

PLANNING APPLICATIONS COMMITTEE

18th June 2020

UPRN	APPLICATION NO.	Item No: DATE VALID
	19/P2383	07.06.2019
Address/Site (Ward)	Benedict Wharf, Off Hallowfield Way, Mitcham, Surrey CR4 3BQ Cricket Green	
Proposal:	OUTLINE PLANNING APPLICATION (WITH ALL MATTERS RESERVED) FOR THE REDEVELOPMENT OF THE SITE COMPRISING DEMOLITION OF EXISTING BUILDINGS AND DEVELOPMENT OF UP TO 850 NEW RESIDENTIAL DWELLINGS (CLASS C3 USE) AND UP TO 750 SQM OF FLEXIBLE COMMERCIAL FLOORSPACE (CLASS A1-A3, D1 AND D2 USE) TOGETHER WITH ASSOCIATED CAR PARKING, CYCLE PARKING, LANDSCAPING AND INFRASTRUCTURE	
Drawing Nos;	Site location plan and drawings	
Documents;	Benedict Wharf Design Code (final) Access movement plan Arboricultural assessment Archaeological Report Benedict Wharf Design & Access statement Building heights Parameter plan Development Parcels block layout Development Parcels indicative plan Illustrative Masterplan Masterplan Indicative framework plan, non resi users Feb 2020 Indicative framework plan Open and play space Feb 2020 Indicative Framework plan block layout	
Supportive docs;	Air Quality Assessment Arboricultural impact assessment Benedict wharf DLSL Overshadowing Community Involvement Statement	

Consultation Feedback report
Detailed Quantitative risk assessment
Daylight Sunlight report
Design and Access report
Ecological Impact Assessment
Ecology Report
Economic benefit summary
Economic Impact assessment
Economic Impact infographic
Energy & Sustainability Strategy 2020
Flood risk Assessment
Heritage assessment
Heritage, townscape & Visual impact assessment
addendum
Land quality assessment
Noise report Feb 2020
Outline Construction Management Plan March 2020
Outline Delivery & servicing Management Plan March 2020
Outline Travel plan March 2020
Planning Statement & addendum
Transport Assessment & Framework Travel plan March 2020
Utilities assessment
Utility Strategy

Contact Officer: Leigh Harrington (020 8545 3836)

RECOMMENDATION

Grant Outline Planning Permission subject to any direction from the Mayor of London, the completion of a S106 agreement and conditions.

CHECKLIST INFORMATION.

- Heads of agreement: Yes
- Is a screening opinion required: Yes
- Is an Environmental Statement required: No
- Has an Environmental Impact Assessment been submitted: No
- Design Review Panel consulted: Yes
- Number of neighbours consulted: 1043
- Press notice – Yes
- Site notice – Yes

- External consultations: Yes; GLA, TfL, EDF Energy, UK Power Networks, Southern Gas Networks, Thames Water, Metropolitan Police, Historic England, Mitcham Society, Mitcham Cricket Green Community & Heritage
- Archaeological Priority Zone – Yes
- Flood risk zone - No
- Controlled Parking Zone – Yes
- Number of jobs created: N/A
- Adjoins the Mitcham Cricket Green Conservation Area
- Locally or statutorily listed buildings – Not on site

1 INTRODUCTION

- 1.1 The application has been brought before the Committee due to the scale of the proposals, the proposals being a departure from the Development Plan and the level of neighbour objection. For the time being, the decision of Merton's Planning Committee is not the final decision as this major application is required to be referred to the Mayor of London for any direction.

2. SITE AND SURROUNDINGS

- 2.1 The application site comprises a roughly triangular shaped parcel of land (3.8 hectares), located to the south of Hallowfield Way, Mitcham. The application site is currently allocated as a Strategic Industrial Location (SIL) and is safeguarded for its existing waste processing use.
- 2.2 The Tramlink sits to the southern boundary of the site and Belgrave Walk is the closest tram stop, just five minutes walk from the site. The site is also surrounded by key vehicular routes such as Church Road connecting to Collier's Wood. Based on TfL's Webcat toolkit the application site has a public transport accessibility level (PTAL) range of 1b to 3, on a scale of 0 to 6b where 6b is the most accessible.
- 2.3 London Road Playing Fields is located adjacent to the eastern boundary and the site is within an area covered by a network of large public open spaces such as Morden Hall Park, Mitcham Common, Ravensbury Park and Cricket Green.
- 2.4 Mitcham Cricket Green Conservation Area is located partially within the site and extends north and east into Mitcham and there are a number of Listed and Locally Listed buildings in close proximity to the site, the closest being Mitcham Parish Church opposite the site entrance
- 2.5 The Wandle Valley Conservation Area is located near to the south of the site and includes a portion of London Road Playing Fields.

3. **CURRENT PROPOSAL**

- 3.1 As originally submitted the outline application was for up to 600 residential units and 500sqm of non residential floor space. Following consultation with the GLA who considered that this figure did not optimise the housing potential of the site or allow for the provision of sufficient affordable housing the quantum was increased to that now before members, 849 units. These units would be mostly in the form of flats, with 14 houses. The flats would be in a variety of configurations in blocks of up to 10 storeys and at a density of 244 dwellings per hectare. A breakdown of indicative unit types as sizes is at 3.3.
- 3.2 The site is currently occupied by a waste transfer and processing use. This activity would relocate to a new site acquired by the applicants in Sutton, adjacent to a site they already operate for this purpose. The applicants would not be undertaking the redevelopment of the Benedict Wharf site.
- 3.3 Once the existing use and associated buildings are cleared from the site and all necessary decontamination works undertaken the outline masterplan indicates the redevelopment of the site in the form of erection of new buildings ranging from 3 and 10 storeys providing up to 850 residential units, and up to 750m² of flexible commercial space. Outdoor communal green areas, including new neighbourhood parks and children's play areas, new lighting and car parking spaces are also included. 255 car parking spaces are proposed. The majority (209) of the parking spaces will be provided within safe and secure podium parking arrangements, in order to reduce the amount of hard surfacing on the site and reduce the dominance of vehicles in the public realm. A further 46 on street parking spaces are proposed towards the west of the site.

Indicative accommodation types are;

Dwelling type	Number of homes	% of total homes
1B2P apartment	318	37%
2B3P apartment	74	9%
2B4P apartment	342	40%
3B5P apartment	101	12%
Houses (3B5P)	14	2%
Total	849	100%

- 3.4 Although this application is solely an outline application dealing with the principle of the residential use of the site with all other matters reserved the applicants have submitted a number of indicative drawings to demonstrate how a development of this size can be accommodated on the site and how that might look. As part of the s106 agreement there would be reference to a Design Code for the redevelopment. This sets out a range of design elements that should be incorporated into the future reserved matters applications relating to design, landscaping, access, layout etc.
- 3.5 The application is accompanied by a Height Parameters Plan which establishes maximum heights for each area allowing for flexibility for future phases if a deviation is required. The lowest heights are located to the north of the site closest to the Mitcham Cricket Green Conservation Area and the properties immediately to the north. Taller elements are located to the central and southern parts of the site to reduce the visual impact on surrounding areas.
- 3.6 The Design Code sets out five different proposed Character Areas for the new development, each with its own typography, character and choice of materials which are designed to relate to the local context and setting within the site. These are in addition to a Linear Open Space which offers a new entrance to the London Road Playing Fields and allows for an east-west pedestrian and cycle route that would be established in the no build area under the power pylons on the edge of the southern edge of the site.
- 3.7 **The Conservation Edge Character Area** is the closest to the entrance to the site and the Conservation area. It is to be characterised by lower massing and low-density dwellings through a mix of apartments and terraced houses influenced by Victorian architecture. The majority of this character area will be delivered through distinct and varied terraced houses and low-rise apartment typologies with semiprivate courtyards. Minimum back-to-back building distances are to be 19m. All the homes are intended to have private amenity and semi-private communal gardens will be provided to each block in accordance with the Indicative Framework Plans.

- 3.8 The predominant roof form is to be pitched and as with most of the estate the predominant material will be brick work with wood or metal fenestration rather than UPVc
- 3.9 **The Living by the Park Character Area** would be located along eastern side of the site facing the London Road Playing Fields. This character area would provide apartment blocks which build upon the Georgian architecture that can be found around Mitcham tram stop where the old Mitcham railway station used to be located. The main elements of this architectural style are reinterpreted in a contemporary way and will maximise views to the park.
- 3.10 The proposed building mass will be set back to allow the widening and improvement of the Baron Walk footpath that will become a pedestrian and cycle route between Hallowfield Way and the Linear Open Space.
- 3.11 The apartment blocks would feature set back roof treatments including mansards to not only to incorporate representative Georgian elements but also to minimise impacts to London Road Playing Fields and create a better street environment along Baron Walk so that the top floors respond sensitively to the park and create a better street environment. The blocks would be designed to face the park and maximise the number of front doors to Baron Walk to achieve an active and vibrant pedestrian route. No more than 10 meters of inactive frontage will be acceptable. Key corners or landmark buildings are to be expressed would incorporate variations in form, mass or materiality and appearance with special treatment to highlight new openings to/from London Road Playing Fields with Landmark buildings helping to promote way-finding and legibility to access London Road Playing Fields and Baron Walk.
- 3.12 To mitigate the visual impact of the apartment blocks a variety of materials such as Buff multi brick, grey light multi brick and reconstituted stone on the lower level, Buff multi brick, red multi brick, brown buff brick and grey light brick for the middle floors whilst the set back upper levels could utilise dark grey brick, black brick, grey slate and black slate.
- 3.13 Baron Walk will be improved and formalised with a minimum of 6m of shared surface that will allow for a formal pedestrian footpath and cycle lane.
- 3.14 **The Garden Quarter Character Area** would focus on the two main thoroughfares through the site, 'The Boulevard' running north south and the 'Traditional Street' aligned east to west. The Green Quarter is located to the centre of the development and concentrates the higher density of the new development in the form of taller apartment blocks within the masterplan.
- 3.15 The green boulevard would be characterised by the highest of the apartment blocks with on podium parking and semi-private courtyards at first level. The

design would feature vertical rhythm through openings, alignment, communal and individual entrances to recreate Victorian architectural elements. Design elements such as the grouping of windows and architectural treatments can be explored to offer diversity to the vertical rhythm on the façades. Inset balconies would be strongly encouraged to the principal façades fronting the street whilst buildings breaks and vertical articulation would be used to avoid long block façades.

- 3.16 Being set away from the park the greening of this central element is to be addressed through planting to reinforce the green linear formal character of the street and garden spaces will visually and spatially break up potential on-street parking. The use of shrub / hedge planting may be considered to provide defensible space /private front gardens to ground floor dwellings. Amenity lawn is proposed between the defensible space and the footpath, increasing the privacy of the defensible space and offering green areas for visual amenity.
- 3.17 Details for the tree planting and typologies of trees are set out within the Tree Strategy presented within the DAS (Chapter 8.12). Other innovations include rain gardens that offer the opportunity to manage the rainwater runoff from the adjacent surfaces as part of a wider SuDS strategy whilst the rain garden will also offer the opportunity to plant a wide range of perennials of low maintenance and wildlife friendly
- 3.18 The Traditional Street will also be characterised by tall apartment blocks with the main building elevations set parallel on either side of the street to maintain minimum front-to-front building façade distances of 19m as per Indicative Framework Plan AA7402- 02069. Apartment blocks with on podium parking and semi-private courtyards at first level will be delivered for this character area. The majority of the buildings' façades will be positioned in a continuous line that will define the formal character of the tree lined street.
- 3.19 The street would feature communal and individual entrances from the street to create an active frontage and the provision of raised tables to calm traffic at key junctions will prioritise pedestrian and cycle movements. Some parallel parking may be provided in pockets between the landscaped areas.
- 3.20 A pocket of open space is located at the eastern end for the pedestrian access into the park that will comprise of appropriate street furniture located to provide communal amenity space. It has been designed to be a well overlooked and inviting public realm, which reinforces the built character linking all other character areas. The open space should be provided as part of a wider play strategy as set out in the Play Strategy within the DAS.

- 3.21 **The Green Edge Character Area** would be the most southerly area and be situated fronting the new Linear Open Space, comprising of a higher density urban form with the heritage influence of industrial architecture.
- 3.22 This area is arranged around apartment typologies overlooking pedestrian and cycle friendly routes from/to Belgrave Walk tram stop from/to London Road Playing Fields. The street will be designed to incorporated footpaths, wide landscaped areas and tree planting to the pavements, creating a tree lined street. The route will compromise of communal and individual entrances to create and active frontage to the street. On-street parking may be provided in pockets perpendicular to the street and within landscaped areas.
- 3.23 On-street parking may be provided in pockets perpendicular to the street and within landscaped areas whilst landscaping and tree planting will be used to minimise the visual impact of car parking along the street.
- 3.24 Taller buildings will be designed as landmark features to increase legibility and create gateways to and from the Linear Open Space into the development. With the exception of landmark buildings contributing to enhanced key vistas, all other buildings should be designed to minimise the visual impact of massing.
- 3.25 The Green Edge draws upon the industrial uses that have been key in the urban development of Mitcham and that are still present in the surrounding context. The use of materials will be consistent in all floor levels whilst contrasting dark materials may be utilised for openings, balconies structures and details. The primary façades will offer open views to the Linear Open Space while the entrances and windows at ground floor will offer surveillance of the street and new pedestrian and cycle routes.
- 3.26 **The Mews Street Character Area** would be one of the smallest areas and depicts the interpretation of the traditional London Mews Street. This low-density area would feature a maximum of three storeys and arranged in between taller apartment typologies, giving it a variety and diversity of façade treatment within the development and along the length of the street scape.
- 3.27 The Mews Street would incorporate shared surface space providing vehicular and pedestrian access to the residential dwellings of which each mews property will provide private amenity. The lower massing of the mews typologies will allow breaks in the street scape and will provide daylight and sunlight to reach the street and communal gardens.
- 3.28 Hollowfield Way would remain as the main vehicular access to the site. The north-south street alignment allows for east-west block forms that maximise daylight and sunlight. New east-west streets will serve to both gain new pedestrian entrances to London Road Playing Fields and future-proof the site

for any development of the Cappagh site (car pound) which is located on the western boundary of the site. A new network of pedestrian and cycle routes is proposed to connect the site with the surroundings, especially London Road Playing Fields, Belgrave Walk tram stop and Mitcham Cricket Green Conservation Area. Homes located along the edge of the London Road Playing Fields are to be setback in order to widen and improve Baron Walk as a formal pedestrian and cycle route.

- 3.29 It is also intended that a new connection be built to allow access to the Belgrave Walk tram stop from the development and discussions are ongoing with the applicant and TfL who are supportive of this.

4. RELEVANT PLANNING HISTORY

- 4.1 18/P2812 PRE-APPLICATION ADVICE FOR THE DEMOLITION OF EXISTING SITE & ERECTION OF X600 RESIDENTIAL & COMMERCIAL DWELLINGS
- 4.2 13/P2130/NEW PRE-APPLICATION ADVICE FOR THE PROPOSED CHANGE OF USE OF EXISTING B1 LAND TO ERECT A NEW B8 USE DAIRY FOOD DEPOT BETWEEN 1,404-1,858sqm WITH 24-HOUR ACCESS FOR DAIRY CREST.
- 4.3 08/P2724 FORMATION OF AN 'ECO PARK' COMPRISING: AN EXTENSION TO EXISTING MATERIALS RECYCLING FACILITY WITH THE PROVISION OF NEW BUILDINGS PROVIDING A NEW ANAEROBIC DIGESTION FACILITY; A NEW OFFICE BUILDING AND VISITOR/EDUCATION CENTRE; A WASTE BULKING/TRANSFER FACILITY; A NEW WEIGHBRIDGE; ALTERATION OF THE ACCESS FROM HALLOWFIELD WAY; NEW SERVICE ROAD AND ANCILLARY INFRASTRUCTURE.

[Following consideration of the proposal by the Council's Planning Applications Committee the application was refused by member but allowed by the Mayor with the revisions to the proposed development to include the following:

- Revisions to the layout of buildings on the site;
- A reduction in height of the two digestion tanks;
- A reduction in the height of the exhaust stack and flare stack;
- A reduction in the height of buildings;
- A reduction in the amount of waste that is processed;
- The removal of the in-vessel composting facility and the waste water treatment building]

5. CONSULTATION

5.1 Both the original application and the enlarged amended proposal were advertised by means of, Press Notices, Site Notices and letters to 1043 local residents. In addition to pre application discussions with both the GLA and Merton officers the applicants also undertook their own consultation exercises at the end of November 2018, Community design Workshops in February and March 2019 with the most recent event being a drop in sessions at the Vestry Hall in February 2020 to which 35 attended. The application and the associated Design Code have also been presented to the Design Review Panel

5.2 In response to the original consultation for 600 units Officers received 12 Letters of objection and 11 letters of comment. The additional comments and Applicant's response are listed from para 5.11. The letters of objection for the original scheme raised the following issues;

5.3 Height and massing

- towering over our neighbourhood and open spaces
- the proposal to erect three storey houses to the rear of nos 22 - 34 is very intrusive. The new dwellings would overlook the homes & gardens of the existing residents, thereby invading their privacy.
- These would be a blight on the skyline and dwarf the Grade II* listed Church, Old Vicarage and locally listed school and Church Path terraces within the Mitcham Cricket Green Conservation Area.
- They overshadow surrounding properties and playing field
- The height & density of the proposed buildings is out of scale in proportion to those in the surrounding area. In view of everything that is now known about the damaging effects of high rise dwellings on all concerned, it beggars belief that along with the five storey blocks, even some eight storey buildings are being proposed.
- The skyline of the development will be oppressive & overbearing; completely out of scale as already said, with the surrounding area also with the old parish church of Mitcham.

5.4 **Impact on the Mitcham Cricket Green Conservation Area**

- The proposals are unsympathetic to the general character of the Cricket Green Conservation area. They will impact negatively, dominating the whole locality.
- The buildings are blocky and angular and lack local character or sense of style

5.5 **Design and use of the Church Path entrance**

- the opening and design of the Church Path entrance to the site, referred to as a 'direct extension of Church Path to continue to tram crossing' gives the visual appearance of an airport runway!
- It does not respect the importance of this cul-de-sac at the Gateway to the Conservation Area. An extension to Church Path would have a detrimental effect on the character of this neighbourhood. This 'extension' would result in a rat run for mopeds and pizza delivery.
- Poor design to bring pedestrian and cycle traffic along the quiet cul de sac
- Church Path is a very narrow street with narrow pavements and 50% of the houses are flat fronted cottages opening directly onto the pavement. More footfall in our street would be extremely intrusive to residents and a huge increase in noise, loss of privacy and litter.
- The narrow pavements in Church Path are not suitable for wheelchair users or pushchairs.
- This would also result in more traffic using this tiny road which it is not suitable for, and because the pavements are so narrow people tend to use the road to walk on, so potentially extremely dangerous if there were more cyclists, mopeds etc. Not ideal for this cul de sac which is the gateway to the conservation area!
- The proposals as they stand, will dramatically destroy the character of this environment.
- The heights and access points are not in keeping and will spoil the character of the of the small cul de sac in the Conservation area.

5.6 **Baron Walk and new cycle routes**

- The proposal to use Baron Walk as a main cycle and pedestrian route, continuing along Church Path is unsafe. The design does not highlight the importance of this historic right of way. The plans show a change of use from footpath to cycle path and have just merged the path into their concrete paved runway. I believe this historic footpath should have its own identity and should not be swallowed up by the developers. The site boundary area needs a sympathetic design to enhance this important walkway that is one of many in the Mitcham area. Any buildings fronting this footpath should not be of great height to ensure ample daylight and a safe and open feel.

- It would furthermore be unsafe as in order to gain access to the playing field, people would need to cross the cycle route; it's siting fails also to address the fact that a very significant stretch would run along an historic right of way.
- The entrance/exit onto Church Road is not a safe junction for cyclists. A cycle lane would be better suited along the western boundary of the site linking with the planned cycle path along the tramline, and exiting onto Hallowfield Way where there is ample space for a designated cycle lane
- Baron walk and Church Path already abused as a cut through for mopeds
- The cycle path should go along Hallowfield Way
- The cycle path along Church Path will route cyclists to a tricky and potentially dangerous uncontrolled T junction with Church Rd.

5.7 **Loss of trees and biodiversity**

- Proposal is to fell seven mature trees & remove hedging etc. To opt in their planning, to ignore all that is known about the benefits of trees & green shrubbery is apparently to dismiss all considerations, other than those financial. Mitcham has very poor air quality falling below accepted standards. Trees are the lungs of our towns & cities & Mitcham needs all the help it can get. Nor will it be sufficient to promise, as no doubt will be the case, that other trees will be planted in the stead of those that are felled.
- By all means, replace diseased or unsafe trees but do not destroy those that are healthy & life giving.
- The huge upheaval and building will destroy the wonderful wild life that we have here and any residents will know of the many different types of precious birds that we get singing in the morning's and how quite our morning's actually are, I have birds living in my trees also foxes and hedgehogs are in my garden.
- Plans are very weak on the investment in local green spaces
- The amount of green space provision seems low and patchy

5.8 **Parking and traffic**

- It is also highly probable that residents of Church Path would find an overspill of parking encroaching in our road from the development, and we may be forced to have an extension of the CPZ. Why should residents be liable for this as parking here is fine at the moment.
- We have parking problems as it is in Church Path due to surrounding homes and the parish centre users parking on our small road let alone now to introduce so many more people directly into our area.
- Heavy crane and lorry activity will have an effect on the structure and foundations of houses

5.9 Location of non-residential uses

- Location of the proposed retail and non-residential units at the end of Church Path, this is not appropriate for a conservation area and will bring with it increased litter, noise, vermin and possibly anti-social Behaviour.
- Throughout the Community engagement events, local residents all agreed that these would be best situated near the tram stop, to serve commuters as well as the new residents. This would give the Belgrave Walk tram stop the feel of a transport hub, especially if the proposed TfL link were to go ahead. Placing the retail and non-residential units on the end of our terraced houses would be detrimental to the character and visual appearance of this small cul-de sac within the Conservation Area. It would result in further noise, disturbance, smells/fumes, litter, traffic and increased footfall. We already have a Church Hall along Church Path and there are empty shops on Church Road - this area does not need another Convenience store selling cheap alcohol and chocolate, or a Chicken Shop! The heights of these units would overshadow Church Path properties and overlook the private rear gardens and windows of local residents. These Units so close to listed and locally listed buildings should not exceed the height of the existing Church Path terraces.
- The proposal to place retail units immediately at the end of Church Path would further exacerbate the residents situation. There would be disturbance & also almost certainly, a blight placed on the area because the planning application indicates A3 usage. Anyone who has a working knowledge of the locality, would more realistically interpret any notion of 'restaurant' to mean a 'fast food outlet' - with the attendant problems of litter, smells & vermin.
- With regard to shops: there is already a Londis store & post office nearby on Church Road & therefore siting these A3 units nearer to the tram would work better. They would be accessible to the occupants of the new residences & also to people using the tram stop at Belgrave Walk. Suggestions such as these were made by people already living in the area but appear to have been ignored. The planning includes the potential for a building to be used for community events. Whatever the merits of such a venue, to place it so near Church Path would further contribute to the destruction of this particular environment. The Parish Centre where community events are already held, is on Church Path. To have a second such enterprise in such close proximity, seems patently unfair, especially but not exclusively, were the venue have a licence to sell alcohol. .

5.10 **Impact on infrastructure**

- Unclear how much thought or planning has been put into the matter of providing the necessary infrastructure to cope with such a large development. In particular the provision of extra places in schools; the establishing of a new doctors' surgery
- There is no way the waste facilities (human) could cope with the waste of another 500-600 dwellings as they are old and the land also has very old water pipes which could not supply and demand from this new structure and may even break due to the heavy vehicles and machinery that will be on this construction (we have very old and fragile lead water pipes)
- Where will all these dwellings house the rubbish before collection days.

5.11 **OBJECTIONS TO THE CURRENT 849 UNIT PROPOSALS**

A further six objections were received from residents for the enlarged scheme currently before members. Objections raised new/additional concerns relating to the topics are listed below with the Applicant's response in italics where given;

5.12 **Tramlink proposals**

- Site plans also need to consider the new Sutton - Colliers Wood tramlink proposals.

5.13 **Input from the Mayor's Office**

- This increase is due to the Mayor of London's department asking for an increase in the density but it completely disregards any concerns raised by the local community who only want the best for Mitcham – we are not driven by profit.

5.14 **Inaccuracies in the planning documents and statements**

- Suez' Cover Letter states "The planning application is fully supported by Merton Council in line with the emerging Local Plan. The application has also involved extensive consultation with local residents who support the scheme in principle. The planning application has been subject to only 7 letters of objection from local residents, which is very low for a planning application of this scale." I do not know of any local resident who supports this high density scheme – original or revised. Note that the Planning Statement Addendum states 13 letters of objection.
- Suez' Transport Assessment states "It has been calculated that the proposal site predominately spans areas with PTAL ratings of 2-3 which suggests that the site has a level of public transport accessibility ranging from 'Poor' to

‘Moderate’.” My understanding is that developments of such high density should be close to areas with a PTAL rating of 5 or 6 therefore Benedict Wharf site, with a poor to moderate PTAL of 2 or 3, is inappropriate for this density. This proposal will have a significant impact on the already-stretched local public transport particularly the tram and 200 bus route. There are no guarantees that additional services will be, or can be, laid on to handle the increase of approximately 2,800 people in the local population.

