Design final certificate shall be submitted to and approved by the Local Planning Authority.
33. A Non Standard Condition: No properties shall be occupied until written confirmation has been provided that either:- all water network upgrades required to accommodate the additional flows from the development have been completed; or - a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.
34. A Non Standard Condition: No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme- for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement
35. A Non Standard Condition: Thames Water do NOT permit the building over or construction within 5m, of strategic water mains and have contacted the developer in an attempt to agree how the, asset will be diverted / development will be aligned. We have been unable to agree a position in the time available and as such Thames Water request that the following condition be added to any planning permission. No construction shall take place within 5m of the water main. Information detailing how the developer intends to divert the

asset/align the development, so as to prevent the potential for damage to subsurface potable water infrastructure, must be submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any construction must be undertaken in accordance with the terms of the approved information. Unrestricted access at be available at all times for the maintenance and repair of the asset during and after the construction works.

36. A Non Standard Condition: If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved, verified and reported to the satisfaction of the Local Planning Authority.
37. A Non Standard Condition: No drainage systems for the infiltration of surface water drainage into the ground are permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to Controlled Waters. The development shall be carried out in accordance with the approval details.
38. A Non Standard Condition: Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.
39. A Non Standard Condition: The development hereby approved shall not be commenced until a scheme for the provision and management of external amenity space, to include details of children's play equipment, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the agreed facilities and management plan are implemented in accordance with the approved details.
40. A Non Standard Condition: No development above ground level other than demolition shall take place until drawings to a scale of not less than 1:20 and samples and/or manufacturer's specifications of the design and construction details listed below have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out solely in accordance with the approved details.
  - i) metal, glass and wood work including to private amenity spaces and balconies;
  - ii) all external window and door systems (including technical details, elevations, plans and cross sections showing cills and reveal depths);
  - iii) copings and soffits and junctions of external materials;
  - iv) rain water goods (including locations, fixings, material and colour).
41. A Non Standard Condition: The development shall be constructed in accordance with a business signage/ external advertising design code which shall inform the location and size of those areas

- designated for signage, such a design code having first been submitted to and agreed in writing by the local planning authority.
42. J2 Wheelchair Accessible Homes
  43. A Non Standard Condition: The development shall be implemented in accordance with the recommendations of the applicant's Ecological Appraisal, submitted under application ref.16/P1208.
  44. D11 Construction Times
  45. A Non Standard Condition: Unless otherwise agreed in writing by the Local Planning Authority, no part of the development hereby approved shall be used or occupied until evidence has been submitted to the council confirming that the developer has provided appropriate data and information pertaining to the sites Combined Heat and Power (CHP) system to the Greater London Authority (GLA, [environment@london.gov.uk](mailto:environment@london.gov.uk)) to allow the site to be uploaded to the London Heat Map (<https://www.london.gov.uk/what-we-do/environment/energy/londonheat-map>).'
  46. A Non Standard Condition: Prior to occupation, the detailed design, specification and planting scheme for any green roof forming part of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The design and planting shall be carried out as approved prior to occupation of the relevant part of the development, retained and maintained in perpetuity thereafter.
  47. A Non Standard Condition: [Local employment strategy] Prior to the commencement of development [including demolition] a local employment strategy shall have been submitted to and approved in writing by the Local Planning Authority setting out the measures taken to ensure that the development provides employment opportunities for residents and businesses in Merton during the construction phase.

Informatives:

1. Please note that the Highways section must be contacted prior to any form of construction works being undertaken so that all Highway licences are in place, this includes any temporary works and temporary crossings
2. No surface water runoff should discharge onto the public highway including the public footway or highway. When it is proposed to connect to a public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required (contact no. 0845 850 2777).
3. No waste material, including concrete, mortar, grout, plaster, fats, oils and chemicals shall be washed down on the highway or disposed of into the highway drainage system.

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