- Suez claims that the impact on Church Path is a “moderate and neutral effect” Lovely homes dwarfed by a “moderate” effect.
- Suez’ stated visual impact on the Grade II* listed parish church, the Grade II listed former vicarage, Benedict School and Mitcham Cricket Club (the oldest in the world where cricket is still played) is so different from the reality. The development is now even visible from Morden Hall Park (National Trust, Grade II registered park and garden). Those wireframe images used by Suez do not fool us.

5.15 Height of the proposals

- Regarding the proposed height of the buildings potentially 7 or 8 storeys, this is far too high, would be towering over our neighbourhood and totally out of character with the conservation area and the many listed buildings close by.
- The proposals do not accord with Merton’s Tall buildings policy in that this proposed development;
- Is substantially taller than its surroundings - its immediate surroundings are 2 and 3 storeys;
- Will have a significant impact on the existing scale and character of the area; an area that includes large numbers of locally listed buildings, many of which are within the Mitcham Cricket Green Conservation Area and contribute collectively to its special interest;
- Is not in a town centre and, with a PTAL rating of 2/3, it cannot be classed as well serviced in public transport;
- Contravenes all of the above statements from the London Plan and LBM’s Tall Buildings paper.
- The revised London Plan Policy D3 states that “Gentle densification should be actively encouraged by Boroughs in low- and mid- density locations to achieve a change in densities in the most appropriate way.” The immediate surroundings of the Suez site are 2- and 3-storey buildings so how can 10-storey blocks be considered “gentle densification” in this area?
- Height of proposed development raised to 10 storeys will mean even further visual encroachment on the area, particularly Church Path.

5.15.1 *Applicant's response; The planning application is accompanied by a HTVIA (June 2019) and an Addendum (February 2020). This highlights that while the proposed development will be visible in some views, such as from London Road Playing Fields, the outlook will be enhanced by the replacement of the existing industrial buildings. The proposals include well designed high quality homes with significant landscaping and urban greening and contribute to the improvement of pedestrian and cycle infrastructure. Despite its visibility, the Proposed Development will not appear overly dominant in the view or out of proportion to the surrounding context. The HTVIA concludes that the likely effects of the proposed development within all 12 representative views range from negligible to moderate and beneficial. There are no significant detrimental impacts.*

5.15.2 The houses proposed to the rear of our home are still too high The council removed some high rise blocks on Phipps Bridge, and replaced with low rise, in order to combat the problems often found in high rise development. Why the change in approach, now? The recent changes to this plan have made this even worse.

5.15.3 *Applicant's response; As set out above, the revised proposals result in a significant increase in the proportion of affordable housing, from 20% (120 units) to 35% representing almost 300 units. The Merton Strategic Housing Needs Assessment (2019) estimated that 1,447 households in Mitcham are in need of affordable housing, so the proposed development makes a significant contribution to this need, especially taking into account that only 87 units were completed across the entire Borough in 2017/18. As demonstrated by the evidence base for the new London Plan, well designed high density development is valued by residents and there are no inherent issues where relevant supporting infrastructure is provided. Benedict Wharf is well located for sustainable methods of transport, includes significant green space and is adjacent to London Road Playing Fields and will provide a high quality development within a suitable setting.*

5.16 **Impact on Church Path & Church Road**

- Church Path is a very narrow street with narrow pavements and 50% of the houses are flat fronted cottages opening directly onto the pavement. More footfall in our street would be extremely intrusive to residents and a huge increase in noise, loss of privacy and litter. This would also result in more traffic using this tiny road which it is not suitable for, and because the pavements are so narrow people tend to use the road to walk on, so potentially extremely dangerous if there were more cyclists, mopeds etc. Not ideal for this cul de sac which is the gateway to the conservation area!

- The previous version of the Benedict Wharf Transport Assessment predicted 3,465 Daily Person Trips. Without the equivalent figure in the revised document, using the same multiplier applied on the original version that would now be 4,762 Daily Person Trips. That figure is based on the number of residents and excludes trips for access to businesses/shops, deliveries and visitors. That is potentially a huge increase in footfall on Church Path which will have a negative impact on the residents mainly due to noise and privacy as the houses have little or no front gardens and the street has very narrow pavements. It will also undoubtedly lead to an increase in litter: the area is already blighted by litter.

5.17 **Impact on the local area**

The recent report from the Government's Building Better, Building Beautiful Commission states:

Ask for Beauty.

We do not see beauty as a cost, to be negotiated away once planning permission has been obtained. It is the benchmark that all new developments should meet. It includes everything that promotes a healthy and happy life, everything that makes a collection of buildings into a place, everything that turns anywhere into somewhere, and nowhere into home. So understood beauty should be an essential condition for the grant of planning permission.

Refuse Ugliness.

People do not only want beauty in their surroundings. They are repelled by ugliness, which is a social cost that everyone is forced to bear. Ugliness means buildings that are unadaptable, unhealthy and unsightly, and which violate the context in which they are placed. Such buildings destroy the sense of place, undermine the spirit of community, and ensure that we are not at home in our world. 'The broad preference is against tower blocks, in favour of the vernacular, in favour of human scale, some vernacular details, it doesn't have to be pastiche, it doesn't have to be cobbles...You get a strong preference for housing and medium rise. Towers always come bottom.'

- Would you, LBM, give permission for such intrusive ugliness to be built in a part of Wimbledon Village that abutted two Conservation Areas? If not (the likely answer), then why allow it in a part of Mitcham that abuts two Conservation Areas? Merton council, a Labour council, should be looking to reduce the significant inequalities across its borough – quality of housing, density of housing and overall quality of life. We are asking for beauty.
- 850 homes, with perhaps 2000 residents will create a huge negative impact on the local area, especially when combined with development on Western Avenue. *Applicant's response; As set out above, the proposed development will deliver significant benefits to the local area, directly improving pedestrian and cycle routes and resulting in a reduction in traffic compared to the current*

operations, including an almost complete elimination of HGV's. The submitted economic assessment demonstrates that the proposals would deliver over £10 million in CIL payments to contribute to infrastructure improvements and an additional £4 million of residential expenditure, which would be retained in Merton, supporting local business and services.

5.18 Parking, Traffic & Access

- It is also highly probable that residents of Church Path would find an overspill of parking encroaching in our road from the development, and we may be forced to have an extension of the CPZ. Why should we be liable for this as parking here is fine at the moment.
- Parking - this has not been addressed, 800 plus units, 255 spaces....although we appreciate the GLA vision for car reduction, this really is not feasible as visitors as well as residents will just park in existing residential areas, which are already overused and overrun with vehicles. There has been no solution to this proposed, to avoid impact on existing local residents.
- Provision for car parking should be realistic, rather than aspirational. It must be self-contained to avoid spreading beyond the plan boundaries. People moving to the site will not dispose of their vehicles, as the planners exhibition representatives seem to think.

5.18.1 Applicant's response; TFL has confirmed that the level of car parking accords with the adopted London Plan and new London Plan (ItP Version – December 2019). A greater car parking provision is unlikely to be supported by TFL or the GLA. The Mayors Transport Strategy 201829 sets a target that 80% of all trips in London will be made on foot, bicycle or using public transport by 2041. This is a target set to both encourage more sustainable modes of transport for environmental reasons and to encourage active transport for health reasons. Both the new London Plan (ItP Version – December 2019) and new Merton Local Plan (Stage 2 Consultation Draft - October 2018)³⁰ build on this, supporting new development around stations to encourage the use of sustainable modes of transport. Benedict Wharf is located within 100 metres of Belgrave Walk station, directly adjacent too the potential new Suttonlink, while the number 200 bus provides access to Colliers Wood and the northern line.

5.18.2 Furthermore the use of the healthy streets approach is to be supported, so that new development encourages people to use sustainable means of transport. Benedict Wharf has been designed on this basis, encouraging pedestrian and cycle movement and reducing the dominance of vehicle parking on streets.

TFL's research report for the London Plan examination in public, 'Residential Car Parking' (December 2017) highlights that:

- *Car parking has implications for the use of space, wherever it is located (page 15) – it takes up land that can provide for productive use or social benefits, such as green or play space and it detracts from other active transport*
- *Those with car parking – particularly if it is off street – are more likely to own a car and those who own a car tend to use it (page 27);*
- *Three quarters of existing car trips can be made by walking, cycling or public transport (page 16); and*
- *For those wanting infrequent access to a car, there are cheap alternatives to owning a car, such as car clubs, taxis and private hire vehicles or using delivery services.*

5.18.3 *As previously noted, the paper also highlights that greater density of development encourages people to walk, cycle and use public transport (page 23). The proposed development at Benedict Wharf includes provisions for cycle parking and a car club scheme with the provision of a free three year membership for all residents. Improvements to sustainable modes of transport such as capacity improvements to the 200 bus and dedicated cycle infrastructure and a potential Controlled Parking Zone (CPZ) will be secured by planning obligations.*

5.18.4 The stretch of Church Road that passes the fire station and the Church is very narrow and the potential increase in traffic for such a substantial number of residents is not suitable to flow along Church Road and access from that end should be inhibited/prohibited.

- Access is only via Church Road, and the "alternative" access via the same road a few metres away. Church Road is particularly narrow at one end, and the other has traffic (safety?) obelisks and is all regularly jammed. The road surface is crumbling in many places. I believe that this is poor access for such large numbers of people, emergency services, construction traffic, commuters and delivery vehicles.

5.18.5 *Applicant's response; Vehicular access to the site will only be taken from Hollowfield Way as per the current arrangements. An emergency vehicle only access will be available on Church Path and controlled through use of bollards. The proposed development will result in a reduction in vehicular traffic, particularly HGV's which will be a significant improvement for the surroundings.*

5.19 Location of non-residential uses

- The proposed site of “non residential” (what, exactly?) use is adjacent to Church Path, and would encourage or necessitate vehicular access via Church Path for deliveries, visitors etc. A much better location would be adjacent to the Hollowfield Way access, in doing so vehicular and pedestrian access would be encouraged via Hollowfield Way. Should any food outlets be allowed, the associated vermin, litter and possible moped deliveries this would attract would be unbearable.

5.19.1 Applicant’s response; The non-residential floorspace will fall within use classes A1 – A3 which includes shops, financial and professional services and restaurants/cafes, D1 and D2 which includes non-residential institutions and community and leisure uses such as creches, day nurseries or gyms. Hot food takeaways and drinking establishments are not included within these uses and hot food takeaway will be restricted by planning condition.

5.19.2 The planning application is outline with all matters reserved and the masterplan is indicative, nonetheless, the location of non-residential uses has been identified throughout the extensive design period. The primary purpose of the non-residential floorspace is to provide some services to support the new and existing community. The principle is to establish a community node of non-residential uses to complement the other facilities nearby and enable a potential plaza around London Road Playing Fields. However the quantum is not significant and it is not intended to attract a substantial number of visitors from outside of the area – Benedict Wharf should contribute to the vibrancy and viability of local facilities, not detract from them.

5.19.3 No vehicular access (other than controlled emergency access) will be possible via Church Path and the Framework Design Code has set out landscaping measures that will be provided to encourage pedestrian and cycle traffic to use Hollowfield Way as the primary access.

5.20 Increased pressure on infrastructure

- Furthermore, can the local infrastructure of medical practices, dentists, hospitals, pharmacies, etc handle this significant increase in residents? This is particularly significant given the higher levels of health/social problems in the east of the borough with residents on average living 9 fewer healthy years. (Note that there is yet again a threat of closure to St Helier Hospital.)
- Effect of an increased population on existing services, roads and transport - the local GP surgery are already at capacity and struggling to cope, the local hospital is facing downgrading and/or closure of the majority of its services. Traffic in the area is terrible as it is, the local bus and tram and road network

cannot sustain further residents without upgrades and improvements. The proposals do not address any of this.

- The Cricket Green surgery has located to a narrow cul de sac on Miles Road. The new 2000 residents will put too much strain on the surgery and it will provide wholly inadequate parking facilities.
- Infrastructure planning needs more careful consideration. Examples... Downstream drains seem inadequate. The trams are always overflowing at peak times, and a few extra bus services on solid roads is not an answer.

5.20.1 *Applicant's response; The planning application is accompanied by a Flood Risk Assessment and Surface Water Drainage Strategy that sets out that in accordance with the new London Plan (ItP Version – December 2019) post development discharge rates will be restricted to below 50% of the predevelopment brownfield rate. This will be achieved by a sustainable drainage system including blue green roofs, permeable pavements, a significant increase in urban greening and attenuation storage. The Council's flood and drainage officer is satisfied with the proposals. As aforementioned, the proposed development will also improve the permeability and connectivity of the surroundings, enhancing the potential of active transport. In addition direct capacity improvements to the 200 bus scheme will be funded by the development and over £7.5 million of CIL payments will be made to Merton Council to fund improvements to local infrastructure.*

5.20.2 Local facilities are already poor, the plans in place would seem to exacerbate that. There should be more facilities (entertainment, services etc) to enhance the area on-site.

5.20.3 *Applicant's response; The proposals include up to 750 sqm of flexible commercial floorspace to support the immediate needs of the proposed development and surrounding neighbourhood. However, the site is not the appropriate place for entertainment facilities which should be directed towards existing local centres in accordance with planning policy. Accessibility is considered within the submitted Transport Assessment. This highlights that the proposed development is well located to access services:*

- *Benedict Wharf is located within 100 metres of Belgrave Walk which provides access to Wimbledon in 10 minutes and Croydon in 20 minutes;*
- *Several bus stops are reachable within a 640 metre / 8 minute walk from the application site and support several services. The two main services available from these stops are the 200 & 201 serving stops to the north and south – the 200 provides direct access to the norther line at Colliers Wood;*

Multiple useful amenities are reachable on foot from the application site within a walk time circa 16 minutes and include: Primary & Secondary Schools, Medical Practices/Surgery, Super Markets, Library, Gym, Banks & ATMs,

Post Office, Pharmacies, Recreation Grounds, Places of Worship, Police Station, Care Home, Public Houses, Leisure Centre, Hospital, Car Repair Shops, MOT Centre, Hotels, Garden Centre, Museum, Community Centre and a Citizens Advice Bureau. In addition, several areas comprising retail outlets, public houses, restaurants and take-away food outlets are also located within the catchment;

- *Cycle facilities located within the 2.5km advisory catchment including National Cycle Network Route 20 (NCN20) and numerous local cycle paths and on-road cycle lanes. Additionally a cycle Quietway is currently proposed running from Colliers Wood to Sutton which, on completion, will route within a 1.0km proximity of Benedict Wharf;*

- *Areas reachable from Benedict Wharf by cycle within a 2.5km radius include: Morden, Colliers Wood and Tooting, to the north; Pollards Hill and Mitcham Common, to the east; Beddington Corner and St. Helier, to the south; Mitcham to the south-west; and the outskirts of Wimbledon to the west.*

5.21 Lack of benefits for Mitcham

- Understandable that people will say that housing is a very important issue but, unfortunately the proposed Benedict Wharf development will not help those really struggling with housing – the homeless, those living in converted offices on a local industrial estate, those living in sub-standard rented accommodation, those sofa-surfing, those on the living wage. How many current Mitcham residents will move to this new development? How many of the businesses in Mitcham’s town centre will benefit from it? So, a huge impact on Mitcham’s local infrastructure (transport, medical, etc) but with very little benefit to Mitcham.
- Strongly support the provision of more much-needed genuinely affordable housing in the borough. However, the present application is an inappropriate over-development. A more strategic and genuinely consultative approach should be taken to a site with such major potential.

5.21.1 Applicant’s response; The economic assessment demonstrates that the proposed development will result in an additional £4 million of residential expenditure, which would be retained in Merton, supporting local business and services. The proposed development will provide a significant number of jobs during the construction period (220 jobs), will provide significant income from Council Tax, New Homes Bonus and CIL payments and will provide increased residential expenditure for the local economy.

5.22 **Mitcham Cricket Green Community & Heritage** commented throughout the proposals and their latest objections covered a variety of detailed issues in addition to those raised by neighbouring residents and are considered in addition to their earlier comments.

5.23 **Lack of community consideration**

- This new application and the amended plans were announced by SUEZ at a Community Liaison Group meeting called at short notice and only a few days prior to their public ‘drop in’ sessions. Those who did not attend did not have an opportunity to see the plans before the ‘drop in’ sessions because they were not shared digitally beforehand despite a promise from SUEZ to do so.
- the two ‘drop in’ events held in late January were staged for information only, and it was made clear that community feedback would not result in any substantive changes.
- The information presented at these events included false claims, such as that the Design Code had been “*agreed with the community*” when it had not. Indeed, we were not invited to make input into its preparation, or comment on a draft. The first time we saw it was when it was published at the planning portal. We reject the new information presented as a “Consultation Feedback Report”. The report presents phrases and short comments taken out of their context and cherry-picked from the full set of comments received. This displays a worst practice approach to report writing and demonstrates a disrespectful response to local public feeling. Our own comments are poorly addressed in the report and we know others feel the same.
- Lack of further design workshops with the local community negates the previous design consultation and the scheme does not qualify for being one to “*look on more favourably*” in terms of the National Planning Policy Framework (paragraph 128) because its engagement has not been “*effective*”.

5.23.1 *Applicant’s response; MCGCH has suggested that there has been a lack of community consideration as the project has developed. However, I have reflected below on some of the extensive and useful feedback that we have collected and implemented over the course of the project. Of course, there are always contesting opinions and priorities but we have been pleased to engage extensively with the local community and have committed to reflect the feedback received, wherever this has been possible.*

The potential change of use of Benedict Wharf was first raised during a meeting with the Community Liaison Group (CLG) on 12 October 2017, this was followed up with an additional meeting on 30 November 2017, in advance of the new Merton Local Plan Stage 1 Consultation that closed in January 2018.

Since the submission of representations to the Merton Local Plan Stage 1 Consultation, we have undertaken over 20 meetings and events with the local community:

Detailed examples of where community involvement has influenced the outline planning application are set out within the submitted Statement of Community Involvement, Feedback Summary Reports and Section 3 of the submitted Design and Access Statement. However, the following, major contributions are particularly notable:

- The indicative ‘masterplan’ for the site is based upon feedback provided at the outset of the project by the community, including MCGCH (this is demonstrated in the following text);*
- Inclusion of an additional phase of design workshops over two days, including a walking tour of Mitcham;*
- The above events culminated in the inclusion of character areas, reflecting on Mitcham’s distinctive character and history. This has been fully implemented as set out within the submitted Design and Access Statement and Framework Design Code); and*
- The community has been integral in the development and submission of the detailed ‘Framework Design Code’, including suggested construction materials.*

5.23.2 The way that the proposals have evolved and the submission of the ‘Framework Design Code’ ensures that the high quality of the design and the community feedback is secured if outline planning permission is granted. The community will then have additional opportunities to influence the detailed proposals at reserved matters stage.

5.24 Conflict with the London Plan

- The changes have been driven by an intervention by the Mayor of London which states that plans for 600 homes “represent the sub-optimal development of the site” and that “the height and massing strategy must be revised to optimise the density”. It is believed that “the generally unconstrained and isolated nature of the majority of the site and the immediate relatively open urban and landscape context to the east, south and west” provides scope to increase both the number of homes and height of the development. GLA officers consider that the visual impact assessment further supports this increase.*
- At no point in its 25 page intervention does the GLA address the legitimate views of local people and organisations which are, on some issues, diametrically opposed to the GLA’s views. It appears to be taking on the role of local planning authority in holding out the potential for it to be the final*

decision maker on the plans but it is taking no responsibility for addressing community interests and concerns. This is unacceptable.

- The Mayor's intervention has been overtaken by at least two events – the decision to route the Tramlink extension adjacent to the site and the amendments to the London Plan instructed by the Secretary of State. London Plan (intend to publish version) Policy D3 for optimising density through a design led approach (which was retained in the Secretary of State's Directions on the London Plan) – *“All development must make the best use of land by following a design led approach that optimises the capacity of sites, including site allocations. We emphatically dispute the suggestion that the revised plans reflect a design-led approach to the development of Benedict Wharf.*
- The proposals now also conflict with the London Plan Policy D3 as revised by the Secretary of State's Directions – *“Gentle densification should be actively encouraged by Boroughs in low- and mid- density locations to achieve a change in densities in the most appropriate way.”* As SUEZ's own supporting material identifies, Benedict Wharf is indisputably located in an area of low- and mid- density development with no nearby buildings over six storeys. The wider area is also predominantly low rise and the proposed change in density is anything but gentle in the context of Mitcham's prevailing development morphology.
- The plans give every impression of being a scheme designed to meet an externally driven housing requirement as a quid pro quo for repurposing Strategic Industrial Land. They do not represent an appropriate design and density response to the local context and community feedback. We believe the resulting development will feel placeless and not part of Mitcham.
- The gulf between the imposed views of the Mayor of London and those of the local community are well illustrated by the delusional statement in the Heritage, Townscape and Visual Impact Assessment that the *“the Amended Proposed Development will not result in any change in the effects on the visual receptors or representative views as assessed in the original HTVIA”* despite a 25% increase in height. The original assessment concluded that the development has a *“beneficial impact”* on the townscape and that the buildings do *“not appear overly dominant”*. These conclusions lack any credibility. We have yet to meet anyone who lives or works in the area who sees anything but significant harm in what is planned. Significant visual intrusion is clearly apparent in the assessment and the misleading technique of using transparent wireframe images. We see a marked divergence between the claimed visual impacts and the reality:
- It is also notable and deeply concerning that the revised scheme is now visible from both Morden Hall Park (National Trust, Grade II registered park and garden) and the historic Mitcham cricket ground (the oldest in the world) for the first time. These are among the Borough's most precious heritage assets and deserving of the highest level of protection. The proposals will result in

significant harm to designated heritage assets, including Mitcham Cricket Green Conservation Area, Grade II* listed Mitcham Parish Church and Grade II listed former vicarage A design-led approach to the redevelopment of Benedict Wharf would avoid these impacts entirely.

- The proposals should be re thought because of the TfL decision to route a new tram line between the sites and the emergence of a new Local Plan
- Provision of a binding and much more detailed design code is required
- A rethink is required of the plans to increase the size of Baron Walk to 9m including a contrived and in practical terms unimplementable separation of a “*pedestrian route*” and a “*shared surface*”. A paved surface of this width will remove any sense of the character of this historic route and invite abuse by cars, motorbikes, scooters and other users. Baron Walk should be no greater than 3m wide and be designed for its sense of place and not to meet highway/engineering standards.
- the plans are in conflict with the adopted development plan for both Merton and London and the future of Benedict Wharf should be considered alongside adjacent sites, the opportunities for estate renewal on Phipps Bridge and the impact of a new tramlink as part of the Local Plan review
- Provision of a binding community investment package to address the impacts of such a major development is entirely appropriate and should include;
 - i) A management plan and endowment for London Road Playing Fields (an endowment was required by the Mayor of London from SITA (as SUEZ was previously known) upon completion of the unimplemented plans for more intensive waste management on the site, so a precedent has been set)
 - ii) New and enhanced pedestrian routes:
 - o through Phipps Bridge to Morden Hall Park
 - o from London Road between Baron and Fenning Courts
 - iii) Major improvements to Mitcham Parish Centre and Mitcham Parish Church as community facilities supported by a community endowment
 - iv) Enhancements to Ravensbury Path, Church Path and Baron Walk which also respect their character as historic pedestrian routes
 - v) A long term solution to the future of the La Sporta building which brings it into positive community use
 - vi) Enhancements to the tram and 200 bus which are already beyond capacity at peak times
- More detail of the measures which will ensure that cyclists and pedestrians enter and leave the site along Hallowfield Way and not Church Path is needed. This must address not only physical barriers preventing use of Church Path other than in an emergency but also positive interventions to

make Hallowfield Way the natural route of choice, including amendments to the current roundabout and junction with Church Road.

5.24.1 *Applicant's response; As previously noted, the amended policy D3 within the new London Plan requires:*

"A The design of the development must optimise site capacity. Optimising site capacity means ensuring that development takes the most appropriate form for the site. Higher density developments should be promoted in areas that are well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling."

B Where there are existing clusters of high density buildings, expansion of the clusters should be positively considered by Boroughs. This could also include expanding Opportunity Area boundaries where appropriate.

C Gentle densification should be actively encouraged by Boroughs in low- and mid- density locations to achieve a change in densities in the most appropriate way. This should be interpreted in the context of Policy H2.

D All development must make the best use of land by following a design led approach that optimises the capacity of sites, including site allocations. The design-led approach requires consideration of design options to determine the most appropriate form of development that responds to a site's context and capacity for growth, and existing and planned supporting infrastructure capacity (as set out in Policy D2 Infrastructure requirements for sustainable densities), and that best delivers the requirements set out in Part B."

Part E of Policy D3 continues to set out a range of considerations relating to form and layout, experience, quality and character. All of these measures have been discussed extensively in the submitted Design and Access Statement and Framework Design Code, demonstrating that Benedict Wharf will provide high quality architecture with well landscape green and open spaces and streetscapes.

5.24.2 *As described above, this project has been developed over a period of over two years, following extensive consultation and consideration of design options through a range of design review processes, including two formal DRP presentations and a workshop session and review from Merton Council and the GLA following referral at Stage 1. The evolution of the illustrative masterplan and is set out in detail within the submitted Design and Access Statement including an analysis of the site context and how that has informed the density as an output of the design process. The 'indicative masterplan' has been amended following the GLA's Stage 1 feedback and the DRP that considered the revised design "felt that the overall design had moved forward positively".*

5.24.3 SUEZ appointed PRP to assist in the preparation of the masterplan for Benedict Wharf because of their extensive experience in similar projects, including High Path in Merton which won the Urban Design and Masterplanning award at the Landscape Institute Awards 2019. PRP along with other architectural practices HTA, Levitt Bernstein and Pollard Thomas Edwards, recently published a report 'Altered Estates' that was referenced within the Building Better, Building Beautiful Commission report 'Living with Beauty'²⁵ in relation to placemaking. The Living with Beauty report includes the following excerpt from 'Altered Estates', about what design should achieve and PRP have clearly demonstrated this process in the submitted Design and Access Statement: "Begin with a process of "visible mending" – we look for the frayed edges of the pre-existing street pattern, which can often be discerned in the area surrounding an estate, and we supplement our observations with study of historic maps and photographs. When we are replacing an estate we then lay down a new network of streets – also parks and squares on larger projects – which connect up those frayed edges, so that the new blends seamlessly into its surroundings."

Paragraph 3.4.4 of the New London Plan highlights that "The Mayor's Design Advocates (MDAs) will play a key role in helping to deliver good design. They will help champion design across the GLA Group and beyond, through research, design review, capacity building, commissioning and advocacy". The Senior Partner responsible for Benedict Wharf at PRP, Manisha Patel, is one of the MDAs.

5.24.5 If outline planning permission is granted the 'indicative masterplan' only demonstrates one way that the development could be delivered, within the parameters set out in the 'Framework Design Code'. No development can be constructed without the submission and approval of the final reserved matters of access, appearance, landscape, layout and scale. This means that a decision can be taken on the general principle of residential development for the site, within parameters established within the Framework Design Code, but that the final design will be developed at a later date and consideration of development options will occur again at that stage, along with relevant consultation, design review and formal determination processes.

We have noted the request of MCGCH for the development to be a mixed use gentle density with streets and houses. However, it is clear that the delivery of such a scheme would result in a far lower quantum of development than even the initial scheme for 600 homes. Taking just one well known example, the Stirling Prize winning project Goldsmith Street in Norwich, achieves a density of 83 dwellings per hectare even with intentionally limited street widths of 14 metres. A more local example is the Barratt homes scheme on Western Road, Mitcham, at approximately 60 dwellings per hectare (outline application reference: 06/P0984).

- 5.24.6 *Based on the gross planning application boundary for Benedict Wharf (including land within the pylon exclusion zone), the Goldsmith Street density would equate to 315 homes. This would clearly contravene policies at all levels relating to making the optimum use of land and would render the development and SUEZ relocation unviable. Furthermore, the need to deliver 918 homes per year in Merton is a relevant consideration – if sites like Benedict Wharf cannot make a significant contribution, those homes still need to be provided elsewhere within the Borough, increasing pressure on greenfield sites.*
- 5.24.7 *We have also spoken to members of the community who strongly support the updated plans and would welcome further increases in development if this resulted in increased affordable housing provision. One attendee at our January 2020 drop in sessions was keen to stress the difficulty that they had faced in accessing an affordable property in Mitcham and saw this as a key opportunity to address housing need.*
- 5.24.8 *The Merton Strategic Housing Needs Assessment (2019) estimated that 1,447 households in Mitcham are in need of affordable housing (see table 28 from the document, below). The proposals at Benedict Wharf would address over 20% of this need which is a huge contribution when considering the statistics from the most recent Merton Council Authority Monitoring Report 2017/18, which highlight that only 87 units were completed across the entire Borough in 2017/18:*
“87 affordable units were completed from the 10 eligible schemes with 10 units or more, which totalled 19% of new housing, short of the borough’s 40% target”. (Para 4.16)
In addition, the Strategic Housing Needs Assessment highlights that the location of Benedict Wharf and the type of accommodation is likely to be popular and meet local demand as cited by estate agents: “They felt that there was still a diverse profile of buyers, who usually favoured the areas closest to the tramline stations in Mitcham, for an easy commute into the city. This usually equated to a 10-15 minutes walking distance from the station.” (Paragraph 4.59) “Conversely, in Mitcham estate agents reported an over-supply of end terrace/ semi-detached properties and an over-supply of 1930-50’s properties. They felt there was a corresponding under-supply of help-to-buy new builds in Mitcham.” (Paragraph 4.67)
“In Mitcham rental demand is particularly strong in areas close to the tramline. For families, areas with good schools and preferably access to green space are most sought after” (Paragraph 4.82)
It is, therefore, clear that there is a significant need for the delivery of new homes in Merton and that locations such as Benedict Wharf are sought after and likely to attract those who wish to live close to the tramline for ease of commuting.

5.25 Detailed delivery of through routes

- London Road Playing Fields is not a park and there should be a character and ecological assessment and which secures its open and tranquil character, enhances its wildlife value, provides improved and less intrusive play facilities, removes boundary fencing, opens up more access points, avoids additional lighting, provides more appropriate footpath surfaces and results in no net increase in the area covered by footpaths and other hard landscape.

5.25.1 *Applicant's response; As set out above, one of the key design principles for the project has been the permeability of Benedict Wharf and the provision of through routes. To provide a firm commitment to this, public access through the site in perpetuity will be secured by Section 106 Agreement. The proposals include significant improvements to cycle and pedestrian infrastructure, the improvement of Baron Walk, a linear open space to the west of the site and provision of a dedicated cycle lane on Hallowfield Way.*

5.26 Assessment of Visual Impact and Impacts on London Road Playing Fields / Church Path / Mitcham Parish Church / Mitcham Cricket Ground / Deer Park Gardens

5.26.1 Impact on London Road Playing Fields

Claims

- *"moderate and beneficial effect"*
- *"will not appear overly dominant"*
- *"parish church will remain visible above the trees as a local landmark"*
- *"it is not uncommon in London for parks and open spaces to be surrounded by large scale and tall buildings"*

Reality

- major and negative effect
- highly dominant
- loss of landmark status for Mitcham parish church as it no longer sets datum for maximum building height
- majority of London's parks and open spaces are emphatically not surrounded by large scale and tall buildings and this is, in any case, irrelevant to consideration of impact on this particular open space

5.26.2 Impact on Church Path

Claims

- *"moderate and neutral effect"*

Reality

- major and negative effect which irrevocably damages the character of the built form in Church Path, part of Mitcham Cricket Green Conservation Area
- significant harm to a designated heritage asset

5.26.3 Impact on Mitcham Parish Church

Claims

- *“moderate and neutral effect”*
- *“minor elements in the view, experienced as a continuation of the built form”*
- *“visible in the centre background of the view above the roofs of the cottages on Church Path, however they will be experienced as minor elements in the view”*

Reality

- significant and negative effect
- fills the gap in existing buildings which frames Grade II* listed church in Mitcham Cricket Green Conservation Area looming presence over Grade II listed former vicarage [which the assessment omits to even mention] and characteristic residential terraces in Church Path
- harm to a designated heritage asset
- additionally there is a major visual impact on Benedict School not shown in the chosen views

5.26.4 Impact on Mitcham cricket ground

Claims

- *“negligible effect”*
- *“barely discernible”*

Reality

- negative effect – at eight storeys the scheme is visible for the first time
- visible modern built form diminishing variety in characteristic roof line around Cricket Green at heart of Conservation Area – a view which is made up of multiple Grade II listed buildings

5.26.5 Impact on Deer Park Gardens

Claims

- *“minor and neutral effect”*
- *“minor elements in the view, with the electricity pylon remaining a prominent visual detractor”*

Reality

- Significant and damaging effect
- Major new bulky built mass of significantly greater impact than a slender, visually permeable pylon

5.26.6 *Applicant’s response; The planning application is accompanied by a Heritage, Townscape and Visual Impact Assessment (HTVIA) (June 2019) and an Addendum (February 2020) prepared by Arc Landscape Design and Planning Ltd (Arc). Arc is a Registered Practice of the Landscape Institute and the Urban Design Group. Heritage advice has been provided by Geoff Noble, a Chartered Town Planner and member of*

the Institute of Historic Building Conservation. He has wide experience of heritage management in central and local government, private practice and the voluntary sector.

5.26.7 *The full methodology for the HTVIA is set out fully within Appendix B of the June 2019 document and draws on best practice guidance as published in the following documents:*

- The NPPF (2012), supporting NPPG and relevant DCMS and Historic England advice;*
- Guidelines for Landscape and Visual Impact Assessment (3rd edition) - Landscape Institute/ Institute of Environmental Management and Assessment (2013);*
- An Approach to Landscape Character Assessment - Natural England (2014);*
- Photography and photomontage in landscape and visual impact assessment Landscape Institute Advice Note 01/11; and*
- Visual Representation of Development Proposals – Landscape Institute Technical Guidance Note 02/17 – March 2017.*

5.26.8 *The GLA's Stage 1 Report includes consideration of the HTVIA from paragraph 64-71 and is clear that the HTVIA provides an accurate and appropriate assessment of the heritage and townscape impacts: "The applicant has undertaken a Heritage Townscape and Visual Impact Assessment (HTVIA) which considers the visual impact of the proposed development on nearby designated heritage assets, including the listed buildings and conservation areas listed above, alongside other local and wider townscape views. GLA officers consider the applicant's HTVIA and views assessment to provide an accurate and appropriate assessment of the heritage and townscape impacts of the proposals, given the outline nature of the application and that views have been taken during an appropriate time of year during the winter to demonstrate a worst-case scenario."*

5.26.9 *At paragraph 71, the GLA conclude that: "GLA officers conclude that the proposals would not harm the setting or significance of the Mitcham Cricket Green Conservation Area, the Wandle Valley Conservation Area, Morden Hall Park and the Statutory listed buildings noted above." Visual impact was also considered extensively when the eco-park application was approved in 2012. The eco-park included several large industrial style buildings, tanks and stacks, the tallest being an exhaust stack at 32 metres height. Although that application was for industrial buildings many of the considerations within the Representation Hearing Report remain relevant, notably: "the Council's conservation officer was of the view that there was no significant degree of intervisibility between*

the conservation areas and the application site, i.e. there are limited views of the site from the surrounding conservation areas and vice versa.” (Paragraph 129)

- 5.26.10 *“In addition, it is not uncommon in London for parks and open spaces to be surrounded by large scale and tall buildings. Their presence is not automatically harmful and would not be unexpected.” (Paragraph 135)*
It is also notable that the ‘infill’ of the wireline from Mitcham Cricket Green within the MCGCH representations is not accurate.

5.27 The strategic opportunity

We are concerned that the current approach to development of Benedict Wharf does not address two important strategic issues and prejudices alternatives of much greater public benefit which can be developed through the Local Plan review:

- (a) Should Benedict Wharf be for residential or strategic industrial use?
- (b) Estate renewal and creating a new neighbourhood for Mitcham

- 5.27.1 *Applicant’s response; Several attendees at our exhibitions in January 2020 supported the proposals and stated that they felt the site was not suitable for ongoing industrial use. As previously noted, since SUEZ began operating Benedict Wharf we have received repeated feedback that the site is not suitable for waste and industrial uses. This is summarised from paragraph 62 in the GLA’s Representation Hearing Report dated 12 October 2011 for the Eco-Park development, where the vast majority of objections from local groups including MCGCH, local representatives and public representations stated that the site is not suitable for industrial uses and cited concerns over HGV traffic - many noting that the area is largely residential in character.*

- 5.27.2 *In addition, during the first drop in workshop for the proposed redevelopment of Benedict Wharf in November/December 2018, all respondents confirmed that they supported the change of use of the site to residential, in principle. Following the events, MCGCH ‘Response to public exhibition’27 (December 2018) stated: “ The Benedict Wharf site has long been a focus for our work. It is the largest previously developed site in our area and strategically located at a key gateway. Its use also has significant consequences for public access and links between Mitcham and Morden. We have campaigned for many years to reduce the impact of the site’s current use on local amenity, including speaking in City Hall at the Mayor of London’s call-in of earlier plans to intensify waste management uses. We have undertaken lorry surveys which demonstrate the major impact of the waste management facility on the historic section*

of Church Road in the Conservation Area. We are members of the Community Liaison Group.

- 5.27.3 *We share the view that Benedict Wharf is a wholly inappropriate site for industrial uses with the impact of the current SUEZ facility. We welcome the plans to relocate to a more suitable location in Beddington Lane. Benedict Wharf is unsuitable for Strategic Industrial Land allocation and, given the future site in Beddington Lane has lain dormant for many years, we believe it entirely appropriate for this allocation to be removed to allow for much more appropriate residential development. “*
Notwithstanding the above, planning permission was granted for the eco-park and Benedict Wharf remains a SIL and SWS. The adopted London Plan has two classifications for SIL, Benedict Wharf falls within SIL site 59 in Annex 3 (Willow Lane, Beddington and Hallowfield Way) and is classified as a Preferred Industrial Location. Paragraph 2.79 of the adopted London Plan notes that PIL’s are particularly suitable for: general industrial, light industrial, storage and distribution, waste management, recycling, some transport related functions, utilities, wholesale markets and other industrial related activities.
- 5.27.4 *Paragraph 2.80 of the adopted London Plan highlights that SILs are given strategic protection because their scale and relatively homogenous character means they can accommodate activities which elsewhere might raise tensions with other land uses.*
The ‘Intend to Publish’ version of the new London Plan (December 2019) states that SIL’s are the capital’s main reservoir of land for industrial, logistics and related uses. SILs are given strategic protection because they are critical to the effective functioning of London’s economy. They can accommodate activities which - by virtue of their scale, noise, odours, dust, emissions, hours of operation and/or vehicular movements - can raise tensions with other land uses, particularly residential development. (Para 6.5.1). Policies E4 of the new London Plan set out the general industrial uses that are appropriate on SIL sites, including light/general industry, storage and distribution, secondary materials and waste management, utilities infrastructure (energy and water etc. and Policy E5 highlights that SIL land should be intensified to make the most efficient use of land.
- 5.27.5 *The proposed site allocation for Benedict Wharf within the new Merton Local Plan, Stage 2 Consultation, states: “**In this particular case the council supports the removal of SIL capacity from this site to elsewhere in Merton as the proximity of so many sensitive land uses directly adjacent or near the site is not compatible with viable long-term strategic industrial development.**”*

Planning applications must be considered on their merits and there is no live planning application for industrial development at Benedict Wharf. However, should the site remain in an industrial use it is likely that this would involve significant intensification of development in accordance with current planning policy, resulting in potentially greater demand on the highway network from operational vehicles (light goods vehicles and heavy goods vehicles) than the current uses. Conversely, the Transport Assessment submitted to accompany the planning application for 850 homes at Benedict Wharf demonstrates a daily reduction in traffic levels, but most notably a significant reduction and almost total elimination of heavy goods vehicles.

5.27.6 *Furthermore, an industrial redevelopment would contribute no affordable housing and it is unlikely that it would fulfil many of the other key objectives for Benedict Wharf that MCGCH have outlined within their representations to Merton Local Plan set out above. For example, while the eco-park planning application did propose improvements to Baron Walk, the site remained securely fenced.*

5.27.7 *With regard to estate renewal, granting outline planning permission at Benedict Wharf would not preclude the renewal of Phipps Bridge Estate. Securing the principle of residential development at the site may, however, assist in the regeneration of the estate.*

5.28 Design Code

Provision of a binding and much more detailed design code is required. As a minimum it should lock any future developer into the minimum design and quality standards of the outline application and provide further detail over home typologies, elimination of single aspect dwellings, the quality and maturity of planting, and use of meaningful character areas which resonate with Mitcham. The design code needs to be emphatic in its wording and capable of enforcement by Merton Council. In its current form this is not the case.

5.28.1 *Applicant's response; As previously noted, we have reflected on feedback about the Design Code and the revised Framework Design Code is much more detailed and binding. The revised Framework Design Code is separated into two sections, the first provides mandatory design principles that will guide the development of the reserved matters, whereas the second section about the character areas is drafted in 'framework' form and must be updated at reserved matters stage. This approach, therefore, provides the certainty that the local community and stakeholders desire but also retains some flexibility as the project is refined. The Design Code reflects the feedback provided by the local community as set out in the*

submitted Statement of Community Involvement and the DRP have responded positively to the Framework Design Code.

5.29 Community Investment

Provision of a binding community investment package to address the impacts of such a major development is entirely appropriate. An existing model is provided by The Collective for its development by Trewint Street bridge in Earlsfield for a smaller scheme providing fewer than 300 co-living spaces. We have been dismayed to find that SUEZ has not even looked at this approach despite our raising it over seven months ago.

5.29.1 Applicant's response;

The proposed development will deliver significant benefits to the local area, including:

- 850 new homes;*
- 35% Affordable Housing (298 homes);*
- Enhance pedestrian and cycle facilities on Baron Walk;*
- Dedicated cycle lane on Hallowfield Way;*
- New areas of communal open space, including play space within the development;*
- Enhanced bus capacity;*
- Urban greening factor of 0.4, representing significant urban greening;*
- Significantly increased permeability and public access in perpetuity;*
- Removal of existing unsightly fencing surrounding London Road Playing fields;*
- Approximately £4 million of additional household expenditure to be retained in Merton, supporting local shops and businesses;*
- Merton CIL payments of approximately £7.5 million, including 15% for neighbourhood projects;*
- Mayoral CIL payments of approximately £2.8 million, supporting the provision of transport infrastructure.*

5.29.2 *As highlighted above, it is not possible for the development to provide 'community benefits' unless they meet the tests that they are necessary to make the development acceptable in planning terms. Furthermore, it is important to highlight that the eco-park planning permission was granted prior to the introduction of Mayoral and Merton CIL. As set out above, the proposed development would be liable for over £10 million in CIL which significantly exceeds the approximate £85,000 planning obligation package secured as part of the eco-park planning permission. The Neighbourhood Fund is available for projects that Merton Council and communities have decided would address their priorities for Neighbourhood Community*

*Infrastructure Levy spending. 15%, or **approximately £1,125,000** (estimate based on currently submitted details) of the liable CIL funds generated from the redevelopment of Benedict Wharf would, therefore be available for neighbourhood projects such as investment in the community infrastructure projects identified.*

5.30 Protection of Church Path

We welcome the Design Code's commitment that *"Baron Walk, linking to Hallowfield Way, is proposed as a key south-north pedestrian and cycle route that will be enhanced and improved. Design measures will need to be incorporated to discourage people to continue the route along Church Path"* but lack confidence in its delivery. More detail of the measures which will ensure that cyclists and pedestrians enter and leave the site along Hallowfield Way and not Church Path is needed. This must address not only physical barriers preventing use of Church Path other than in an emergency but also positive interventions to make Hallowfield Way the natural route of choice, including amendments to the current roundabout and junction with Church Road, to which there is currently no commitment.

5.30.1 *Applicant's response; As the application is outline with all matters reserved there are no detailed proposals for access and landscaping. However, Section 4.2 of the Framework Design Code includes a provision that design measures will need to be included to discourage pedestrian and cycle traffic from Church Path. Further details would be provided at reserved matters stage but would need to accord with the requirements of the Framework Design Code.*

A 'counter measure' to achieve this, is to improve the quality of pedestrian and cycle provision elsewhere in the Benedict Wharf development and on Hallowfield Way. The proposals also include a commitment to a dedicated cycle path on Hallowfield Way that will be secured by Section 106 Agreement.

5.31 London Road Playing Fields

London Road Playing Fields - Provision of detailed plans for the consequential investment in London Road Playing Fields which is informed by a character and ecological assessment and which secures its open and tranquil character, enhances its wildlife value, provides improved and less intrusive play facilities, removes boundary fencing, opens up more access points, avoids additional lighting, provides more appropriate footpath surfaces and results in no net increase in the area covered by footpaths and other hard landscape.

5.31.1 *Applicant's response; The only amendments proposed to London Road Playing Fields are set out within the submitted details, including the removal*

of fencing and the minor realignment of footpaths to connect with the main gateways into Benedict Wharf. No additional hard surfacing is proposed and all play space and open space connected with the Benedict Wharf development will be provided within the development site.

5.32 Baron Walk

A major rethink is required of plans to increase the width of Baron Walk to an extraordinary 9m, including a contrived and in practical terms unimplementable separation of a “pedestrian route” and a “shared surface”. A paved surface of this width will remove any sense of the character of this historic route and invite abuse by cars, motorbikes, scooters and other users. Baron Walk should be no greater than 3m wide and be designed for its sense of place and not to meet highway/engineering standards. Any changes need to be informed by a proper assessment of the existing character and historic significance of the route. We believe Baron Walk should not be designed as the major through route for cyclists and pedestrians and that this should be provided within and through the new development.

5.32.1 *Applicant’s response; The proposed improvements to Baron Walk have generally been strongly welcomed during the public workshops and drop in sessions. A lot of people have commented that Baron Walk felt unsafe as it is not overlooked and was not well maintained and suffered badly from littering. There are examples of feedback within the submitted Statement of Community Involvement and February 2020 Feedback Summary Report. The improvements to Baron Walk have developed as the project has evolved over the last two years. The feedback received from the initial January 2019 DRP was:*

“The poor quality of Baron Walk footpath did not seem to have been improved and it was felt that it would be better to have a new street between the park and new housing, replacing this footpath and providing development that better faced, and interacted with the open space.”

The proposals were then revised following a workshop session with the DRP and the feedback was: “I am pleased to see the greater effort to improve the eastern boundary to help make the buildings better face the park and especially to improve Church Walk (as an emergency route) and Baron Walk here”

“The Baron Walk edge widening and the shallower front gardens along this edge (whether slightly sunken or raised) all makes sense now and the edge will feel better overlooked and relate well to the park”

In addition, Merton Council’s design officer provided the following comment about the improvements to Baron Walk within the current proposals:

“The submitted layout suggests that a properly dimensioned street is being proposed facing the existing park to the east. This has been asked for in the past and endorsed by the Design Review Panel, but never fully taken on board. It is important this is provided in order to provide a strong and fully permeable park edge and create a clearly obvious public route extending onwards from Church Path.”

5.33 Merton Green Party only commented on the original proposal that Policy CSB in the council's core planning strategy sets a borough-wide affordable housing target of 40% for developments of 10 or more units. Paragraph 6.67 of the planning statement proposes that 20% of the 600 units will be affordable housing. We ask the Council to require that its' 40% target be met.

5.34 **Design Review Panel.** The Panel reviewed the application and awarded it an Amber in January 2020. The Panel commented;

The Panel were unanimous in welcoming the changes made based on previous comments of the Panel, and felt that the overall design had moved forward positively. Notable was the changes to the park edge with more definition, a block plan that worked better and felt more permeable and a better street aspect to the park to the east. The Panel had no particular concerns regarding the changes in height but did note that the areas most suitable for increased height were the centre and south of the development.

The Panel were disappointed however, not to have had sight of the proposed Design Code prior to the meeting. It was this Code that the Panel felt was critical to giving the council sufficient surety that a quality development could be secured at reserved matters stages. The Panel were unanimous in the view that the Design Code must form an integral part of the outline planning application, as it was clear the site was intended to be sold on. There needed to be clarity regarding what was fixed and what was variable. For example, the Panel felt there was a strong case for fixing the block pattern in the design code.

Much of the discussion concerned issues that needed to be covered in the design code. The site was large enough to create its own neighbourhood, and a convincing story needed to be expressed regarding this. This included a clear understanding on the non-residential uses that were needed and would help create a neighbourhood. It was felt that 500m² was very inadequate. The site would be developed over a number of years and thus the phasing was important to ensure it minimised disturbance to early residents and also

addressed the issue of meanwhile uses. This was closely linked to assessing the amount and type of non-residential uses.

The site had only one vehicular entrance for up to 850 dwellings and thus a clear strategy for emergency access and planning was required. Routes into and through the site thus needed to be maximised and be of high quality – including access to the tramstop. This was required to maximise connectivity and reduce any feel of isolation or ‘ghetto’ feel and minimise the potential for ‘feral’ parking. Important to this is the design and appearance of the streets. This includes landscaping and parking as well as having good natural surveillance from buildings, especially at ground floor.

It was therefore considered important to ensure maximum control over streets and parking by ensuring they were adopted by the council. It was also important to ensure the street side and podium side of buildings worked well together with the right typology of flats and houses. The Panel also felt that the landscape strategy was weak and needed further development to maximise the quality of the public realm and linkages with surrounding open space.

Clarity was needed on the approach to parking and creating a low traffic neighbourhood, this included the amount and location of parking and the position of cycle parking and bin stores – to maximise active frontages. It must be able to be clearly demonstrated in the design code that the amount of units proposed can be achieved according to policies on high quality design. Particularly noted in this respect were the deep plans of many of the buildings and a weaker description in the Code (p38) of the approach to dual/single aspect units than is currently in the London Plan policy. It was recommended that the wording in the code was the same as that in the Policy and that an ‘example’ block or building was shown in the Code to demonstrate achievability in this respect.

All the issues raised by the Panel need to be incorporated in some way into the design code. This needs to be the document that demonstrates the ability of the proposal and the site to deliver the dwellings proposed. It will be the proof of the intent of the applicant. The Panel is willing to review the content of the design code as it is evolved.

VERDICT: **AMBER**

- 5.35 **The Design Code** was assessed by Members via email at the end of March 2020 as it was not possible to undertake public meetings, no joint verdict was issued, rather members offered their own individual findings on the proposals.

E-mail review of the Design Code relating to this application.

Outline application for the redevelopment of the whole site for up to 850 new dwellings with flexible commercial space with associated parking, landscaping and infrastructure.

A pre-application for redevelopment of this site was reviewed by the Panel on 24 January 2019, receiving a **RED** verdict. Following changes to the proposals, the DRP held a site visit and workshop on 12 February 2019 with Panel members and officers. This received an **AMBER** verdict. An application was then submitted and reviewed on 30 January 2020 receiving an **AMBER** verdict. The Panel requested they be able to review the accompanying Design Code and this is the subject of the notes below.

It was agreed review the Design Code by e-mail, as had been done a few times in the past for returning applications. Information was sent out to Panel members on 17 March 2020 with a deadline of 31 March 2020. Delays in receiving and publishing the notes are due to the effect of the Coronavirus Pandemic.

Applicant responses to DRP comments are added in italics to each relevant point

5.36 Respondent A

- In summary, these are a series of generic statements with very few dimensions or design speeds to give any real confidence that they will deliver good design.
- P15 Threading to the surroundings. The developers should state that they will not create a ransom strip of land between their site and their neighbours at the Cappagh site (Car Pound) to connect to White Bridge Avenue.

5.36.1 *Applicants response Improvements to pedestrian and cycle infrastructure, access and permeability are main principles of the proposed development. The submitted Access and Movement Parameter Plan shows routes running east to west through the site which can connect to any future redevelopment of the Cappagh site. The Development Parcels Parameter Plan also considers two developable parcels adjacent to the Cappagh site with a street in between to ensure a future east-west route connect the future development with White Bridge Avenue.*

This issue has also been discussed with planning officers previously and it was agreed that a clause could be included within the S106 agreement to ensure public access to this site is provided for the lifetime of the development..

5.36.2 This will help to maximise east-west movement to the tram stop and elsewhere. These new east-west streets would make the site less isolated as it is currently a giant cul-de-sac that could have 850 dwellings containing about 2,000 people.

□ This makes the single access road very vulnerable to any problems or congestion. For these reasons this site should be a car-free development. Thus there would be no podium parking, which would ensure many more dwellings are dual aspect, increase the SuDs areas and reduce the costs of construction.

5.36.3 *Applicant response Benedict Wharf is highly accessible, within 100m of Belgrave Walk tram station, and it is critical that the density is optimised. There is a balance to be struck between parking provision and density/design and we have worked with Merton Council and the GLA to strike an appropriate balance by providing a car parking ratio of up to 0.3. The majority is proposed within safe and secure podium parking in order to reduce the amount of hard surfacing on the site and reduce the dominance of vehicles in the public realm. The design has been developed around pedestrian and cycle priority, including the adoption of home zone standards as suggested by the Panel, and proposes significant improvements to pedestrian and cycle infrastructure. However a completely car free development is not likely to be supported at this stage,*

5.36.4 *The Council's Highways officer is supportive of the level of car parking proposed, and would not support a car free development in this location. Furthermore, TfL have also commented on the development proposals and confirmed that the proposed level of car parking (255 spaces) would accord with the London Plan and Intent to Publish (ItP) London Plan standards. Disabled persons parking and Electric Vehicle Charging Points will need to be secured by condition along with the requirement to produce a Car Parking Management Plan (CPMP) which will detail how these spaces are monitored. Parking provision will be managed and enforced through the CPMP and the applicant's intention to lease parking spaces rather than sell them has been welcomed by TfL and would be secured in the CPMP.*

5.36.5 *We would also note the comments from Respondent A in relation to the layout of the parking and concerns about the perpendicular parking arrangement. This has been addressed in part in the amended Design Code, particularly in relation to the design of the public realm and accordance with Home Zone Standards. Furthermore, perpendicular parking, as well as on-street parking within the development, will sit between landscaped areas and trees to avoid car-cluttered streets and help create a traditional and pleasant street environment. The perpendicular arrangement is just one way that parking can be laid out and also assists to maximise the number of parking spaces required, and on the basis of the indicative masterplan this is a sensible location for surface parking as it won't dominate the public space.*

- 5.36.6 P18 pedestrian and cycle priority is achieved by creating Home Zones with sub 20kph speed limits using vertical traffic calming to the best European standards. All walking routes should be step-free, ie raised crossings and junctions at roads. No podium parking and only on-street drop off.
- P48 the only pedestrian priority crossing in the UK is a zebra. So will you use this therefore zebra crossings at all junctions?
 - P48 The reference to appropriate barriers does not include yellow lining, so it is assumed these will not be adopted roads, and so how will parking be managed and enforced by the developers?
 - P48 note the reference to shared space, which only works at sub 20kph speeds using intensive traffic calming measures in busy pedestrian spaces.
 - P65 to allow almost 2,000 people on this site the movement and access needs to connect into adjacent areas and not just stop at the red line boundary of the site. Thus how will this development provide appropriate routes to the tram stop, White Bridge Avenue, across London Fields Playing Fields, Morden Road, etc?

5.36.7 *Applicant's response* *The applicant has been in discussion with TfL about this matter, in particular in respect of securing a new pedestrian and cycle link running parallel to the tram lines to provide a direct link from the linear open space to Belgrave Walk Tram Stop. TfL have agreed in principle to help facilitate this route and the use of their land.*

The scheme also proposes improvements to Baron Walk, to improve links to National Cycle network to the west. The S106 agreement will secure a link and improve accesses into the London Road Playing Fields, including removal of the security fencing surrounding the park.

A dedicated cycle lane will also be provided on Hallowfield Way, leading to Church Road where it can connect to TLF cycle superhighway at Colliers Wood.

TfL also require the relocation of the bus stop on Church Road to improve its proximity to site.

- 5.36.8 P78 and 79 - concern to see the term shared surface. All pavements and pedestrian spaces must be car-free otherwise they will be parked on and blocked, and thus deter walking.
- P90 and 91 should clearly state that physical barriers like bollards will also be provided to prevent any vehicles, except the emergency services, from accessing Baron Walk path from the new development. For example, Broad Walk in Buxton beside The Pavilion Gardens.

5.36.9 *Applicants response* *In terms of the emergency access proposed from Church Path and onto Barons Walk, this will be controlled through the use of bollards. This will prevent any other vehicles being able to utilise this route. Further*

details on this is provided in the updated Design Code, as suggested by the Panel

- 5.36.10 P90 and 91 Who will own and manage this wider Baron Walk path, its paving, drainage, lighting etc? This this will determine the design and materials.
- P114 and 115 show how perpendicular parking requires a two lane road which wastes a lot of space. Instead, a low traffic neighbourhood of parallel parking and one way roads with two way cycling would save a lot of land.
- P124 and 125 You are not creating historic mews, but there does not appear to be enough street furniture to stop drivers from parking. Again why is a two way road required in a mews which is supposed to be a quieter lane. If you want to provide a single surface then how will you make this a shared space with sub 20kph driving, and ensure it is accessible for the visually impaired.
- As a completely new development on a green field site this is a rare opportunity to design in utility trenches to minimise maintenance. Less digging up the roads and paths is especially important in a large cul-de-sac development like this. But no mention is made of the basic infrastructure, including drainage despite lots of talk of SuDs, to support the site. This should be addressed in the design code, the masterplan and any application.

5.36.11 *Applicant's response It is understood that where Respondent A refers to the site as comprising new development on a green field site, this is in reference to the similar opportunity that a comprehensive redevelopment provides in terms of utility trenches. This is now included as a recommendation within the Design Code and will be considered further at RM stage. In terms of drainage, a Flood Risk Assessment and Drainage Strategy have been submitted with the outline application. The surface water management strategy presented in this report demonstrates that adequate SuDS space provision is afforded within the development and that the proposed scheme is feasible and compliant to appropriate best practice and regulatory requirements. The detailed drainage and SUDs scheme will be secured by planning condition.*

5.37 **Respondent B**

- Great document, well presented and easy to read.
- Very positive approach to open spaces and addressing massing and scale.
- Concur with pedestrian and cycle priority
- Entrance plaza – not enough information about this.
- Character areas – struggling with one building falling into 3 character areas. This could be defined better especially as the character areas are essentially the same with the main variant being scale rather than materiality. There are really only three character areas. (1) Conservation, (2) Edge – or

buildings that have an outward relationship and (3) Inner - buildings that are internal to the masterplan. Simplifying these might bring a bit more coherence and less repetition to the narrative. It might also help with the word Boulevard in terms of a suburban Mitcham Context. It then may not be needed and a park route could be used instead.

□ The Conservation Edge character area could work a bit harder. The section on page 78 shows a 3 storey house next to an 8 storey building – a set-back should be brought in at 6 storeys here to help with the transition of scale. There should be something in there about park side buildings not being allowed to overshadow the park. 8-10 storeys to the west of the park especially along the top half of Baron Walk might impact on the quality of the open space. It might be that the buildings need to step back more, or use inset balconies to minimise their impact on the open space.

5.37.1 *Applicant's response The Indicative Masterplan and the building heights parameter plans consider the location of the tallest elements of the scheme to the centre and south of the site along the green boulevard/corridor in order to minimise visual impacts on the surrounding area while also maximising daylight and sunlight efficiencies to public realm and amenity spaces. The indicative building heights have been tested in the submitted Heritage and Townscape Visual Impact Assessment which confirmed visual impacts are acceptable. Blocks facing London Road Playing Fields are proposed up to 8 storeys with a taller element marking the centre, a landmark building that defines the main entrance to the park and aids legibility. This also maximises views from the development to London Road Playing Fields and due to the orientation and location of the site ensures required levels of daylight and sunlight within the semi-private courtyards and public realm as well as maximising east-west orientated homes. The Design Code ensures buildings with more than 8 storeys will include set-backs, as discussed by the Panel. Full details of the setbacks will be provided at RM stage once final heights are confirmed and detailed design work undertaken.*

5.37.2 *Breaks in the built form along London Road Playing Fields as shown in the illustrative masterplan and views can be introduced to create a rhythm and to minimise visual impacts to the adjoining Baron Walk and park. In the same way, an advisory element within the overarching principles of the Design Code has been included to encourage buildings with 6 or more storeys to include set-backs of roof treatments that will contribute to create a better environment at street level and to improve transition with surrounding context. Minimum front to front distance of 23 meters between the buildings along the northern entrance to London Road Playing Fields is sufficient wide to allow efficient levels of daylight and sunlight and to contribute to the transition of scale along Baron Walk.*

5.37.3 *It is acknowledged that the Building Heights Parameter Plan shows a short transition from 3-8 storeys along London Road Playing Fields. A height of 8 storeys in this location will provide a landmark building identifying a key area of the site where non-residential uses are located and defining and enhancing legibility along the park edge. This building could introduce a setback at 6 storeys to help to achieve a smooth transition and this is discussed and encouraged in the Design Code. The indicative heights also help to maximise the use of the site and delivery of high quality housing, including affordable homes. The HTVIA, daylight, sunlight and overshadowing assessments are based upon these maximum height parameters.*

5.37.4 *The Respondent also raises a concern about the buildings abutting London Road Playing Fields not being allowed to overshadow the park. An initial Overshadowing Assessment was submitted with the outline application. The assessment concludes that the proposed development will not have an impact on daylight and sunlight availability enjoyed by surrounding properties and spaces, and the amenity spaces within the proposed design will achieve good sunlight levels throughout the year. Further detailed daylight, sunlight and overshadowing testing will take place at RM stage when the scheme has been subject to detailed design.*

5.37.5 P25 - First mandatory clause seems to contradict itself. The second sentence should be removed. Are Merton happy with an 8 storey shoulder in Mitcham or would they prefer more ability to influence this going forward? Perhaps it could say the set-backs and roof treatments are required to the top of all buildings over 3 storeys? This is also mentioned on p30 & p64 (Also if you look at the precedent images on p92 they have set backs at 5th floor). The last point should be mandatory.

P26 - Meanwhile uses have not been addressed sufficiently. Meanwhile uses do not need to be pop up bars – they can be pop up playgrounds and a corner shop to serve the first residents. This requires more thought and should be covered by a mandatory clause.

P32 - At 3.2.7 the code should clarify that minimum distances between buildings should reflect best practise (18m distance between habitable rooms).

P33 - If balconies are allowed to project over the building parcel then there is potential that are overshadowing pavements and public realm. This should not be mandatory and each scenario should be assessed on a case by case basis so that it can be assessed at detailed submission if this is detrimental to the street enclosure etc. It will be so GEA can be maximised on each plot which is understood, but it might not be relevant everywhere. Merton should have some influence over where.

- P34 - Para 3: Can you have 'highly recommended' in a mandatory clause? Suggest this needs rewording. Last para: They should not excluded brick slips as that would rule out some MMC which a developer may want to use.
- P35/36 - These pages are too prescriptive and are then repeated in each character area section.
- P38 - Floor to ceiling heights etc - shouldn't these be the LHDG minimums. The DG's should not be so prescriptive when there is already prescriptive legislation out there for designers to comply with. This whole page could be removed with a mandatory clause at the beginning of the doc that requires all designs to comply with current legislation.
- P49 - The precedent image does not reflect the clauses. It looks like a very urban small courtyard whereas these are suburban blocks.
- P55 – The ground floor defensible space at the front of a building should be larger than 1.5m – ideally between 1.8 and 2.5m to allow for a planted privacy barrier for the GF resident. 1.5m is more of a balcony dimension.
- P58 - Para 5 should be mandatory. Para 6 should be reworded to say no north facing single aspect units are acceptable and also made mandatory.
- P78 - Column 1 last para – should be mandatory. Column 2, 3rd para contradicts diagram. Is the ratio the mandatory requirement? In which case where the street width goes down to 19m would the height of the building also? Needs a bit more clarification.

5.38 Respondent C

- Overall, it's good to see well explained illustrations. Good to know that this will remain a live document so design elements – especially the character area sections will be updated through the reserved matters stage. However, even within that section some elements need to be fixed now, so quality is guaranteed.
- Within the concept design, there is much explained around critical placemaking layers but there also needs to be a narrative around the urban block configurations (pages 14-17)
- Uncertain why an **overarching section for design principles** is applied here – many of the principles explained in this section could be directly demonstrated on the blocks within masterplan – these principles are around entrances, facades, built form and design code needs to show how these generic principles should be applied to individual built form – massing of the urban layout. For example: balconies, entrances and particular facades treatments – these shouldn't be generic guidelines but shown as how they are applied to the masterplan blocks – balcony strategy, entrance and access strategy diagrams applied to the masterplan layout will be useful.

5.38.1 *Applicant's response: The approach adopted within the Framework Design Code has been broadly to provide a two-part document, the first setting*

overall design requirements for the site and the second based on the individual character areas. It is intended that the Framework Design Code will be developed at Reserved Matters Stage to fully apply and establish the requirements of the Design Code to individual blocks.

The main aim of this Design Code is to provide sufficient information to provide robust but flexible design guidance and rules to ensure the future scheme is developed in accordance with to high quality and design and standards. The planning application demonstrates that the proposed quantum of development can be provided on site, improve the local environment and safeguard and respect the character and context of the site and surrounding area.

- 5.38.2 Stress again on point 2 even more is the last section of the **overarching principles** - buildings layout (residential properties and dual aspect units) – it is critical that this is demonstrated on the blocks itself – the code stresses on maximising dual aspect units, it will be good to see how this is and can be achieved on the blocks. A lot of the blocks on the masterplan look like double stacked blocks, so worth understanding within the Code how a large quantum of dual aspect is achievable on these blocks.
- Similarly for the landscape and sustainability section – it will be good to apply the hierarchy and elements explained to masterplan layout – and not generic section like diagrams.
- Parameter Plans – these are light touch parameter plans, are these acceptable? Although this is an outline with everything left to reserved matters, it will be good to define an external and internal envelope for the parameters – picking up from the overarching principles section (particularly page 49 on shared amenity spaces and courtyards), Diagrams on pages 64-68 could show internal loosely defined courtyards to blocks (this again shows how much is meant to be single aspect and dual aspect on wings of the blocks).
- Pages 79, 89, 99, 109 have explanatory diagrams which look at character areas through streets and facades – it will be good to show how block prototypes link in with these streets to show entrances, built form edges to blocks etc – all of the principles explained in overarching principles could be explained nicely in this section – landscape, sustainability measures, layouts of dual aspect units, balcony strategy etc
- Overall there's a lot of thought into design elements These comments are more around the strategy than the details - what needs to be specified to show that which is sacrosanct in layout and that which isn't.
- The study of block typologies and how they are put together to achieve the various design elements is missing – it does need to be embedded properly into the code.

5.39 Respondent D

- Well set out & professionally prepared document.
- Question about canyonisation, good light and air quality to the residential accommodation. See diagrams e.g. on pages 98, 102. This depends on orientation - detailed daylight and ventilation analysis would ensure dwellings are sustainably ventilated and are healthy to live in.
- Single aspect dwellings. London plan calls for them to be normally avoided. The Code states in a few places the following: p24 "The new development should maximise the provision of dual aspect dwellings and normally avoid the provisions of single aspect dwellings.", p39 "Typologies of apartment blocks that maximise dual aspect should be explored." And p58 "North facing single aspect units will be avoided where possible." There seems to be a trend here? New build start from scratch and create a living community C21 development. There should be no single aspect dwellings at all, or it will have to be remodelled or redeveloped in future.
 - Environmental sustainability. SUDS and landscape, but nothing much on energy and renewables, maybe this is elsewhere. Would be good to have a reference to local materials where possible, and low embodied CO2, renewables, passive systems, etc.

5.39.1 *Applicant's response Respondent D notes that the Design Code doesn't provide much detail on the proposed energy and renewables strategy. However, an Energy and Sustainability Statement has been submitted with the application, and this confirms the commitment to meeting London Plan standards. The report concludes that proposed development achieves sustainable design and will deliver high quality new homes in a sustainable location. A detailed energy and renewables strategy will be provided at RM stage.*

5.39.1 Materiality. It steers towards brick, 'London Vernacular', which is OK, don't hold their cursor for them. Maybe emphasise environmental more. Its funny Bill Dunster's development is not a precedent. With this omission precedents etc. are OK. Notice plant pots in front of the mews houses as defensible space, a lot will depend on sense of community and sense of place

5.40 Applicant's wider response;

All of the respondents comment on the need to provide further detail relating to the provision of single aspect and dual aspect units.
The Design Code confirms that no north facing, single aspect dwellings should be provided. This is a mandatory commitment. The Design Code states that the number of dual aspect of units will be maximised across the

scheme, and the creation of single aspect units should be avoided where possible. This wording reflects the exact wording of the Intend to Publish London Plan , where Policy D6 states “Housing development should maximise the provision of dual aspect dwellings and normally avoid the provision of single aspect dwellings. A single aspect dwelling should only be provided where it is considered a more appropriate design solution to meet the requirements of Part B in Policy D3 (Optimising site capacity) through the design-led approach than a dual aspect dwelling, and it can be demonstrated that it will have adequate passive ventilation, daylight and privacy, and avoid overheating”.

- 5.40.1 *The Report of the Examination in Public of the London Plan highlights that the policy “seeks to discourage single aspect dwellings, unless the application of the design led approach indicates that this is the most appropriate design solution. This would apply to those typologies where single aspect may be the most efficient and effective layout.”. This encapsulates that there is a balance to be struck where single aspect units can be provided with high quality design in order to increase density. The relevant safeguards to ensure that this is the case at Benedict Wharf have been included within the Design Code. The appropriate time for this to be considered in detail is when the layout and block typologies are finalised and the RM applications are submitted.*
- 5.40.2 *The Illustrative Masterplan indicates one way to develop the site in accordance with the maximum parameters set. In this case, the Illustrative Masterplan reflects capacity testing to accommodate up to 850 homes. The indicative masterplan incorporates typologies of blocks that are able to achieve the density and the quantum of housing required to maximise the use of the site and deliver a significant number of new homes, including affordable homes, as supported by the Council and the GLA, whilst taking account of the sites characteristics. With this configuration, the Illustrative Masterplan provides a majority of dual aspect units which is considered to be positive. The definition of block layouts and home typologies requires further detailed design and testing and will therefore be carried out during RM stage. The proposed building heights have been carefully considered across the site, taking into account the local character and context and the extensive consultation with the local community as well as discussions with LBM and the GLA about the need to optimise the use of the site and maximise the delivery of new homes, including affordable homes, and other community benefits.*
- 5.40.3 *Taller / landmark buildings have been identified to define entrances and aid legibility. Overall in January the Panel confirmed that they had no particular concerns regarding heights but did feel that the most suitable areas for*

increased heights were towards the centre and south of the development, as proposed.

5.40.4 *From a planning policy perspective, there is a clear direction in favour of optimised development density at all levels. There is now a drive to densify both existing residential areas and also to ensure the best use is made of new development land. In particular we would note the Secretary of State response to the Mayor of London about the need for revisions to the new London Plan (ItP, December 2019) in his letter dated 13 March 2020 which states:*

*“Every part of the country must take responsibility to build the homes their communities need. We must build more, better and greener homes through encouraging well-planned development in urban areas; preventing unnecessary urban sprawl so that we can protect the countryside for future generations. **This means densifying, taking advantage of opportunities around existing infrastructure and making best use of brownfield and underutilised land.**” (emphasis added)*

5.40.5 *As set out in the GLA Stage 1 response, the comprehensive redevelopment of Benedict Wharf at a size of 3.8 hectares with the immediate context to the south, east and west is a significant opportunity to optimise density. The amendments to the scheme mean the proposal would provide up to 850 homes, with 35% affordable. Notably, the increase in density from the original 600 home development has enabled an increase from 20% affordable housing provision (120 homes) to 35% (298 homes). The increase in density, therefore, provides a significant public benefit.*

5.40.6 *Block Typologies*

As this is an outline planning application the Design Code provides general guidelines that set out good design principles to ensure the high design quality of the development while also allowing flexibility in final design. The Illustrative Masterplan is indicative and is subject to change during the RM application.

5.40.7 *Detailed block typologies should not form part of an outline application with all matters reserved as at this stage the layout is not fixed. The block typologies can only be confirmed at RM stage once further details of the scheme have been developed. The structure of the Design Code has been agreed with the planning officers and has been praised by some of the Panel members. General and character area principles provide robust design guidance and rules to ensure the future scheme is developed in accordance with high quality design and standards.*

5.40.8 *Some general commentary on block typologies has been presented within the submitted DAS. This Outline Application set maximum parameters for future development, and although an indicative masterplan is part of the application this in only one way in which the development could be resolved. Blocks and homes typologies and layout could change substantially according to the approach to the heights, built form and amenity spaces and therefore further detailed design at RM stage is required to establish this. We consider that setting this at outline stage will result in prescriptive layouts of block configuration etc, that will be detrimental to ensure flexibility for future developers.*

5.41 **STATUTORY CONSULTTEES**

5.42 **The Greater London Authority**

The GLA made a number of recommendations on the initial scheme and has commented further on the revisions.

5.42.1 **Loss of the Waste use;** written confirmation from the four South London Waste Plan boroughs that they are content for the Benedict Wharf site to be released from waste use and that the site will not be included in draft submission version of the South London Waste Plan 2021 addresses a key outstanding issue raised in the Mayor's Stage 1 response.

In addition, on 31 March 2020, full planning permission was granted by Sutton for the new replacement waste facility at 79-85 Beddington Lane, which is owned by the applicant SUEZ which provides further certainty regarding the deliverability of the applicant's proposals.

Suez has stated it requires continuity of business operations and would not close the existing facility at Benedict Wharf until the new facility at Beddington Lane is constructed and fully operational. Notwithstanding this, should Merton Council resolve to grant planning permission, an appropriate legal obligation would still be required to restrict the demolition or redevelopment of Benedict Wharf until the replacement waste management facility at 79-85 Beddington Lane has been completed and is fully operational. GLA officers would like to review the wording of any such obligation / condition prior to Stage 2.

5.42.2 **Loss of a Strategic Industrial Location;** GLA officers consider that there could be exceptional circumstances in this particular instance given the linked nature of the development proposal and the wider benefits that enabling residential development would have by ensuring the relocation of the facility to Beddington Lane, Sutton (which is within the same waste planning area) and the overall net increase in waste capacity as a result; and also taking into account the site constraints at Benedict Wharf.

5.42.3 Re-provision of industrial capacity; Having discussed this matter with relevant colleagues in the London Plan team GLA officers are content that in this particular instance, a net increase in waste related industrial capacity would be achieved across both sites. This takes into account the existing waste throughput capacity at Benedict Wharf and that proposed at the 79-85 Beddington Lane site which has been vacant for 10 years and to which no capacity is assigned in the emerging South London Waste Plan and technical evidence, as clarified in the Mayor's Stage 1 report. Waste throughput would be a more appropriate metric for assessing the net loss of industrial capacity in this particular case rather than floorspace or plot ratio, given both sites are safeguarded in waste use and noting the degree of flexibility set out in paragraph 6.4.6 of the Mayor's Intend to Publish London Plan. As such, GLA officers are satisfied that the two linked applications would ensure no net loss of industrial capacity, subject to the schemes being formally linked in planning terms by the above mentioned phasing condition/obligation.

5.42.4 Density and optimising housing capacity; The housing capacity and density of the site has been significantly increased through a masterplanning / design-led process. The quantum of residential units now proposed has increased from 600 to 850 residential units. The density has increased from 157 dwellings per hectare to 224 dwellings per hectare and heights increased appropriately, taking into account the site location and context and the various site opportunities and constraints. This has enabled the affordable housing provision to be significantly improved. This approach is strongly supported and addresses the density concerns raised by the Mayor at Stage 1.

5.42.5 Housing and affordable housing; The revised application now proposes 35% affordable housing with a 60:40 tenure split between affordable rent and intermediate shared ownership.

Given that there would be no net loss of industrial (waste capacity), GLA officers consider that the scheme is subject to the 35% threshold for affordable housing, as set out in Policy H5 of the Mayor's Intend to Publish London Plan. This is subject to the replacement waste capacity being appropriately secured by obligation /condition as set out above and the inclusion of an early stage review mechanism. GLA officers consider that the revised scheme would be eligible for the 'Fast Track Route' and, on this basis, the requirement for a late stage review would not be required in this particular instance.

Affordability levels for the affordable rent and shared ownership should be clarified and secured via Section 106 agreement, in line with the Mayor's definitions and preferred affordable housing products, as set out in paragraph 51 of the Mayor's Stage 1 report.

Further discussion would be required in relation to any Section 106 agreement in relation to the affordable housing definitions, affordability levels and the formula used for the early stage review, as well as transport obligations and conditions raised at Stage 1. The affordability clauses should be in line with the GLA template.

5.43 **Transport for London**

In relation to the Sutton Tram Link between Sutton town centre and Colliers Wood the preferred option would potentially operate in close proximity to this site. At present, however, while some funding has been identified a significant funding gap remains and the scheme remains uncommitted.

The TfL response summarised their comments as;

- TfL should be consulted on any landscape plans for Hallowfield Way.
- TfL should also be consulted on the detailed layout of the development site fronting Hallowfield Way to ensure that it does not jeopardise the delivery of the Sutton Link project.
- The applicant is required to liaise closely with TfL as their detailed scheme develops.
- Further work required to demonstrate how the development contributes towards the 10 Heathy Streets indicators both within the site and the wider area.
- Disabled person car parking and EVCP to be provided in accordance with ItP London Plan standards and secured by condition.
- Car Parking Management Plan to be secured by condition.
- A £450,000 contribution to be secured through the s106 for bus capacity enhancement.
- The cost of relocating the stop, as explained above, and all associated works will need to be funded by the applicant.
- Cycle parking to be provided in accordance with ItP London Plan standards and secured by condition.
- All cycle parking is required to be designed and laid out in accordance with the guidance contained in Chapter 8 of the London Cycling Design Standards (LCDS). And this should be secured by condition.
- Shower and locker facilities should be provided for those members of staff wishing to cycle to work
- Travel Plan to be secured, monitored, reviewed, and enforced through the s106.
- A Delivery and Servicing Plan to be secured by condition
- A Construction Management Plan (CMP) to be secured by condition and discharged in consultation with TfL.

TfL further confirmed that with regards to the Healthy Streets element, we are happy for this to be left to reserved matters stage, when full details will have to be provided.

- 5.44 **The Environment Agency** raised no objections subject to the imposition of conditions relating to the requirements for measures to protect controlled waters from contamination.
- 5.45 **Thames Water** raised no objections but stated that when the site was redeveloped, the developing company, not these applicants, would need to discharge conditions that all surface water, foul water and 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
- 5.46 **Metropolitan Police Safer by Design Officer** raised no objection to the proposals but provided an extensive list of suggested safety and security measures that would be considered as part of a design reserved matters application and recommended the addition of a two part condition.
- 5.47 **UK Power Networks**. Did not respond.
- 5.48 **Southern Gas Networks** raised no objections and advised of a cost of £16,000 to replace the gas main as well as offering general advice on safe digging
- 5.49 **EDF energy**. Did not respond
- 5.50 **Historic England** advised that the site is located within the tier 2 Mitcham APZ and is adjacent to the tier 1 Ravensbury Saxon Cemetery APZ and whilst parts of the site has been excavated for quarrying in the past there is potential for archaeological remains to survive in the northern part of the site. However they have stated that there is no requirement for any further archaeological work or conditions at this site. The archaeological summary note that Compass Archaeology produced in September 2019 meets all their requirements.
- 5.51 **The National Trust** welcomed the applicant's proposal's to enhance cycling provision around the application site and to improve the pedestrian link between the site and the Belgrave Walk tram stop, which would afford access to Morden Hall Park. The Trust also supports the requirement set out in the submission by the GLA that these proposed enhancements should be secured by a section 106 Agreement, should planning permission be granted.

5.52 INTERNAL CONSULTEES

5.53 The Council's **Design officer** commented;

They are in general agreement with the points made by the Design Review Panel regarding the Design Code.

On a point of clarification the reference in the notes to the site been a 'green field site' is a reference to the site being a cleared site, unencumbered by any other constraints – ie. like a green field site.

Observations on Design Code.

- The Code is a thorough and well detailed document that aims to define a new neighbourhood that is going to be distinctly different from its surroundings.
- The edges are very important in this respect. A lot of effort has gone into this – and the conservation edge, pylon edge and car pound edge are all reasonably well resolved, but the park edge needs some refining
- It is important that the Code does not aim to put its own interpretation on issues that are well covered by existing planning policy, particularly as the Code is intended to be used as a tool to assess reserved matters applications. Therefore the code should simply state it will adhere to required policy. For example this applies to space standards and dual aspect dwellings (p24).
- With specific reference to dual aspect dwellings, the deeper blocks shown on the plans make it more difficult to achieve dual aspect and it is appropriate this is demonstrated by example in the design code. The examples on p39 do not necessarily relate well to the actual blocks indicated in the overall masterplan diagram. It is understood that blocks cannot be designed in detail at this stage, but it is right to demonstrate that the fundamental block plan the development is based on is capable of achieving adherence to key planning policies.
- Sometimes the mandatory items are quite subjective.
- The code is visually appealing, however, although there is often not a good link/relationship between text, photos and diagrams there are also many good points covered with clear explanation and good precedents.
- For street character, perpendicular parking bays are not recommended as they severely reduce the street character and create a car park feel. On-street parallel parking is appropriate to generate activity, but perpendicular parking should not be necessary if podium parking is to be used. There are a lot of points in the DRP notes about public realm covering street design.
- On the parameter plan there is a 'lone' 10 storey element that seems to have little purpose and will disrupt the feel of the park edge. Also, the width of the street flanked by the 10 storey buildings, it needs to be demonstrated that this is sufficiently wide enough to enable enough light to enter and for it to operate successfully as the desired landscaped street.

- The number of character areas do seem a bit multitudinous and overlap. Although this is largely the applicant's choice, this may benefit from simplification otherwise they may not be very identifiable on the ground or have a wayfinding role. Similar to DRP comments, there is a clear edge, top and centre elements of the site. This would help simplify the materials palette as well.
- The mews character area is tiny and the mews is so short as the larger buildings wrap into the street so far that there are only a few mews houses. The character of this space is somewhat lost and should all the buildings be in the same alignment/plane as the larger scale plans do not match up with the more detailed ones. In terms of getting from the park to the tramstop this is one of the streets I'd naturally want to walk down because of its angle it seems quicker. The mews street is very wide at 14m, these are usually divided up into different.
- 'Living by the Park' some good precedents but not translated well to sketch image – the taller building stands out with little rationale for this and the proportions of the top of the taller building don't work well. This park edge would benefit from a degree of uniformity or rhythm which is not brought out in the code.
- Baron Walk code needs to demonstrate it has the look and feel of street, rather than a wide footpath, as well as a clear boundary with the park. This advice has been consistent from both myself and the DRP from the start and the code does not yet do this.
- Overall, the theme on materials presents a range of good precedent examples and sketches and is not too prescriptive, and does give a sense of quality and richness in external appearance. This is definitely one of the strengths of the Code.

5.54 The **Council's Green and Social infrastructure officer** commented.

Merton Maps indicates that the site is within the following environmental designation:

- The WVRP 400m buffer (CS5, CS13, CS para 21.13, DM01) and is adjacent to the following environmental designations:
 - A green chain runs along the eastern edge of the site (CS13, DM01)
 - The WVRP is to the south of the site (CS5, CS13, DM01)
 - London Road Playing Fields SINC MeBII19 is to the east of the site (CS13, DM02)
 - London Road Playing Fields Open Space is to the east of the site (CS13, DM01)
 - Phipps Bridge and London Road Playing Fields green corridor is to the south and east of the site (CS13, DM02)

5.54.1 Biodiversity

Ecological Impact Assessment report

The applicant has provided an Ecological Impact Assessment report, dated June 2019, the methodology of which is considered appropriate. A habitat survey was carried out on 30 May 2018, including a preliminary bat roost assessment of the buildings. A further assessment of the tree line between the site and the park to the east was undertaken on 8 April 2019.

5.54.2. Wandle Valley Regional Park

The site falls within the 400m buffer of the Wandle Valley Regional Park and directly adjoins a small strip of land that is within the WVRP (known as the Tramway South of Belgrave Walk). The proposed masterplan layout shows the creation of a public park alongside this area, which will complement the existing green corridor, provide enhanced pedestrian and cycle accessibility through the provision of visual, physical and landscape links, therefore meeting the aims of 'Wandle Valley Sub-Area - Policy 5' .

5.54.3 Open Space

As the site is directly adjacent to the London Road Playing Fields Open Space, Policies CS13 and DMO1 will need to be taken into consideration. The new development should improve access to the nearby park through pedestrian and cycle accessways (CS13 (b)), and create areas of new open space within the development site (CS13(c) and DMO1(d)).

5.54.4 The D&A Statement (page 94) indicates that there will be three new pedestrian access points into the park. These proposals are welcomed and should be secured through the approved plans / appropriate conditions, should you be minded to approve the application. The details of the locations of these access points, particularly the one that is centrally located would need to be agreed, having regard to any impacts on biodiversity.

5.54.5 The D&A Statement (page 99) and the Open Spaces Plan both show that the proposed development includes a linear open space along the southern edge of the site to link Belgrave Walk tram stop with London Road Playing Fields. As the site doesn't run the whole way up to the tram stop, there is an "*indicative pedestrian only interim connection to and from Belgrave Walk tram stop.*". There could be a discussion with Transport for London to provide permanent pedestrian access to the tram stop.

- 5.54.6 The proposed buildings fronting the park have now been setback to allow for a widened footpath into the site and the removal of fewer trees than the original application. As this was one of my initial concerns, I am more supportive of the path being widened into the site and not the park and depending on the ecology report this should have less of an impact on biodiversity.
- 5.54.7 In policy terms, a wider footpath and cycle path would assist with improving access to the open space, however as it is currently proposed there would be an impact to the SINC through the removal of a number of trees, which would need to be considered.
- 5.54.8 There are a number of proposed open spaces (public and private) shown on the Open Spaces Plan showing space for play and landscaping which are welcomed in line with Policy CS13(c). As the details are unknown at this stage, the inclusion of these open spaces should be secured through the approved plans / appropriate conditions should you be minded to approve the application.

5.55 **Council's Climate Change officer.**

5.55.1 The applicant should note that they are expected to meet the most up to date GLA and Merton guidance that is relevant at the time of the reserved matters application, even if it is specified in the outline plan. This also applies if it is built in phases.

5.55.2 Local DHN

As this is an outline application relevant technologies for matters such as local District Heat Networks, gas CHP or air sourced heat pumps (ASHP) could be used to heat the development in the future but it is not practical to be too prescriptive at this stage for what will be a reserved matters application. There remains an expectation for a site-wide heating network which is futureproofed to connection to a larger district heat network if there is an opportunity to do so in the future

The energy centre was not marked on the outline plans. It is important that development allows sufficient room for an appropriate energy centre in line with the latest guidance, such as parameters set out in the GLA's London Heat network manual.

5.55.3 Energy statement

The level of detail set out in the outline application is acceptable, but for the reserved matters application, much more detailed information will be required, including separating domestic and non-domestic greenhouse gas emission evidence, and providing a representative sample of the different residential properties.

The 35% on site GHG reduction is considered by Merton Council to be an absolute minimum. Where feasible developers should maximise their greenhouse gas emissions on site through the delivery of low carbon energy generation and storage.

5.55. 4 Overheating

It is advised that single aspect dwellings should be avoided wherever possible and that mechanical ventilation be adjusted to take into account a variation in temperature (for example to make use of natural cooling where appropriate).

5.55.5 In relation to the current larger scheme the officer commented that as it was an outline planning application, and only covered the energy strategy at high level, the comments already made on the application are still valid.

5.55.6 As a referable application, they will need to fully comply with the latest GLA policies and guidance on energy assessments.

5.56 **Arboricultural Officer**

The arboricultural report seems to be indicating the removal of trees in the neighbouring playing fields? Greenspaces should be consulted on this matter. I have no other observations to make on the trees, other than the production of a method statement and (revised?) tree protection plan, and site supervision. The landscaping appears to include a number of new trees which is to be welcomed. Details of the landscaping should be conditioned.

5.57 **Children Schools and Education.** The building heights are only 3-5 storeys at the closest point to the school which raises no concerns.

The school has a lot of surplus places so we couldn't request extra classrooms.

Confirmation requested that there is a safe walking route from the development to the school? The plan on page 111 of the D&A statement shows walking routes but it does not reflect the fact that people would

need to cross Hallowfield Way to get to the school, and crossing close to a mini roundabout can be dangerous.

5.58 **Highways and Transport Officer**

- A poor PTAL rating suggests that only a few journeys could be conveniently made by public transport.
- The site is not located within a Controlled Parking Zone and consequently the surrounding streets do not contain parking restrictions.
- The car parking strategy may need to be supported by the extension of the Borough's CPZ scheme to ensure there is no local overspill.
- The Council would seek a commuted sum of £ 45K to investigate, consult and implement a CPZ scheme.
- In the event of adopting a CPZ scheme the occupiers of the new units would not be eligible to apply for a parking permit within the surrounding highway network.
- There is a wide strip of land linking the application site to the tram stop, that passes to the south of the Cappagh site. It is assumed this is TfL land and part of the tram line. It was considered very important to engage with TfL to dedicate some of this land as an access route for pedestrians and cyclists to provide a direct route from the new homes on the application site to the Belgrave Walk tram stop. This route will also benefit the wider area who can cross the park or tram tracks to the south.
- Ensure that at least one disabled persons parking bay per dwelling for 3% of dwellings is available from the outset.
- Demonstrate on plan and as a part of the Car Parking Design and Management Plan, how the remaining bays to a total of one per dwelling for 10% of dwellings can be requested and provided when required as designated disabled persons parking in the future.
- All disabled persons parking bays must be for residents use only and not allocated to specific dwellings
- The Transport Statement determines the number of additional trips during peak periods that would arise as a result of the proposed development is unlikely to have an impact on the surrounding

highway network and I would concur with its conclusions that the increase will be insignificant.

- Internal Layout
Illustrative plans indicate the primary vehicular access via Hollowfield Way and the main vehicle routes through the proposal site and the emergency vehicle access, via Church Path at the north-east extent of the site.
- A detailed car parking layout drawing with dimensions should be submitted at detail stage for further consideration.

- Adoption of internal Road Layout

All internal roads to be adopted under Sec. 38 Agreement

- Car Club membership
Each residential unit should be provided with a 3 year car club membership funded by the developer to include Car Sharing schemes (including free floating style car sharing schemes where cars can be picked up and left within specified zones),
- Travel Plan:
The application includes a draft travel plan and this is broadly welcomed. The details of the travel plan should be subject to detailed agreement and monitoring over a five year period. A sum of £2,000 (two thousand pounds) is sought to meet the costs of monitoring the travel plan over five years, secured via the Section106 process.

5.59 **Waste management**

The council's waste officers raised no objections to the proposals and have advised the applicants on a range of related design considerations include Carry distances, Commercial waste and recycling, Waste Container Storage Area, External Storage areas for containers and Container Collection and Collection vehicle dimensions including the fact that a fully laden collection vehicle will weigh approximately 26 tonnes and so the access road therefore must have a road surface that is able to hold a vehicle of this size whilst overhead service cables, pipes, archways and other potential obstacles must be at least 7 metres from ground level.

5.60 **Environmental health**

The Council's environmental Health team raised no objections to the proposals but requested a number of conditions be attached to future proof the scheme and to protect residents' amenity.

6. **POLICY CONTEXT**

National Planning Policy Framework (2019) sections;

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

6.1 **London Plan 2016.** Relevant policies include;

2.3 Growth Areas and coordination corridors; 2.6 Outer London: vision and strategy; 2.7 Outer London Economy; 2.8 Outer London Transport; 2.13 Opportunity and intensification areas; 2.17 Strategic Industrial locations, 3.1 Ensuring Equal Life Chances for All; 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; 3.7 Large residential developments; 3.8 Housing choice; 3.9 Mixed and balanced communities; 3.10 Definition of affordable housing; 3.11 Affordable housing targets; 3.12 Negotiation affordable housing on individual private residential and mixed use schemes; 3.13 Affordable housing thresholds; 3.16 Protection and enhancement of social infrastructure; 3.18 Education Facilities; 4.4 Managing industrial land and premises, 5.2 Minimising carbon dioxide emissions; 5.3 Sustainable design and construction; 5.7 Renewable energy; 5.13 Sustainable drainage; 5.15 Water use and supplies; 5.17 Waste Capacity, 6.1 Strategic approach, 6.2 Providing public transport capacity and safeguarding land for transport; 6.3 Assessing effects of development on transport capacity; 6.7 Better Streets and Surface Transport; 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. 8.2 Planning Obligations 8.3 Community Infrastructure Levy;;

- 6.2 **Merton Core Strategy 2011.** Relevant policies include; CS 2 (Mitcham), CS 13 (Open spaces), CS 14 (Design), CS 15 (Climate Change), CS 17 (Waste), CS 18 (Active Transport), CS 19 (Public Transport), CS 20 (Servicing and delivery)
- 6.3 **Merton Sites and Policies Plan 2014.** Relevant policies include; DM H2 Housing mix DM H3 Support for affordable housing DM C1 Community facilities DM E4 Local employment opportunities DM D1 Urban design and the public realm DM D2 Design considerations in all developments DM F1 Support for flood risk management DM F2 Sustainable urban drainage systems (SuDS) and; Wastewater and Water Infrastructure DM EP1 (Opportunities for decentralised energy networks), DM EP2 Reducing and mitigating noise, DM EP 4 Pollutants, DM O1 Open space DM O2 Trees, hedges and landscape features, DM T2 Transport impacts of development DM T3 Car parking and servicing standards DM T4 Transport infrastructure DM T5 Access to the Road Network
- 6.4 **Draft amended London Plan 2019.** Relevant policies include; GG2 Making the best use of land, SD1 Opportunity areas, SD 10 Strategic and local regeneration, D 1, London's form, character and capacity for growth, D 2 Infrastructure requirements for sustainable densities, D 3 Optimising site capacity through design-led approach, D 4 Delivering good design, D 5 Inclusive design, D 6 Housing quality and standards, D 7 Affordable housing, D 8 Public realm, D 10 Tall buildings, D 12 Fire safety H 1 Increasing housing supply, H 4 Delivering affordable housing, H 5 Threshold approach to applications, H 6 Affordable housing tenure, H7 Monitoring of affordable housing, S 1 Developing London's social infrastructure, S 4 Play and informal recreation, E 4 Land for industry, E 5 Strategic Industrial Locations, E 7 Industrial intensification, co-location and substitution, HC 1 Heritage conservation and growth, G 4 Open space, G 5 Urban greening, G 6 Biodiversity, G 7 Trees, SI 1 Improving air quality, SI 2 Minimising greenhouse gas emissions, SI 3 Energy infrastructure, SI 8 Waste capacity, SI 12 Flood risk management, T 2 Healthy streets, T 3 Transport capacity, connectivity and safeguarding, T 4 Assessing and mitigating transport impacts, T 5 Cycling, T 6 Car parking, T 6.1 Residential parking & T 7 Deliveries, servicing and construction.

6.5 OTHER DOCUMENTS AND GUIDANCE

- 6.5.1 Mayors Affordable Housing & Viability SPG. The current London Plan seeks to maximize affordable housing provision in London and deliver mixed and balanced communities as set out in policies 3.9, 3.11 and 3.12.
- 6.5.2 Mayors Housing SPG The Housing SPG was published in March 2016 following publication of the Further Alterations to the London Plan (FALP) and the Minor Alterations to the London Plan (MALP). It provides guidance on a range of strategic policies including housing supply, residential density, housing standards; build to rent developments, student accommodation and viability appraisals. This SPG replaced the 2012 Housing SPG and the Mayor's Housing Standards Policy Transition Statement.
- 6.5.3 Mayors Sustainable Design & Construction SPG This SPG provides guidance on the implementation of London Plan policy 5.3 - Sustainable Design and Construction. It also features guidance on a range of other policies, primarily in Chapters 5 and 7, which deal with matters relating to environmental sustainability.
- 6.5.4 Mayors Play and informal Recreation SPG The guidance supports the implementation of the London Plan Policy 3.6 on 'Children and Young People's Play and Informal Recreation Facilities,' and other policies on shaping neighbourhoods (Chapter 7 of the London Plan), in particular Policy 7.1 on Lifetime Neighbourhoods.
- 6.5.5 London Plan; Land for industry and transport SPG (2012);
Housing SPG (2016);
London Housing Strategy (2018);
Children and Shaping Neighbourhoods: Play and Informal Recreation SPG;
London Plan; Shaping Neighbourhoods: Character and Context SPG;
Housing SPG;
London Plan; Accessible London: Achieving an Inclusive Environment SPG;
London Environment Strategy (2018);
London Plan; the Mayor's Transport Strategy (2018);
The Mayor's Biodiversity Strategy 2002
- 6.5.6 South London Waste Partnership Plan - Issues and Preferred Options Consultation Document (October 2019).

7. PLANNING CONSIDERATIONS

- 7.1.1 The main planning considerations in this case relate to the principle of a residential use for this Strategic Industrial Location currently safeguarded for industrial uses and refuse services. As this is an outline planning application

with all matters reserved, this planning application seeks to demonstrate the capacity of what could be achieved on the site. Officers note that there will be subsequent reserved matters applications that will provide a detailed scheme where members of the planning applications committee will be able to comment on further phases.

7.1.2 The site is safeguarded as an existing permitted waste transfer site in Schedule 1 of the South London Waste Plan (Site 126). It also forms part of the wider Willow Lane, Beddington and Hallowfield Way Strategic Industrial Location (SIL), which is designated in Merton's Council's Core Strategy and identified in the London Plan and the Intend to Publish London Plan.

7.1.3 As submitted the proposals represent a departure from the development plan. In order to support a residential-led development on this site the Council must be satisfied that other policy requirements of the existing and emerging Intend to Publish London Plan should be given greater weight such that they warrant the loss of SIL and Waste .

7.2 Loss of Strategic Industrial Location currently safeguarded for refuse services.

Loss of Waste Management Use

7.2.1 At the national level, the National Planning Policy for Waste (NPPW) (2014) seeks to ensure that strategic policies make sufficient provision for waste management services.

7.2.2 The current London Plan (2016) seeks to safeguard existing waste management sites in order to ensure that there is sufficient provision for the management of waste and recycling activities within London. In this regard, Policy 5.17 (Waste Capacity) Part H states "if, for any reason, an existing waste management site is lost to non-waste, an additional compensatory provision will be required that normally meets the maximum throughput that the site could have achieved".

7.2.3 The SLWP (2012) identifies the Benedict Wharf Waste Transfer Station (Site Ref. 126) as a safeguarded waste site. Policy WP3 states all existing waste sites will be safeguarded for their current use and will be encouraged to maximise their potential. However, Policy WP3 goes on to state "if, for any reason, an existing site is lost to a non-waste use, replacement compensatory provision will be required that, as a minimum, meets the maximum throughput that the site could have achieved".

7.2.4 Within the emerging Intend to Publish London Plan Policy S19 states that the loss of an existing use should only be supported where compensatory capacity is made within London, that meets the maximum throughput achieved over the last 5 years (para 9.9.2). This approach moves away from the current London

Plan position where the maximum theoretical throughput is used to measure a site's capacity, toward an approach which takes account of the throughput a site has actually achieved in recent years.

- 7.2.5 Supporting text (para 9.9.2) also states that “any waste site release should be part of a plan-led process, rather than on an ad-hoc basis”.
- 7.2.6 At the local level, Core Strategy Policy CS17 accords with regional planning policy and states existing sites will be protected unless compensatory provision is made.
- 7.2.7 The applicant has advised that it has been difficult to maximise the potential of this site for waste use. Planning permission was granted by the Mayor in 2012 for the development of ‘ecopark’ on the site, comprising a modern and efficient MRF and an Anaerobic Digestion facility for the generation of electricity and processing of degradable waste into commercial compost/ soil enhancer, plus ancillary facilities (LPA Ref. 08/P2724). However, there were a number of conditions attached to this permission to mitigate the site's impact on the surrounding residential area but these restrict the operation of the site.
- 7.2.8 The applicants state that they cannot viably invest further in the site as the site is so constrained. The South London Waste Plan also recognises that there are a number of constraints associated with the Benedict Wharf site (Site Ref. 126) including poor access to the Strategic Road Network and the location adjacent to a Nature Conservation Area and Conservation Area.
- 7.2.9 Given the constrained nature of the site for a waste use, SUEZ have invested in a nearby site in London Borough of Sutton at 79-85 Beddington Lane. This site is allocated as part of the Willow Lane, Beddington and Hallowfield Way SIL and is safeguarded as an existing waste site within the South London Waste Plan. SUEZ secured planning permission for the new Beddington Lane Resource Recovery Facility (RRF) in March 2020 and plan to move to their new site once built allowing the Benedict Wharf site to be redeveloped for another use.
- 7.2.10 In terms of replacement provision, the Beddington Lane site will exceed the existing through put of waste recycling compared to Benedict Wharf.
- 7.2.11 Officers would note that initially the GLA raised concerns that the loss of the site would impact waste processing capacity within the South West London Waste Partnership Area. However between 31 October and 22 December 2019, the four member councils consulted on a draft South London Waste Plan: Issues and Preferred Options document. The document proposed eight draft planning policies and identified 46 existing waste sites across the four boroughs for safeguarding for waste treatment uses over the plan period to 2036. Benedict Wharf was not included as a safeguarded waste site in the consultation document. This was on the basis that: The Technical Report accompanying the Issues and Preferred Options document had identified

sufficient Household, Commercial and Industrial waste capacity to meet the four boroughs' London Plan Intend to Publish pooled apportionments at 2036 without the need for Benedict's Wharf being included. The Beddington Lane (replacement and additional capacity) site already had planning permission, subject to conditions, prior to the consultation period on the Issues and Preferred Options document and was included in the document as Site S12.

7.2.12 The proposed development at Beddington Lane provides additional waste capacity. There will be no loss of waste throughput as a result of the loss of the existing waste transfer station at Benedict Wharf and the development of the Beddington Lane RRF in LBS. It is also intended that existing jobs at Benedict Wharf will be safeguarded at Beddington Lane RRF. Therefore with sufficient alternative provision in place, officers and the GLA are satisfied that the loss of the waste transfer operation at Benedict's Wharf is acceptable although a legal agreement will be required to ensure a smooth and uninterrupted transfer between the site operations.

Loss of Strategic Industrial Land

7.2.13 The current London Plan (Policy 2.17) states Development proposals in SILs should be refused unless they fall within the broad industrial type activities (Class B1, B2 and B8 use), they are part of a strategically co-ordinated process of SIL consolidation through a local development plan document, the proposal is for employment workspace to meet identified needs for small and medium sized enterprises or the proposal is for small scale 'walk to' services for industrial occupiers.

7.2.14 The intend to Publish London Plan Policy E4 requires the provision of industrial capacity to be planned, monitored and managed. This strategic policy seeks to ensure that in overall terms, across London, there is no net loss of industrial floorspace capacity (and operational yard space capacity) within designated SIL. Within this policy LBM is also identified as a borough in which industrial floorspace should be retained and if possible, intensified.

7.2.15 The intend to Publish London Plan Policy E5 states development proposals for uses in SILs other than Class B1c, B2 and B8 use should be refused, except in areas released through a strategically co-ordinated process of SIL consolidation. This release must be carried out through a planning framework or Development Plan review. Draft Policy E5 also places emphasis on SILs being capable of operating on a 24-hour basis.

7.2.16 The intend to Publish London Plan Policy E7 relates explicitly to the proposed industrial intensification of sites and states Development Plans should be proactive and consider, in collaboration with the Mayor, whether certain logistics, industrial and related functions in selected parts of SILs could be intensified to provide additional industrial capacity. Intensification can also be used to facilitate the consolidation of an identified SIL to support the delivery of

residential and other uses. This process must ensure the industrial uses within the SIL are intensified to deliver an increase (or at least no overall net loss) of capacity.

- 7.2.17 At the local level, Core Strategy Policy CS12 states the Council will protect and manage designated SIL ensuring that they contribute towards business, industrial, storage and distribution functions.
- 7.2.18 Policy DME1 states Proposals relating to employment sites will only be supported that retain existing employment land and floorspace and provide Class B1b/c, B2 and B8 use in Merton's SIL.
- 7.2.19 It may reasonably be considered that the site is located within a predominantly residential area, including existing traditional dwellings along Church Path to the north of the site which are located within the Mitcham Cricket Green Conservation Area, and further dwellings along White Bridge Avenue and Belgrave Walk to west of the site. There is no strategic highways access to the site with HGV's having to currently access the site via Hollowfield Way which is located adjacent to existing residential dwellings and Benedict Primary School.
- 7.2.20 The closest existing industrial units are located to the south of the site, beyond the Tramline. This part of the SIL is accessed by the A239 which is much more suited for industrial traffic. In order for waste management facilities to be viable and sustainable in London and the South East, it is essential that operations can be undertaken with efficient processing technologies, economies of scale and in a relatively unconstrained environment. Particularly critical is the ability to transport materials 24 hours a day, or certainly during some of the less congested hours. In this regard it is considered that the proposed relocation of the existing use to Beddington Lane, located in an appropriate industrial setting, would be possible to operate and process the material on a 24hr basis.
- 7.2.21 With reference to the intend to Publish London Plan Policy E5 the site is not able to operate on a 24 hour basis given the restrictions in place and therefore does not make most efficient use of the site. It has been acknowledged by the Council that any future proposed industrial use of the site would likely be subject to similar constraints given the proximity of sensitive neighbouring uses.
- 7.2.22 It is important to contrast the restrictions placed on the previously approved eco-park permission with those on the existing extant permission at Beddington Lane, where there are no restrictions on hours of operation or restrictions on the timings of import and export for materials.
- 7.2.23 Officers would anticipate that any new planning application at Benedict Wharf for waste or industrial use would likely be subject to the same restrictions as the eco-park. The relocation, therefore, enables the construction of modern facilities in a more appropriate location while also releasing a well located brownfield site for more appropriate and essential residential development.

- 7.2.24 The site in Sutton is located within the Willow Lane, Beddington and Hallowfield Way SILand benefits from extant planning permission for waste use. However, this has not been fully constructed and the site has remained vacant for a significant period, contributing nothing towards its waste management, strategic employment or industrial function. Furthermore, within the draft New London Plan waste management is included as one of the “broad industrial-type activities” that should be welcomed in SIL.
- 7.2.25 As stated previously, planning permission was granted for the Beddington Lane RRF. This site provides replacement waste management capacity to compensate for the loss of the existing operation at Benedict Wharf, but also provide industrial floorspace previously developed land (cleared, vacant site) in a SIL which has been vacant for over 10 years.
- 7.2.26 In terms of floorspace, the proposed development of the Beddington Lane RRF will provide 7,892 sqm of total gross new internal floorspace. However, the loss of Benedict Wharf would result in the loss of approximately 10,988 sqm of floorspace, although not all of the existing floorspace is utilised at present as the buildings are unsuitable. This would therefore result in the loss of 3,096 sqm of industrial floorspace.
- 7.2.27 Notwithstanding this, waste capacity will actually be intensified as a result of the Beddington RRF, when compared to the existing operation at Benedict Wharf. Therefore, while there will be a reduction in SIL floorspace, the use of an industrial site will actually be intensified in terms of waste throughput. In accordance with Draft London Plan Policy E7, the proposals will intensify the use of a vacant SIL site in LBS to deliver an increase in waste capacity.
- 7.2.28 Both the GLA and officers are supportive of the loss of SIL and consider on the basis that the site will deliver a significant number of new homes including a policy compliant level of affordable housing that a departure from the development plan may be supported.

7.3 Principle of residential land use.

Given the GLA and officers are satisfied that the land may be justifiably taken out of Industrial land use combined with the otherwise residential character of the local area the provision of housing for which there is an identified need would be considered a more neighbourly option than warehousing and there has been little objection to the principle of this use, rather its scale and scope.

- 7.3.1 Policy 3.3 of the London Plan 2016 states that development plan policies should seek to identify new sources of land for residential development including intensification of housing provision through development at higher densities. Core Strategy policies CS8 & CS9 seek to encourage proposals for well designed and conveniently located new housing that will create socially mixed and sustainable neighbourhoods through physical regeneration and

effective use of space. The National Planning Policy Framework 2019 and London Plan policies 3.3 & 3.5 promote sustainable development that encourages the development of additional dwellings at locations with good public transport accessibility.

7.3.2 The draft local plan for Merton proposes the release of the site from SIL as part of the development plan process. The site was referenced as Site Ref. Mi1 in the Local Plan (2019) Stage 2 Consultation identified for residential development. The site allocation is predicated on the basis that the site is no longer appropriate for SIL use and conditional on the waste management capacity being retained within the SLWP area and intensification of other SIL in the borough via the emerging Merton Local Plan 2020. Officers consider that the site will form an important residential site that will assist in meeting the increased London Plan housing target.

7.4 **Need for additional housing, residential density and housing mix**

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

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

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

7.4.4 Merton's overall housing target between 2011 and 2026 is 5,801 dwellings (Authority's Monitoring Report 2018/19). The latest Monitoring report confirms that all of the completions this financial year were on small sites of less than 0.25 hectares in size. All of the schemes except one delivered 10 homes or

fewer, with one scheme of 11 homes. There were no large schemes that completed this year, which resulted in a lower number of new homes built in the borough. Merton has always exceeded the London Plan target apart from 2009/10 and this year 2018/19 where there was a 34% shortfall although in total Merton has exceeded the London Plan target by 987 homes during this period 2004/5-2018/19

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

7.4.7 **Residential density**

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

7.4.10 The area has a public transport accessibility level between 1b and 3, where 1 is poor and 6 is excellent. It is considered that the site is located within an urban area for the purposes of Table 3.2 of the London Plan, given the nature of surrounding built form and the criteria set out in the supporting text to Table 3.2 (density matrix) of the London Plan.

7.4.11 The proposed development would have a density of 224 dwellings per hectare, based on a scheme of up to 850 residential dwellings on a site with an area of 3.8ha.

7.4.12 The proposed density is significantly above the relevant density range (70-170 dwellings per hectare and 200-450 habitable rooms per hectare), as set out in Table 3.2 for the setting (Central) and PTAL 3.

7.4.13 In terms of the emerging London Plan, Policy D6 (Draft London plan Policy) sets out that: "Development proposals must make the most efficient use of land and be developed at the optimum density. The optimum density of a development should result from a design-led approach to determine the capacity of the site. Particular consideration should be given to:

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

- 7.4.14 The emerging London Plan does not include a density matrix as it does not necessarily provide a consistent means of comparing proposals. New London Plan removes the prescribed density matrix and Draft Policy D3 sets out the approach to optimising site capacity through a design-led approach. The policy states: *“The design of the development must optimise site capacity. Optimising site capacity means ensuring that development takes the most appropriate form for the site. Higher density developments should be promoted in areas that are well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling.”*
- 7.4.15 Therefore, whilst density is a material consideration, it is not the overriding factor as to whether a development is acceptable; London Plan paragraph 3.28 states that it is not appropriate to apply the density ranges mechanically. The potential for additional residential development is better considered in the context of its bulk, scale, design, sustainability, the impact upon neighbouring amenity, living standards for prospective occupants and the desirability of protecting and enhancing the character of the area and the relationship with surrounding development.
- 7.4.16 Being a referable scheme, a decision on this application does not rest solely with the Council. The assessment as to the appropriateness of density and the overall quantum of development is therefore informed by housing targets coupled with wider assessment, so far as is reasonably practicable given the outline status of the application, of other planning criteria and inputs which this report reviews, including the input of the strategic planning authority, the GLA. It is noted that the GLA considered that the originally proposed density of 157 dwellings per hectare did not optimise the potential for the site and therefore recommended a greater density be provided. With a revised density of 224 dwellings per hectare the GLA have commented that “with heights increased appropriately, taking into account the site location and context and the various site opportunities and constraints this has enabled the affordable housing provision to be significantly improved. This approach is strongly supported and addresses the density concerns raised by the Mayor at Stage 1”.
- 7.4.17 While Council officers were broadly supportive of the quantum proposed by the scheme as first submitted, it is acknowledged that a greater amount of development may be accommodated and presents an opportunity to deliver on other planning objectives, not least of which is affordable housing.
- 7.4.18 **Housing mix**
- 7.4.19 London Plan Policy 3.8 ‘Housing Choice’, draft London Plan Policy H12 and associated planning guidance promotes housing choice and seeks a balance of unit sizes in new developments. London Plan Policy 3.11 states that

priority should be given to the provision of affordable family housing. Family housing being defined as 2 or more bedrooms.

7.4.20 Policy DM H2 of the SPP aims to create socially mixed communities, catering for all sectors of the community by providing a choice of housing with respect to dwelling size and type in the borough. The policy sets out the following indicative borough level housing mix: 7.4.21 The emerging London Plan advises that boroughs should not set prescriptive dwelling size mix requirement but that the housing mix should be informed by the local housing need. "H12 (Draft London plan Policy):

A. To determine the appropriate mix of unit sizes in relation to the number of bedrooms for a scheme, applicants and decision-makers should have regard to:

1. the range of housing need and demand identified by the London Strategic Housing Market Assessment and, where relevant, local assessments
2. the requirement to deliver mixed and inclusive neighbourhoods
3. the need to deliver a range of unit types at different price points across London
4. the mix of uses in the scheme
5. the range of tenures in the scheme
6. the nature and location of the site, with a higher proportion of one and two bed units generally more appropriate in more central or urban locations
7. the aim to optimise housing potential on sites
8. the ability of new development to reduce pressure on conversion and sub-division of existing stock
9. the role of one and two bed units in freeing up family housing
- 10.the potential for custom-build and community-led housing schemes.

B. Generally, schemes consisting mainly of one-person units and/or one-bedroom units should be resisted.

C. Boroughs should not set prescriptive dwelling size mix requirements (in terms of number of bedrooms) for market and intermediate homes"

7.4.21 Policy H12 Housing size mix sets out all the issues that applicants and boroughs should take into account when considering the mix of homes on a site. Boroughs should not set policies or guidance that require set proportions of different-sized (in terms of number of bedrooms) market or

intermediate units to be delivered. The supporting text to Policy H12 of the emerging London Plan sets out that such policies are inflexible, often not implemented effectively and generally do not reflect the optimum mix for a site taking account of all the factors set out in part A of Policy H12. Moreover, they do not necessarily meet the identified need for which they are being required; for example, larger units are often required by boroughs in order to meet the needs of families but many such units are instead occupied by sharers.

7.4.22 The application does not accord with the indicative, borough wide mix set out in SPP Policy DM H2, in particular, in regards to the provision of three bed units.

7.4.25 However, fewer developments have been providing three bedroom units with larger developments tending to be smaller flats. The delivery of a high quality environment both in terms of external spaces and internal spaces for family accommodation in the context of higher blocks of flats can prove challenging. That said this scheme would have more than half the units being able to accommodate 4 or more people and thereby suitable for small family accommodation. Officers consider that a slavish reliance on the preferred borough wide housing mix may not be warranted in the context of this particular development and that it may be unreasonable to refuse or delay determination on this basis.

7.5 **Affordable and accessible housing**

London Plan Policies 3.9, 3.11 and 3.12 require the maximum reasonable amount of affordable housing to be delivered in all residential developments above ten units and provide for mixed and balanced communities. The Mayor's Affordable Housing Viability SPG, 2017 introduces a threshold approach to viability, where the approach to viability information differs depending on the level of affordable housing provision being provided. The SPG introduced a fast-track route to applications that meet or exceed 35% affordable housing provision. Applicants who do not meet this minimum threshold of affordable housing provision or require public subsidy to do so, must submit detailed viability information to be scrutinised by the LPA and potentially the Mayor, to determine whether a greater level of affordable housing could viably be supported.

7.5.1 The Merton Strategic Housing Needs Assessment (2019) estimated that 1,447 households in Mitcham are in need of affordable housing. The proposals at Benedict Wharf would address over 20% of this need which represents a significant contribution when considering the statistics from the most recent Merton Council Authority Monitoring Report 2017/18,

which shows that only 87 units were completed within the Borough in 2017/18.

- 7.5.2 The applicant submitted a detailed viability assessment with this outline planning application and the Council has employed independent viability assessors to scrutinise the results. The increase in dwellings up to 850 has allowed for greater numbers of affordable housing units. Independent assessors have reviewed and tested the assumptions made by the Applicant in their viability assessment. Their assessment found “In performing this assessment we have considered the assumptions that have been made in the Applicant’s calculation of residual land value and how they compare to industry benchmarks. We have made appropriate adjustments and conclude that the 35% (i.e. 298 homes split 65% London Affordable Rent and 35% Shared Benedict Wharf, Mitcham Financial Viability Review (Page 22 Ownership) proposed by the Applicant is the maximum level of affordable housing that can be delivered by the scheme.
- 7.5.3 The assessors recommend that Merton accept the Applicant’s proposal to deliver 35% affordable housing on the site (i.e. 298 homes), based on 60% London Affordable Rent (179 homes) and 40% Shared Ownership (119 homes). They also recommend that Merton apply the relevant viability review mechanisms at early and late stages of development, as outlined within the Draft London Plan and Mayor’s Affordable Housing and Viability SPG. They further recommend most of the affordable housing delivery is secured in phase 1. The model provided by the Applicant would ensure earlier delivery of affordable homes.
- 7.5.4 The Mayor’s Affordable Housing and Viability SPG 2017 states that in order to maximise affordable housing delivery in the longer term and to acknowledge the potential for significant changes in values in the housing market the use of review mechanisms should be applied within s106 ‘Heads of Terms’, which is also fully supported in the London Plan. Review mechanisms allow increases in Section 106 contributions to reflect changes in the value of a development from the date of planning permission to specific stages of the development programme. Such approaches are intended to support effective and equitable implementation of planning policy while also providing flexibility to address viability concerns such as those arising from market uncertainty.”
- 7.5.5 However “GLA officers consider that the revised scheme would be eligible for the ‘Fast Track Route’ and, on this basis, the requirement for a late stage review would not be required in this particular instance”.

7.5.6 **Accessible design**

Although for the Reserved matters stage the applicants have integrated an accessible design strategy into the design to make the site as inclusive and accessible as possible. To that end the development will be required to provide for an improved pedestrian and cycle environment for both new and existing communities. Considerations include the need to include step-free access unobstructed sight lines, rest seating and gentle gradients.

7.5.7 10% of new homes are to be wheelchair accessible / adaptable and designed to comply or adapt to Building Regulations Part M4(3). These dwellings will be located on the ground floor of apartments or accessed directly from the street (e.g. within townhouses) The key access principles are inclusive, secure and step-free design, with accessible routes to all public areas and avoidance of barriers to anyone with disabilities or impaired mobility. The standards adopted include:

- The accessibility and inclusivity requirements as set out in Building Regulations Approved Document M (2015).
- The safety provisions set out in the Building Regulations Approved Documents B & K (2013).
- The Nationally described Space Standards for England.
- The security requirements of Building Regulations Approved Document Part Q (2015) (and the principles of Secured by Design standard).
- GLA Housing SPG.
- Accessible London: Achieving an Inclusive Environment, 2015, GLA.

Suitable conditions are recommended to secure these objectives.

7.6 **Design, Conservation & Heritage (including parameters for layout, scale and massing and impact on locality heritage assets)**

7.6.1 **Impact on visual amenity and design**

Whilst the design of the proposals will be a matter subject a further reserved matters application, indicative illustrations have been provided to assist members in visualising how the development could look within the parameters of the design code. The National Planning Policy Framework sets out that achieving high quality places and buildings is fundamental to the planning and development process. It also leads to improvements in the quality of existing environments. It states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Paragraph 130 of the NPPF advises that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local

design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.

- 7.6.2 The regional planning policy advice in relation to design is found in the London Plan (2016), in Policies 7.4 - Local Character, 7.6 – Architecture & 7.8 Heritage assets. These policies state that Local Authorities should seek to ensure that developments promote high quality inclusive design, enhance the public realm, and seek to ensure that development promotes world class architecture and design.
- 7.6.3 Policy DM D2 of the SPP seeks to ensure a high quality of design in all development, which relates positively and appropriately to the siting, rhythm, scale, density, proportions, height, materials and massing of surrounding buildings and existing street patterns, historic context, urban layout and landscape features of the surrounding area. Policy. Core Planning Policy CS14 supports this SPP Policy.
- 7.6.4 **Massing and heights**
Consideration of matters of massing and height may reasonably be informed by the application of both London Plan and local planning policies and supplemented by the Council’s Tall Building Background paper which helped shape core strategy design policy and its justification.
- 7.6.5 The London Plan defines tall and large buildings as those buildings that are ‘substantially taller than their surroundings, cause a significant change on the skyline or are larger than the threshold sizes set for the referral of planning applications to the Mayor’. Considering the London Plan definition, any building that has a significant impact on the existing scale and character of an area through height can be considered a tall building. In the context of Merton, where most of the borough is characterised by 2 storey suburban houses, any building of 4 storeys or higher could be considered a tall building in these locations.
- 7.6.6 High rise tower blocks located in denser areas of the borough are most common for residential, commercial or mixed use functions, where they can be an efficient use of land, and will be significantly taller than their surroundings and have a significant impact on the skyline. These tall buildings do not necessarily have a large building footprint and if designed well at the ground level can contribute positively to the streetscene.
- 7.6.7 Tall buildings can make a positive contribution to city life, be excellent works of architecture in their own right, can affect the image and identity of

a city as a whole, and can serve as beacons for regeneration and stimulate further investment. The London Plan requires that ‘tall buildings should always be of the highest architectural quality, (especially prominent features such as roof tops) and should not have a negative impact on the amenity of surrounding uses’.

- 7.6.8 In policy terms, higher density development is directed towards centres and those areas that are well serviced in terms of public transport and infrastructure, and those areas that can accommodate the increase in density without having a detrimental impact on the character of the locality, including the historic environment. The LBM Tall Buildings paper indicates that “overall it is considered that suburban neighbourhoods in the borough are unsuitable locations for tall buildings, based on the distinct low scale and cohesive character of these areas, and their locations which are generally outside of centres in areas with low accessibility”. Mitcham and its outlying areas however contains a diversity of low rise and medium rise developments including both modest terraced housing along with larger social housing blocks erected in the post war period and industrial and warehousing buildings with larger footprints. The areas heritage assets comprise equally diverse building types within irregularly shaped conservation areas rather than distinct and orderly garden suburbs. Officers consider there is a case to be made not to be unduly constrained in terms of built form and storey height.
- 7.6.7 The maximum building height now proposed is 10 storeys. The Heights Parameter Plan (Drawing No. AA7402-01071 Rev. D) identifies that the taller elements of the scheme will be located to the centre and towards the south of the site, away from the sites existing residential boundaries. The majority of the blocks will extend to 7 – 8 storeys, as per the original proposals.
- 7.6.8 In this instance members may reasonably judge the introduction of these tall buildings as forming part of a coherent masterplan for a new community, rather than a development that might otherwise appear out of context, and, notwithstanding the vagaries of PTAL scores, a community which will be well served with public transport. Viewed as a new community with a unique built form and identity, members may therefore feel comfortable with the height of the buildings and judge them as acceptable.
- 7.7 **Townscape and Heritage**
In terms of townscape and heritage value of the site, the Site contains a small part of the Mitcham Cricket Green Conservation Area and abuts the

Wandle Valley Conservation Area. West of the Site is the Church of St Peter and St Pauls (Grade II* listed).

7.7.1 Taking account the proposed changes to the indicative bulk, scale and massing of the development proposals, a revised Heritage Townscape and Visual Impact Assessment has been prepared by Arc. The assessment concludes that the proposed development is of a scale that can be accommodated within the existing townscape. The height of the blocks will complement the existing built form to the east of the playing fields on London Road, replacing unsightly industrial roofs and parapets with residential units. There were no objections from the DRP or officers in terms of impact on the conservation area and local heritage assets.

7.7.2 The local conservation area includes a number of apparent anomalies in regards to some more modern development that falls within its boundaries and it needs to be considered that the existing waste site use with its prefabricated buildings and the existing pathways around the site do nothing to complement the conservation area. Whilst the proposed buildings will be visible from the Conservation officers concur with the assessment that “Overall it is considered that the proposed development will not result in any adverse effects on the visual receptors or representative views. There will be beneficial effects on views from London Road Playing Fields, Hallowfield Way and the Belgrave Walk tramstop”.

7.8 **Impact upon neighbouring amenity**

London Plan policies 7.14 and 7.15 along with SPP policy DM D2 state that proposals must be designed to ensure that they would not have an undue negative impact upon the amenity of neighbouring properties in terms of light spill/pollution, loss of light, quality of living conditions, privacy, visual intrusion and noise.

7.8.1 In terms of loss of light the site has a limited relationship with sensitive neighbouring uses with the only adjacent residential properties being along 22 to 40 Church Path and 1 to 7 White Bridge Avenue.

7.9 **Daylight and Sunlight**

In support of the revised submission, an updated Daylight, Sunlight and Overshadowing Impact Assessment has been prepared to take account of the proposed uplift in the quantum of development and revised approach to height, bulk, scale and massing across the site.

7.9.1 All the properties identified as sensitive receptors do not encounter any obstruction from the proposed development; the height of the proposed development falls below the 25-degree section plane and will therefore

retain adequate levels of daylight and sunlight even with the proposed development in place. Based on the BRE methodology, no further quantitative analysis was therefore required to be undertaken.

- 7.9.2 In terms of overshadowing, the existing open spaces surrounding the site achieve levels in excess of the BRE requirements. With regards to the amenity space within the proposed development, 50% of the amenity areas, when assessed cumulatively achieve good levels of sunlight throughout the year.
- 7.9.3 Massing studies carried out at the outline masterplan stages also ensured that a majority of the amenity spaces within the proposed design will achieve values in excess of the requirements recommended by the BRE guide. The revised application is therefore considered to be compliant with regional and local planning policy and the BRE Guidance.
- 7.10 **Privacy.** This would be an issue for the reserved matters application for the design of the proposals where it would be possible to ensure that the design of the closest residential units to neighbouring occupiers ensured no loss of privacy for those residents.
- 7.11 **Standard of accommodation**
- Again, this would be a matter for details to be approved through a reserved matters application in order to accord with London Plan policies 3.5, 3.6, 3.7, 3.8, CS policy CS 14, and SPP policies DMD1 and DM D2 which state that housing developments are to be suitably accessible and should be of the highest quality internally and externally and should ensure that new development reflects the minimum internal space standards (specified as Gross Internal Areas) as set out in table 3.3 of the London Plan. The accommodation should also ensure that new residential development is of a high standard of design both internally and externally and provides accommodation capable of adaptation for an ageing population and for those with disabilities, whilst offering a mix of unit size reflective of local need.
- 7.11.1 The applicants have provided indicative layout drawings to show that the development proposals are capable of providing the standard of accommodation that would be required for a policy compliant scheme.
- 7.12 **External amenity space and play space.**
- 7.12.1 The Design Code sets out the criteria for the various forms of private amenity space that would be provided, be-it in the form of amenity

balconies or garden for the houses, with all being required to meet relevant space standards.

- 7.12.2 London Plan Policy 3.6 and draft London Plan Policy S4 require development proposals to make provisions for play and informal recreation based on the expected child population generated by the scheme. The Play and Recreation SPG expects a minimum of 10 sq.m. per child to be provided in new developments. The proposals indicate that play space for 0-4 year olds would be centred on the block cores whilst space for 5-11 year olds will be provided in the landscaped linear amenity space under the power pylons adjacent to the tramline. The Design Code confirms that all play areas are to be considered and designed in accordance with the LBM's play provision calculator. The play strategy will be both inclusive and flexible to provide a broad range of play opportunities for existing and new communities and visitors. Play areas must be designed and constructed in response to the needs of all users including: children, parents and carers. They must also consider inclusivity and accessibility principles. The exact level of play space provision would be a matter for determination at reserved matters stage when a more accurate breakdown of affordable housing and private market typologies is established.

7.13 Transport, highway network, parking and sustainable travel.

- 7.13.1 The applicant's submitted TA suggests a current PTAL 2-3 but notes "*It has been calculated that the proposal site predominately spans areas with PTAL ratings of 2-3.....in reality there are several options for future residents in terms of sustainable public transport..... As such it is considered that the PTAL rating is not a fair reflection of the public transport services currently available in relevant proximity of the application site and also those services which are scheduled for completion within comparable timescales to the proposed development*"

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

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

matters subject to further detailed applications, in order to demonstrate that the site can 'work' in terms of access and vehicle movements the applicants have submitted a Vehicular Movement Strategy whereby the movement hierarchy is built around the existing primary vehicular access point via Hallowfield Way connecting the site with Church Road. An emergency access point is proposed at the intersection with Church Path, with emergency route running north to Church Road and beyond.

- 7.13.3 The primary route runs broadly north-south and connects the entrance at Hallowfield Way to the linear open space to the south of the development. Secondary routes run elsewhere across the site to provide access to homes and parking, with the exception of the route along Baron Walk which is emergency access only. All proposed streets are two way for traffic. The east-west street along the linear open space will only serve as access to some on-street parking and to private car park podiums.

7.14 **Parking**

On-site residential car parking has been provided at a level which seeks to minimise traffic generation at the site. The proposed scheme would provide 255 car parking spaces which equates to a provision of 0.3 per dwelling. The majority of car parking spaces are contained in parking podiums, which sit within all apartment blocks. The indicative masterplan allows for approximately 209 podium spaces. Some on-street parking is proposed along the green boulevard and linear open space. On-street parking spaces will sit between landscaped areas and trees to avoid car-cluttered streets and help create a traditional style of street environment. The indicative masterplan allows for approximately 46 on-street parking spaces. The mews and terrace typologies may consider on-plot parking.

- 7.14.1 The emerging draft New London Plan states that 20% of spaces should have active charging facilities with passive provision for all remaining spaces; the proposals will ensure that a minimum of 20% of car parking spaces are provided with active charging facilities for EVs and all remaining spaces would be suitable for a future upgrade to EV charging.
- 7.14.2 The proposed scheme will also seek to provide car club bays within the site to serve new and existing residents. This will provide residents without their own car access to a motor vehicle when they require. The installation of a Zipcar facility within the application site would be well positioned within this zone improving the network of car club bays in the area. TfL welcome that the applicant intends to provide up to 3 car club vehicles on site and provide a free three year membership for all residents. The car parking strategy would need to be developed during the detail design stage alongside the extension of the Borough's

Controlled Parking Zone scheme to ensure that there are no parking overspill issues affecting the capacity and operation of surrounding roads.

- 7.14.3 In line with the emerging draft New London Plan Policy T6.1 - B it is anticipated that car parking spaces will be leased rather than sold to ensure that the land they take up is used as efficiently as possible over the life of the development. In line with the emerging draft New London Plan Policy T6 – J, a Parking Design and Management Plan will be implemented to ensure that parking demand generated by the proposed scheme does not exceed the level of provision.
- 7.14.4 The proposals also include a commuted sum of £45K to investigate, consult and implement a Controlled Parking Zone scheme. This would be secured through a s106 agreement along with a permit free section to prohibit residents of the new development parking in neighbouring streets.
- 7.15 **Trip Generation:**
The trip generation forecast shows that the proposed scheme is likely to generate 79 vehicle trips during the AM peak hour and 92 vehicle trips during the PM peak hour. This figure being derived from the low levels of on site parking provision and the census data for car ownership in this ward. It has been determined that the total number of residential units (850) is likely to generate approximately 6,235 'people' trips per day, comprising 2,987 arrivals and 3,248 departures.
- 7.15.1 It should be noted that the HGV traffic associated with the processing of 300,000 tonnes of waste per annum will no longer take place and the applicants will withdraw the right to use Church Path for HGV purposes. The GLA noted that the proposed development will result in a net reduction in daily vehicle trips on the strategic highway network
- 7.16 **Car and cycle parking provisions**
- 7.16.1 **Car Parking** It is proposed to provide 255 car parking spaces for the proposed 849 residential dwellings which equates to a car parking ratio of 0.3 spaces per unit, which the GLA confirms would accord with the London Plan and ItP London Plan standards.
- 7.16.2 In terms of the impact of parking stress to the neighbouring streets, parking stress within London is measured using the Lambeth Methodology. This method requires consideration of a study area 200m from the point of interest. Therefore a 200m distance from the site boundary would be the main area for concern.

Based on site observations and proximity to public transport it is likely that existing residents already experience on-street parking stress issues and suffer from commuters parking nearby to Belgrave Walk Tram Stop. However, with the new east-west pedestrian and cycle route proposed to the south along the linear open space, coupled with the enhancements to Baron Walk, it is envisaged that these future improvements to permeability will promote sustainable modes of transport by the creation of new links to the

- 7.16.3 Tram stops and public transport facilities within the surrounding area. The emerging draft New London Plan contains Policy T6 Car parking, which states that:
“ C. An absence of local on-street parking controls should not be a barrier to new development, and boroughs should look to implement these controls wherever necessary to allow existing residents to maintain safe and efficient use of their streets’. The detailed design of the proposed scheme should be considered alongside the local CPZ initiatives. Any potential future extension of the Controlled Parking Zone to include roads surrounding the tram stop and the proposed development would further mitigate any existing parking overspill impacts, improve existing parking concerns and minimise the potential for impact from the proposal site”. Neither the GLA or LB Merton transport officers raised objections to the proposals.
- 7.16.4 **Cycle parking;** The TA states that the level of cycle parking will be provided in accordance with the current London Plan. Given the scheme is only in outline, TfL would expect the cycle parking to be provided in accordance with ItP London Plan standards and the LCDS. Based on the current quantum of development, a total of 1539 long stay spaces should be provided, along with 235 short stay spaces for the residential units. For the 750m² of flexible (A1-A3 and D2) space cycle parking should be provided to the highest possible use class, (A1 food retail) this would entail the provision of 5 long stay spaces and 19 short stay spaces.
- 7.16.5 LB Merton cycle parking standards again follow those stipulated within the London Plan. The current (2016) London Plan provides minimum standards for long stay and short stay cycle parking, which equates to resident and visitor parking.
- 7.16.6 The standards for long stay cycle parking are a minimum of 1 space per studio/1 bedroom unit and 2 spaces for all other dwellings. The standards then state that for short stay (visitor) cycle parking are a

minimum of 1 space per studio/1 bedroom unit and 2 spaces for all other dwellings.

However, given the scheme is in outline only, cycle parking will be provided in accordance with the emerging draft New London Plan standards. These state the following:

□ Long Stay (for residents):

- 1 space per studio or 1 person 1 bedroom dwelling;
- 1.5 spaces per 2 person 1 bedroom dwelling; and
- 2 spaces per all other dwellings.

□ Short stay:

- 5 to 40 dwellings: 2 spaces; and
- Thereafter: 1 space per 40 dwellings.

7.17.7 These will be located within secure communal cycle stores at ground floor level in a number of locations across the site as well as within the proposed residential blocks. All cycle parking will be designed and laid out in accordance with the guidance contained in Chapter 8 of the London Cycling Design Standards (LCDS). The provision, design and layout of the cycle parking will be secured by condition.

7.18 Buses

It is noted that bus route 200 which serves the site is currently nearing capacity between Mitcham and Colliers Wood where additional trips generated by the development would join the service. Therefore, based on the predicted uplift in bus trips and current bus capacity, TfL are seeking a bus contribution of £450,000 (£90,000 per annum for 5 years). The £90,000 p.a. would enhance bus services in the peak periods.

7.18.1 To improve the arrangements for the bus service the proposals involve a financial contribution towards the cost of relating a bus stop. TfL initially commented that *“Work has been undertaken to identify the feasibility of moving bus stops in the area closer to the proposed development. It is requested that the applicant funds the relocation of the Northbound Miles Road Bus Stop (No.33563) to outside the northern end of Princess Lodge flats. A site meeting with JCDecaux, the LB Merton and TfL Busses will need to be arranged to calculate the costs involved in moving the bus stop and shelter, stop up the former bus stop and ensure the new stop is accessible to all users.”* They subsequently commented *“Regarding the bus stop relocation, given the current circumstances we think it is reasonable that the details are agreed at a later date, however would want this agreed in the s106. As a rough estimate for your client, based on past experience the bus stop relocation should cost no more than £20k, however this is indicative only.”*

7.19 **Delivery, servicing and the highway network**

In order to ensure that the development will function effectively a Delivery and Servicing Management Plan (DSMP) will be required to manage delivery and servicing traffic in order to minimise any impacts of the process on the operation of the proposal site and the local highway network.

The principal areas that the DSMP will cover may be summarised as follows:

- Storage provision and the details of the type of enclosure proposed;
- The location of loading and unloading;
- The frequency and likely size of vehicles; and
- Vehicle swept path analysis.

7.19.1 An Outline DSMP has been produced to support this Outline Planning Application. As suggested by TfL within their letter dated August 2019, the requirement for a full Delivery and Servicing Plan will be secured by condition.

7.19.2 The Transport statement demonstrates that the junction currently operates over capacity during the AM peak. The congestion derives mainly from the high volume of vehicles routeing between Church Road Arm 1 and Arm 3 which are the accesses at Hollowfield Way. The accompanying Transport statement also states that from their assessment the congestion issue at the roundabout during peak times is as a result of high background traffic flows and that the proposals have negligible impact, other than the significant reduction in HGV numbers.

7.20 **Refuse storage/collection arrangements**

Refuse. Whilst the details of this will be a matter for a Reserved matters application the applicants have demonstrated that waste and recycling can be undertaken with Communal refuse stores provided in all apartment blocks. Provision will be made for bulky waste in each block by providing space close to circulation cores in accordance with Merton's policy of 10m² per 50 flats. Bulky waste will be collected from the streets to the front of the buildings. Refuse collection points from Baron Walk will be avoided. Blocks fronting London Road Playing Fields will be subject to a more detailed landlord refuse collection strategy at Reserved Matters stage.

7.20.1 House typologies will allow for collection from the front with refuse storage spaces to the rear of the properties. Mews properties will allow for

collection from the front. Non-residential premises will have traditional methods of waste and recycling.

7.21 **Air Quality**

A revised Air Quality Assessment (April 2019) has been undertaken by SLR to assess the potential implications of a revised scheme of up to 850 units and this is submitted in support of the amended outline planning application. The findings of the assessment are as follows:

- a qualitative assessment of the potential dust impacts during the construction of the Proposed Development has been undertaken. Through good practice and implementation of appropriate mitigation measures, it is expected that the release of dust would be effectively controlled and mitigated, with resulting impacts considered to be 'not significant'. All dust impacts are considered to be temporary and short-term in nature;
 - the results of the Operational Phase Impact Assessment illustrates that changes in NO₂ and PM₁₀ concentrations at receptor locations in the area are classified as a 'negligible' impact and the Proposed Development is not predicted to lead to any exceedances of the annual mean, 1-hour mean or 24-hour mean respective AQOs. The overall effect is considered 'not significant';
 - the Site Suitability assessment does not predict any exceedances of the annual mean, 1-hour mean or 24-hour mean respective AQOs across the site. Therefore, no mitigation is required for the Proposed Development; and
 - Results from the Air Quality Neutral calculations illustrate transport will require mitigation to be considered Neutral.

As such, it is not considered that air quality represents a material consideration to the Proposed Development, and therefore conforms to the principles of National Planning Policy Framework, The London Plan and the London Borough of Merton Local Plan.

7.21.2 Given the existing use of the site with the processing of hundreds of thousands of tonnes of waste and the HGV movements required to service this use, a residential use will result in an improvement in air quality in the area

7.22 **Noise**

A revised Noise Assessment (April 2019) has been undertaken by SLR to assess the potential implications of a revised scheme of up to 850 units and this is submitted in support of the amended outline planning application.

7.22.1 The Noise Assessment determines that the external space will still experience a daytime noise level that is compliant with the relevant guidance (BS8233:2014). 4.34. With regards to internal noise levels, SLR have proposed mitigation measures meet the night-time maximum limit of 45dB(A) (BS8233:2014). Outline mitigation measures include glazing specification for each building façade and alternative ventilation (to an open window).

7.22.2 The Council's Environmental Health officer has raised no objections to the proposals but has recommended a number of conditions be attached to any grant of consent.

7.23 **Site contamination**

London Plan Policy 5.21 and SPP policy DM EP4 state that developments should seek to minimise pollutants, reduce concentrations to levels that have minimal adverse effects on human or environment health and to ensure contamination is not spread. In light of the commercial uses on site, there is a potential for the site to suffer from ground contamination.

7.23.1 The application was submitted with a which concluded;
In relation to Human Health
Human health risks for the long-term/permanent use, which includes residential receptors, were associated with widespread impacts of TPHs, PAH compounds and asbestos and occasion heavy metals. In order to mitigate these issues a remediation strategy should be developed and implemented taking into consideration a vapour membrane and source removal.

7.23.2 In relation to Controlled Waters
The principal area for groundwater remediation/mitigation for the long-term development is located in the eastern-central area of the site, where elevated concentrations of hydrocarbons are present. A DQRA and remedial options appraisal is recommended.
Theoretical risks associated with soil concentrations of PAHs and TPHs are present on the eastern portion of the site. Removal of contaminated soils may be considered as a precautionary/betterment approach, although an evaluation of the costs and benefits would be recommended for remediation. Concentrations of ammoniacal nitrogen are elevated in the groundwater. This could potentially be due to elevated concentrations of ammoniacal nitrogen across the area, any remediation/mitigation measures driven by ammoniacal nitrogen need to be considered within the context of the wider groundwater quality and be subject to a cost benefit assessment.

- 7.23.3 Based on the sites current use and condition there are negligible short term human health risks posed by the concentration of contamination identified. However, the main risk is judged to be to construction workers and off site human receptors during the construction phase at which point the concrete slabs will be removed and shallow soils will be significantly disturbed. As asbestos is known to be present in the soils there is a risk that contaminated dust could impact human health. In order to ameliorate these risks it will be necessary for site workers to adopt robust health and safety practices that specifically reference the current Control of Asbestos (CAR) regulations. Appropriate dust suppression measures will also be required, as well as air monitoring at the site boundary to confirm that users of the surrounding area have not been put at risk.
- 7.23.4 Notwithstanding the above, contamination identified is common on sites of this nature that have had a contaminative industrial past and where a commercial development has been constructed. Development of brownfield sites is usual and procedures that will be adopted as part of the remediation strategy will ensure that risk to construction workers and adjacent human receptors will be negligible.
- 7.23.5 Planning conditions are recommended that seek further site investigation work and if contamination is found as a result of this investigation, the submission of details of measures to deal with this contamination

7.24 **Sustainability and Energy matters**

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

7.24.2 **Sustainability**

A Sustainability and Energy Statement has been prepared by PRP in accordance with LBM and GLA policy, and demonstrates the sustainability features included in the proposed development and has been the subject of revision following the GLA's energy and sustainability comments made in respect of the original planning application. It sets out how the Proposed Development will address the CO2 emission reduction policies in the London Plan and in local planning policy. In line with these policies, both residential and non-domestic elements must achieve a minimum of 35% reduction in CO2 emissions required on site, over the Building Regulation Approved

- 7.24.4. The proposed energy efficiency measures include well-insulated building fabric, high levels of air tightness and attention to thermal bridging details, and the communal and non-domestic parts of the development will have a similar fabric specification as the rest of the buildings.
- 7.24.5 In terms of CO2 emissions from the development, the use of energy efficiency measures, installation of a site wide district heating network, ASHPs and renewable energy (PV panels) the applicant has demonstrated how development of the site can achieve the on-site 36% CO2 site-wide emission reduction target.
- 7.24.6 The Council's climate change officers were satisfied with the level of information submitted as this is an outline application and sustainability will be subject to a condition where more evidence will be required. A condition requiring the scheme to be capable of integration in any future district heating network is recommended.

7.25 **Flooding and sustainable urban drainage**

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. In accordance with the requirements of the NPPF, a revised Flood Risk Assessment and Surface Water Drainage Strategy has been prepared by SLR and submitted in support of the amended outline planning application details. This has assessed the uplift in the total number of new dwellings, to up to 850 dwellings in total.

- 7.25.1 The Assessment identified that above surface groundwater flooding is considered low however, any basement levels should be 'tanked' to avoid groundwater ingress. A range of other potential source of flooding including tidal, fluvial, and from infrastructure failure were assessed as being either low or negligible.
- 7.25.2 It is proposed that surface water runoff generated at the site will be discharged into a nearby Thames Water public surface water sewer at rate in accordance with the London Plan. There will be a small reduction in the volume of surface water runoff discharged from the site as result of the decrease in impermeable coverage as a result of the development.
- 7.25.3 A series of SuDS features will be located across the site in order to control surface water runoff as close to source as possible. Adequate SuDS space

provision is afforded within the development. As such, the application is supported by the EA and Merton officers and is considered to comply with the NPPF and relevant policies contained within the London Plan and Local Plan although full details will be required at the reserved matter stage.

7.26 Ecology & Trees, Open space & Landscaping

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

NPPF 170 states that planning decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, sites of biodiversity value and minimising impacts on and providing net gains for biodiversity. Further, London Plan 7.19 states:

“D On Sites of Importance for Nature Conservation development proposals should:

- a. a give the highest protection to sites with existing or proposed international designations¹ (SACs, SPAs, Ramsar sites) and national designations² (SSSIs, NNRs) in line with the relevant EU and UK guidance and regulations³*
- b. b give strong protection to sites of metropolitan importance for nature conservation (SMIs). These are sites jointly identified by the Mayor and boroughs as having strategic nature conservation importance*
- c. c give sites of borough and local importance for nature conservation the level of protection commensurate with their importance.*

E When considering proposals that would affect directly, indirectly or cumulatively a site of recognised nature conservation interest, the following hierarchy will apply:

- 1. avoid adverse impact to the biodiversity interest*
- 2. minimize impact and seek mitigation*
- 3. only in exceptional cases where the benefits of the proposal clearly outweigh the biodiversity impacts, seek appropriate compensation.”*

- 7.26.1 Merton policies CS13 and DMO1 also make it clear that any development proposals likely to affect a SINC are required to demonstrate that such development will not adversely affect the nature conservation values of the site and require, where appropriate, development to integrate new or

enhanced habitat or design and landscaping which encourages biodiversity and where possible avoid causing ecological damage.

- 7.26.2 The Environmental Impact Assessment states that no long term adverse impacts are predicted from the proposed development to nature conservation features. However, with the incorporation of the recommended ecological enhancements, it is considered that the proposal provides an opportunity to deliver a net gain for biodiversity at the Site and in the London Road Playing Fields SINC in the longer term. Overall, net ecological gains are predicted, which are possible due to the low value of the habitats being impacted upon and the potential high value of those proposed for creation. Biodiversity enhancements have also been recommended in line with national and local planning policies.
- 7.26.3 Bats; The applicants provided an updated Environmental Impact assessment which identified that there were no trees to the east of the site with moderate or high likelihood of being bat roosts.
- 7.26.4 Urban greening factor; Overall, the indicative masterplan achieves an Urban Greening Factor (UGF) of 0.4 in accordance with emerging London Plan (Intend to Publish Version - December 2019) Policy G5, representing significant urban greening, especially when compared with the current use. These principles are included within Section 3 of the submitted 'Framework Design Code' which will form part of the approved documents should the planning application be approved.
- 7.26.5 Whilst there will be some impact on the existing biodiversity, predominantly found on the site edge, the proposals will bring a lot of industrial land into a scheme that has the potential to improve the overall biodiversity of the site in the future. Whilst these would be matters addressed at reserved matters stage the applicants have identified a number of improvements that could be incorporated into the redevelopment of the site;
- A rain garden and a swale along with wooded area within the linear open space that will provide habitats for invertebrates, birds, reptiles and bats;
 - Ten integrated bat roost boxes
 - A total of ten double swift (*Apus apus*) nest boxes, providing twenty nest sites for swifts
 - Fourteen individual swift boxes (such as the Schwegler No.17B swift box).
 - Traditional compost heaps.
 - Peat-free composts to be used throughout for planting purposes;
 - "Flowering lawn" species mix to be used in areas of amenity grassland;
 - Planting and maintenance of any sustainable drainage features to be beneficial to wildlife. A bog garden will be included in the site;
 - Green podium roofs for pollinating insects

- Invertebrate refuge features to be provided, totalling at least 10m² in area.
- Sedum roof on the bin stores;
- Planting scheme to include at least 80% of species that would benefit wildlife and are suitable for the local area,
- The planting scheme within the proposed woodland grove of the linear open space is to be of mix native species with the typical species derived from the woodland belt within the SINC along London Road Playing fields. This in turn will help establish an ecological link with the wider landscape surrounding the site.

These biodiversity enhancements would be in accord with the NPPF (2019), the Mayors Biodiversity Strategy (2002) and Policy CS13 of the current Core Strategy (Merton Council, 2011). The delivery of these enhancements would be subject to planning conditions.

7.26.6 **Trees**

A revised Arboricultural Impact Assessment has been prepared by SLR to take account of the updated Indicative Masterplan. This is accompanied by a Tree Constraints Plan and Tree Protection Plan. There were issues raised by officers on the original layout which meant the loss of a number of mature trees. The revised development proposals will mean more existing trees on the site can be retained. Based on the current indicative layout, and subject to final detailed design, it may be necessary to remove 3 individual trees, 4 groups and part of another groups of trees, all of which fall into the low C category. None of the trees recorded fall into the A category and the Council's Arboricultural officer raised no objections to this.

- 7.26.7 It is considered that the loss of these trees will also be mitigated through significant replacement planting across the site as a result of the extensive, high quality landscaping proposals and the significant urban greening indicated by the proposed development.

7.26.8 **Ecology**

A revised Ecological Impact Assessment has been prepared by SLR and submitted in support of the updated outline planning application proposals. The site itself is considered to be of low ecological value overall. The adjoining playing fields are a designated SINC and there were concerns that widening the path along Baron walk would have a negative impact on the SINC. With the revised layout there would be no loss of any A Category trees and none of the trees along there offer even moderate chances of bat roosts. It is considered that the statement's claim that no long term adverse impacts are predicted from the proposed development to nature conservation features would be correct. Additionally with the incorporation of

the recommended ecological enhancements, it is considered that the proposal provides an opportunity to deliver a net gain for biodiversity at the Site and in the London Road Playing Fields SINC in the longer term.

7.26.9 Landscaping is reserved for future determination, however the illustrative masterplan and landscape masterplan provides an indicative landscape strategy for the site. The biggest area of landscaping proposed will comprise the linear open space along the southern boundary of the site. This space will comprise a mix of hard and soft landscaping proposals, including the provision of additional playspace, lawn space, tree planting and communal space for use of outdoor events. Soft landscaping proposals, in the form of trees, are also shown across the indicative masterplan, to 'break-up' and soften the appearance of the hard landscaping and internal streetscape.

7.27 **Archaeology** The site is within an Archaeological Priority Zone, as identified on the LBM's Proposals Map. The application has been accompanied by archaeological reports which have been considered by Historic England who have confirmed no further action is required in this regard.

7.28 **Non-residential uses**

Following the concern of officers and the GLA that insufficient non residential facilities were being incorporated into the proposals, given such a high number of residential occupiers, the quantum of non residential space was increased to up to 750sqm. Officers consider the additional space could enable new services or allow the relocation of existing services onto the development and would be an important element in facilitating the potential improvement of local infrastructure.

7.28.1 Non-residential uses are proposed to the north of the development close to the existing non-residential assets and between the primary entrance from Hallowfield Way and the emergency access from Church Path. Objectors suggested that the non residential uses would be better placed by the new link to the tram stop. Although the indicative masterplan shows a location for these units nearer the main entrance, details of the location would be addressed at a reserved matters stage and potentially split some of the provision between the different parts of the site.

7.28.2 As proposed it is considered that the location of the non-residential uses on the ground floors with residential homes above will activate the street level whilst maintaining a mix of uses. The non-residential floorspace offers opportunities for uses such as cafés, small retail premises or community facilities and could enliven an entrance to the estate with prioritised pedestrian movement.

7.29 **Future proofing**

The Cappagh site is in use as a car pound and is located adjacent to the western boundary of the site and its owners have not wished to amalgamate that site into the application site although it does have the potential to do so. As with future proofing for sustainability the layout and design of the reserved matters submission needs to provide opportunities to integrate new technologies and to integrate successfully with adjoining land to promote connectivity, possible tram access and pedestrian/cycle movement.

8. SUSTAINABILITY AND ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS.

- 8.1 The applicants submitted requests for screening opinions on both the 600 and 850 unit proposals because the proposals relates to the development of up to 850 residential dwellings, the proposal continues to fall within Schedule 2, Part 10. and these matters have been assessed by officers and determined not to requires an EIA submission

9. CONCLUSION

- 9.1 The application offers an opportunity to deliver both a major increase in housing and affordable housing for which there is a measurable need. This can only be achieved if members are satisfied that a departure from the development plan which combines both strategic waste and industrial allocations for the site can be supported.
- 9.2 The stage 1 response from the GLA's officers provides a clear strategic perspective on this matter. GLA officers are content that in this particular instance, a net increase in waste related industrial capacity would be achieved across both this site and that proposed at the 79-85 Beddington Lane site in the London Borough of Sutton, which has been vacant for 10 years and to which no capacity is assigned in the emerging South London Waste Plan.
- 9.3 The GLA initially had objections to the loss of the industrial/waste use of the site because of a potentially negative impact on the capacity for waste processing within the SLWP area. However the applicants have since obtained planning permission for the use of a new site at 79-85 Beddington Lane which be able to incorporate the waste currently processed at Benedict Wharf and being unrestricted by the types of condition currently inhibiting operations at Benedict Wharf they can increase the quantum of waste accordingly.
- 9.4 It is considered that waste throughput would be a more appropriate criteria for assessing the net loss of industrial capacity in this particular case rather than floorspace or plot ratio, given both sites are safeguarded in waste use and noting the degree of flexibility set out in paragraph 6.4.6 of the Mayor's Intend

to Publish London Plan. As such, GLA officers are satisfied that the two linked applications would ensure no net loss of industrial capacity, subject to the schemes being formally linked in planning terms by a phasing condition/S106 planning obligation. Officers are content that this approach and the underlying reasoning are both sound and pragmatic.

- 9.3 Officers are supportive of an alternative use for the site being predominantly residential. Following concerns from the GLA that the originally proposed quantum of 600 units failed to optimise the potential of the site and provide sufficient affordable housing the scheme was amended to provide for up to 850 units which is currently before members. Following concerns of the DRP and officers the quantum of non-residential use has been increased to up to 750sqm.
- 9.4 Officers acknowledge the significant contribution to housing numbers the scheme can deliver, but also accept that scale bulk and massing are matters where judgement may reasonably be exercised. A balance is needed between meeting housing targets, achieving accommodation that meets adopted standards and at the same time not having a harmful impact on the surrounding townscape or streets. Viewed as a distinct and new community the estate may be judged as meeting these seemingly conflicting policy objectives.
- 9.5 In summary the scheme has the potential to deliver:
- housing provision – 850 new homes with almost 300 affordable homes (35%);
 - environmental improvements – comprehensive redevelopment of an old waste and industrial site to a new neighbourhood with significant urban greening;
 - traffic - reduction in vehicle movements and almost complete elimination of heavy good vehicles;
 - movement – improvement of footpaths and cycleways, provision of new pedestrian and cycle infrastructure through the site connecting with existing routes; and
 - economic - an additional £4 million of residential expenditure, which would be retained in Merton, supporting local business and services, Merton Community Infrastructure Levy (CIL) payments of approximately £7.5 million, including 15% (£1.125m) for neighbourhood projects such as improvements to community facilities and Mayoral CIL payments of approximately £2.8 million, supporting the provision of transport infrastructure.

- 9.6 This is an outline application as the applicant will not be responsible for building out the scheme and consequently members are considering the principle of the change of use from industrial waste activities to a predominantly residential scheme. The detail of the development would be addressed through a further series of reserved matters applications if consent is eventually granted, the Mayor ultimately having the ability to decide the application. However in order to demonstrate to members that their proposals will work given the constraints of the site the applicants have submitted a substantial body of work covering a wide range of issues that would be subject to a full application. Additionally in order for members to gauge what the finished scheme could look like the applicants have submitted a detailed Design Code and a parameter plan which would be conditioned to ensure that any future development accorded with that guidance.

RECOMMENDATION.

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

Section 106 and Heads of terms

- 1) Affordable Housing
- 2) Bus Stop Improvement Works
- 3) Bus Capacity Improvements
- 4) Parking Management Plan
- 5) London Road Playing Fields improvements;
- 6) Estate Roads to be adopted including management, maintenance and access
- 7) Parking Controls including:-
- 8) Consultation on and delivery of CPZs
- 9) Car Free Development and permit restrictions;
- 10) Car Club membership and designated bays;
- 11) Carbon Offset contributions;
- 12) Delivery of Open Space including its Management, Maintenance and Access
- 13) Provision of Hallowfield Way Cycle Lane
- 14) Travel Plan including monitoring costs.
- 15) Waste Management Capacity clauses to link any permission with that at Beddington Lane.

Conditions

1. **Commencement:** The development hereby permitted shall be commenced before the expiration of 3 years from the date of this permission or 2 years from the approval of the last of the reserved matters as defined in the condition below, whichever is the later.

REASON: In order to comply with the provisions of Section 92 of The Town and Country Planning Act 1990 (as amended).

2. **Approval of Reserved Matters:**
 - a. Detail of the reserved matters set out below ('the reserved matters') for each phase of the development shall be submitted to the Local Planning Authority for approval within 3 years from the date of this permission or within 3 years from the date of the last reserved matters for the previous phase of development:

(i) layout; (ii) scale; (iii) appearance; (iv) access and (v) landscaping

b. The reserved matters shall be carried out as approved.

c. Approval of all reserved matters shall be obtained for the relevant phase of development from the Local Planning Authority in writing before any phase of development is commenced.

REASON: In order to comply with the provisions of Section 92 of The Town and Country Planning Act 1990 (as amended).

3. **List of approved drawings:** The development hereby permitted shall be carried out in accordance with the following approved plans and documents: (Site Location Plan Building Heights Parameter Plan and other documents set out at the start of this report).

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

4. **PHASING:**

Phasing strategy Upon submission of the first Reserved Matters application, a Phasing Strategy setting out the delivery of the phases across the whole site shall be submitted to and approved in writing by the Local Planning Authority. The Phasing Strategy shall confirm the order and timing of delivery of each of the phases, Updated phasing plans should be submitted with subsequent Reserved Matters applications.

REASON: To ensure the scheme is delivered as proposed in accordance with Policies 3.5 and 7.3 of the London Plan (2016), Policy OM 02 of the SPP Local Plan 2014, Policy CS14 of the Core Planning Strategy 2011

5. **Delivery of non-residential floor space:** Prior to commencement of the relevant phases of development hereby permitted, a plan linking the delivery of the non-residential floor space to the completion of the residential units within that relevant phase of development shall be submitted to and approved in writing by the Local Planning Authority.
REASON: To ensure that the appropriate minimum amount of non-residential floor space is provided as part of the development in order to maximise delivery of employment opportunities in line with Policy 2.17 of the London Plan (2016), Policy OM E3 of the SSP Local Plan, Policy CS12 of the Core Planning Strategy 2011.
- 6 **DEVELOPMENT TO BE CARRIED OUT IN ACCORDANCE WITH PERMISSION:**
- Reserved Matters applications should accord with the following documents approved by the Local Planning Authority: · Building Heights Parameter Plan AA402-02071 dated 12/02/2020 · Framework Design Code Rev A 15 May 2020 · Ecological Impact Assessment March 2020 · Transport Assessment March 2020
- REASON: In order to comply with the provisions of Section 92 of The Town and Country Planning Act 1990 (as amended).
7. **PARTICULARS TO ACCOMPANY RESERVED MATTERS APPLICATIONS:**
Urban Design Strategy: Applications for approval of Reserved Matters for each relevant phase of development submitted pursuant to this permission relating to layout, scale, access, appearance and landscaping (other than those relating to Enabling Works) shall be accompanied by an Urban Design Report, which explains the approach to the design and how it takes into account the Design Code Rev A 15 May 2020. This document should also include measures to minimise the risk of crime in a visually acceptable manner and meet the specific security needs of that phase of development.
- REASON : To ensure good design throughout the development in line with the principles set in the NPPF (2019), Policies 3.5 and 7.3 of the London Plan (2016), Policies OM D1, OM D2 & OM D4 of the SPP Local Plan 2014, Policies CS2 & CS14 of the Core Planning Strategy 2011 and Policies OEP.1, OPE.2.
8. **Energy and Sustainability Strategy:** The first applications for approval of Reserved Matters submitted pursuant to this permission relating to layout, scale and appearance (other than those relating to Enabling Works) shall be accompanied by an overarching Energy Strategy in accordance with the relevant planning policy and guidance for that time for all phases of the development.

For each subsequent phase of development thereafter, an updated detailed Energy and Sustainability Strategy shall be submitted to the Local Planning Authority for approval prior to commencement of Below Ground works in that phase. The Strategies shall explain but not be limited to the following:

- How the proposed design realises opportunities to reduce carbon emissions in accordance with the Mayors energy hierarchy; including the incorporation of enhanced building fabric, efficiency of energy supply and low and zero carbon technologies;
- The reduction in carbon emissions achieved through these building design and technology energy efficiency measures, to minimise carbon dioxide emissions that contribute towards the London Plan emissions reductions targets;
- How the development has incorporated the principles of sustainable design and construction, and demonstrated compliance with any required sustainable design and construction standards;
- How the development has been designed to reduce the impact of the urban heat island in accordance with Mayors cooling hierarchy; and
- How the development incorporates an overheating mitigation strategy.

The approved measures in each phase shall be fully implemented in accordance with the approved details.

REASON: To ensure the development contributes to climate change mitigation by meeting the highest standards of sustainable design and construction achieving an adequate reduction in carbon dioxide emissions from on-site renewable generation, in accordance with the principles set out in the Energy Statement and in accordance with Policies 5.1, 5.2, 5.3, 5.4,5.4A, 5.5, 5.6 5.7, 5.8, 5.9,5.10, and 5.11 of the London Plan (2016), Policies OM EP1 of the SPP Local Plan 2014, Policies CS15 of the Core Planning Strategy 2011.

9. **Sustainable Design and construction:** Prior to occupation of each relevant phase of the development, verification that the energy strategy as per condition 8 above, has been implemented in accordance with the approved details, must be submitted and approved by the Local Planning Authority, in accordance with National, Regional or Local Policies. This shall include verification of carbon dioxide emissions reductions and water efficiency measures.

REASON: To ensure that the development performs in accordance with the approved plans, achieves a high standard of sustainability and makes efficient use of resources and to comply with the following Development Plan policies for Merton: Policy 5.1, 5.2, 5.3, 5.4, 5.4A, 5.5, 5.6, 5.7, 5.8, 5.9, 5.10, and 5.11 of the London Plan 2016 and Policy CS15 of Merton's Core Planning Strategy 2011 or their successors.

10. **District Heat Networks:** Prior to commencement, other than Enabling Works, of each of the relevant phases of development hereby approved, evidence demonstrating that the development has been designed to enable connection of the development to an existing or future district heating network, shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To demonstrate that the site heat network has been designed to link all building uses on site (domestic and non-domestic) and to demonstrate that sufficient space has been allocated in the plant room for future connection to wider district heating in accordance with London Plan policies 5.5 and 5.6 and the relevant Technical Standards of the London Heat Network Manual (2014) or any subsequent guidance.

11. **Ecology and biodiversity strategy:** Prior to the commencement of Above Ground works for each relevant phase of development a detailed Ecology and Biodiversity Strategy shall be submitted and approved by the Local Planning Authority. The Ecology and Biodiversity Strategy shall provide details of proposed ecological enhancements and mitigation measures and the management and arrangements for these features. These measures should build on those set out in the Ecological Impact Assessment submitted with this application prepared by SLR, March 2020.

REASON: To ensure the development contributes to improving the ecology and biodiversity of the area in accordance with Policy 7.19 of the London Plan (2016), Policy DM 01 of the SPP Local Plan 2014, Policy CS13 of the Core Planning Strategy 2011.

12. **Housing accommodation schedule:** Applications for approval of Reserved Matters submitted pursuant to this permission relating to layout, scale and appearance for each relevant phase of development including if built out as a single phase (other than those relating to Enabling Works), shall be accompanied by a Housing Accommodation Schedule. This document shall explain and include:

- The type and mix of units proposed;
 - Whether the units are to be provided as affordable and what tenure;
 - The gross internal floor areas of each dwelling; and
 - A cumulative position statement on the provision of housing.
- Applications for approval of Reserved Matters for each relevant phase of development and relating to layout, scale and appearance, shall be accompanied by a Housing Accommodation Schedule. This document shall explain and include:
- The type and mix of units proposed;
 - Whether the units are to be provided as affordable and what tenure;
 - The gross internal floor areas of each dwelling; and
 - A cumulative position statement on the provision of housing.

REASON : To ensure the development provides an appropriate mix and quality of housing as well as providing an appropriate amount and mix of affordable housing having regard to the relevant viability

assessment in accordance with the NPPF (2019), Policies 3.3, 3.4, 3.7, 3.8, 3.9, 3.11 and 3.12 of the London Plan (2016), Policies DM H2, DM H3 of the SPP Local Plan 2014, Policy CS8 of the Core Planning Strategy 2011.

13. **Daylight and sunlight assessment:** Applications for approval of Reserved Matters for each relevant phase of development relating to layout and scale shall be accompanied by a detailed Daylight and Sunlight Assessment. This document shall explain how the proposed development has been designed to provide appropriate levels of daylight and sunlight to the new homes within the development itself.

REASON: To ensure the development provides future occupiers with acceptable levels of daylight and sunlight in accordance with Policy 7.7 of the London Plan (2016), Policy DM D2 of the SPP Local Plan 2014, Policy CS14 of the Core Planning Strategy 2011.

14. **Accessibility strategy:** Applications for approval of Reserved Matters for each relevant phase of the development including if built out as a single phase (other than those relating to Enabling Works) submitted pursuant to this permission relating to layout and landscaping shall be accompanied by a detailed Accessibility Strategy for the relevant phase. This document shall explain:

a. How the proposed public realm areas, within each relevant phase, would be accessible to all, including details of finished site levels, surface gradients and lighting;

b. How each building would be accessible to all, including details of level access and internal accommodation arrangements and access to car parking; and

c. That 10% of dwellings hereby permitted would be 'wheelchair user dwellings' and all other dwellings are 'accessible and adaptable dwellings'.

REASON: To ensure the development is accessible and inclusive to all in accordance with Policy 3.8 and 7.2 of the London Plan (2016) and Policy D5 of the Draft London Plan (2018), Policy DM D2 of the SPP Local Plan 2014, Policy CS14 of the Core Planning Strategy 2011.

15. **Lighting Strategy:** The first application for approval of Reserved Matters submitted pursuant to this permission relating to layout, access, appearance and landscaping (other than those relating to Enabling Works) shall be accompanied by an overarching Lighting Strategy in line with the Code of Practice for the Reduction of Light Pollution issued by the Institute of Lighting Engineers for all phases.

For each relevant phase of development, an updated detailed Lighting Strategy shall be submitted to and approved in writing prior to commencement of Below Ground works in that relevant phase. These documents shall explain:

- a. The lighting proposed for amenity spaces and external communal areas, including relevant justification; and
- b. The proposed external building lighting.

REASON: To ensure the development is adequately lit in order to minimise the risk and fear of crime, whilst ensuring that the proposed lighting would not unduly impact on local character, amenity or biodiversity in accordance with Policies 7.3 and 7.19 of the London Plan (2016), Policy DM D2 of the SPP Local Plan 2014, Policy CS14 of the Core Planning Strategy 2011.

16. **Refuse Strategy:** The first application for approval of Reserved Matters submitted pursuant to this permission relating to layout, access and landscaping (other than those relating to Enabling Works) shall be accompanied by an overarching Refuse Strategy for all phases including if built out as a single phase.

For each relevant phase of development, an updated detailed Refuse Strategy shall be submitted to and approved in writing prior to commencement of Below Ground works of that relevant phase. These documents shall explain:

- a. The storage and disposal arrangements for refuse and waste associated with the residential and commercial elements of the proposed development, including vehicular access thereto;
- b. The storage and disposal arrangements for refuse and waste associated with proposed public realm areas, including vehicular access thereto;
- c. The hours of proposed waste collection; and
- d. A full waste management strategy with details of the location, size and the design of the residual waste and recycling container storage areas for each residential unit

REASON: To ensure that adequate refuse storage and disposal facilities are provided, in the interests of local character and amenity in accordance with Policy 5.16 of the London Plan (2016), Policies OM 01, OM 02 of the SPP Local Plan 2014, Policy CS2 of the Core Planning Strategy 2011.

17. **Noise and vibration mitigation strategy:** Prior to commencement of Above Ground works of each building, a detailed Noise and Vibration Mitigation Strategy shall be submitted to, and approved by, the Local Planning authority. The strategy shall explain noise attenuation measures for the proposed uses, including noise barriers, specified glazing and ventilation and orientation / layout of buildings and amenity areas.

Post completion Noise Assessments are to be submitted to and approved in writing by the Local Planning Authority prior to occupation of each building.

REASON: To ensure the new buildings in the development have adequate provision against noise and vibration from existing sources and within the development in accordance with Policy OM 02, OM E1 EP H2 and OM E3 of the SPP Local Plan 2014, Policy CS15 of the Core Planning Strategy 2011 and Policy EP H1.

18. **Arboricultural Method Statement/Tree Protection:** The first applications for approval of Reserved Matters submitted pursuant to this permission shall be accompanied by an overarching Arboricultural Method Statement and Tree Protection Plan in accordance with BS 5837:2012 for all phases.

For each phase of development, an updated and detailed Arboricultural Method Statement and Tree Protection Plan shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of that relevant phase. The approved measures for the protection of the existing retained trees shall be installed prior to the commencement of site works and shall be retained and maintained until the completion of all site operations in that phase. If any trees are proposed for removal or have any tree work, a full justification must be provided in the Arboricultural Statement. Any tree work shall accord with BS 3998:2010.

The Arboricultural Statement shall also explain the total number of trees to be removed, together with details of the proposed replacement planting, to ensure an overall increase in the number of trees across the site.

REASON: To safeguard the character and appearance of the area and to enhance the appearance of the development, in accordance with Policy 7.5 of the London Plan (2016), Policy DM 02 of the SPP Local Plan 2014, Policy CS13 of the Core Planning Strategy 2011.

19. **Transport Strategy:** Applications for approval of Reserved Matters submitted pursuant to this permission relating to layout and access shall be accompanied by a detailed Transport Strategy for the relevant phase. This document shall explain:

a. A summary of how the approach relates to the Parking Management Strategy (to be provided as part of the s106) for that part of the development (including but not limited to Car Club provision and details of temporary access and parking arrangements, associated management and enforcement procedures for parking offences on un-adopted roads, as well as the details relating to the displacement of existing residents' parking, and allocation of new parking spaces);

b. Details of vehicle and cycle parking provision for each of the proposed uses;

c. Details of electric car charging points with 20% active and passive provision for all other remaining spaces;

d. Details of motorcycle and scooter parking;

- e. Details of pedestrian and cycle routes throughout that part of the scheme;
- f. Details of pedestrian and vehicle signage and wayfinding within the development;
- g. A summary of how the approach relates to the original Transport Assessment; and
- h. A summary of how the proposed Strategy relates to the Travel Plan to be submitted under the s106 Agreement.

REASON: To ensure that adequate levels of parking are proposed, that sustainable means of transport are encouraged and to ensure that no unacceptable increase in traffic movements result, in line with the recommendations of the Transport Assessment and in accordance with Policies 6.3, 6.9 and 6.13 of the London Plan (2016) and Policy T6.1 of the emerging London Plan (2018), Policies DM T1, DM T2 & DM D3 of the SPP Local Plan 2014, Policy CS18, CS19 & CS20 of the Core Planning Strategy 2011.

19. **Levels Plans:** Applications for approval of Reserved Matters for each relevant phase of the development submitted pursuant to this permission shall be accompanied by a detailed Levels Plan for the relevant phase. This document shall explain details of the levels of the buildings, roads and footpaths in relation to the adjoining land and highway(s), and any other changes proposed in the levels of the site.

REASON : To ensure that the works are carried out at suitable levels in relation to the highway and adjoining properties in the interests of the amenity of neighbouring residents, the appearance of the development, drainage, gradient of access and land contamination, in accordance with Policy 5.21 of the London Plan (2016), Policies DM D1 & DM D2 of the SPP Local Plan 2014, Policy CS2 & CS14 of the Core Planning Strategy 2011.

20. **Demolition and Construction Method Statements:**

a. No phase of development shall commence until a detailed Demolition Method Statement has been submitted and approved in writing by the local planning authority.

b. No phase of development (other than Enabling Works) approved by this permission shall be commenced until a detailed Construction Method Statement has been submitted and approved in writing by the local planning authority.

Where relevant, the statement(s) should take account of other major developments within the vicinity. The approved Statement(s) shall be adhered to throughout the relevant phase of works.

The Statement(s) shall provide details for:

- hours of operation;
- the parking of vehicles of site operatives and visitors;
- loading and unloading of plant and materials;
- storage of plant and materials;
- public viewing, where appropriate;
- wheel washing facilities;
- measures to control the emission of noise and vibration;
- measures to control the emission of dust and dirt;
- a scheme for recycling/disposing of waste;
- the measures proposed to reduce and remove risks to the water environment and reduce flood risk;
- a full Logistics Plan, which demonstrates how the impact of demolition / construction vehicles would be minimised; and
- an Air Quality & Dust Management Plan (AQDMP) to identify the steps and procedures that will be implemented to minimise the creation and impact of dust and other air emissions resulting from the site preparation, demolition, groundwork and construction phases of the development.

REASON: In the interests of future health of occupiers of the development and to protect pollution of groundwater, in accordance with Policy 5.21 of the London Plan (2016), Policy DM EP4 of the SPP Local Plan 2014, Policy CS15 of the Core Planning Strategy 2011.

21. Non-residential floor space carbon reduction: The non-residential floor space hereby permitted shall be constructed to achieve not less than BREEAM 'Very Good' (or the subsequent relevant standard in such measure of sustainability for non-residential building design which may replace that scheme). The non-residential floor space shall not be occupied until formal post-construction stage certification has been issued confirming that not less than 'Very Good' has been achieved and certification has been submitted to and approved in writing by the Local Planning Authority.

REASON: In the interest of sustainability, energy efficiency and to provide a high-quality development in accordance with Policy 5.2 of the London Plan (2016), Policies DM EP1 & DM EP3 of the SPP Local Plan 2014, Policy CS15 of the Core Planning Strategy 2011.

23 Water Conservation: Prior to the commencement of Above Ground works in each relevant phase of the development, a scheme detailing measures to reduce water use within that phase of the development, to meet a target water use of 105 litres or less per person, per day for residential dwellings only shall be submitted to and approved in writing by the Local Planning Authority. Each phase of the development shall be constructed in accordance with the approved scheme and thereafter retained.

REASON: To minimise the water use of the development, in accordance with Policy 5.15 of the London Plan (2016), Policy DM D2

of the SPP Local Plan 2014, Policy CS15 of the Core Planning Strategy 2011.

- 24. Landscaping:** Prior to the commencement of Above Ground works a comprehensive design strategy, a landscaping and planting scheme including details of street furniture, and all other areas to be landscaped, shall be submitted to and approved in writing by the LPA. The details shall include on a plan, full details of the size, species, quantities and location of the proposed plants.

The approved works shall be carried out in the first available planting season following the development of the relevant phase or prior to the occupation of any part of the development, whichever is the sooner, and any trees which die within a period of 5 years from the completion of each phase or each phase of the development, are removed or become seriously damaged or diseased or are dying, shall be replaced in the next planting season with others of the same approved specification, unless the Local Planning Authority gives written consent to any variation.

The landscaping plan should indicate the planting of appropriate native species throughout the site.

REASON : To enhance the appearance of the development in the interest of the amenities of the area, to ensure the provision sustainable drainage surfaces and to comply with the following Development Plan policies for Merton: policies 5.1, 5.11, 7.5 and 7.2 of the London Plan 2016, policies CS13 and CS16 of Merton's Core Planning Strategy 2011 and policies OM D2, F2 and 02 of Merton's Sites and Polices Plan 2014.

- 25. Existing Trees:** The existing trees identified as being for retention shall be retained and protected in accordance with the approved Arboricultural Method Statement and Tree Protection Plan. Should any tree become seriously damaged, diseased, dead or dying as a result of this development or within 5 years following the completion of this development, shall be replaced with a semi-mature London Plane tree of a minimum 30 - 35 ems girth in the same or similar position to be approved in writing by the LPA.

REASON: So as to restore the amenity provided by the trees and enhance the appearance of the development in the interest of the amenities of the area, to ensure the provision of sustainable drainage surfaces and to comply with the following Development Plan policies for Merton: policies 5.1, 5.11, 7.5 and 7.2 of the London Plan 2016, policies CS13 and CS16 of Merton's Core Planning Strategy 2011 and policies OM D2, F2 and 02 of Merton's Sites and Polices Plan 2014.

- 26. Site Supervision (Trees):** The details of the Arboricultural Method Statement and Tree Protection Plan shall include the retention of an arboricultural expert to monitor and report to the Local Planning Authority not less than quarterly the status of all tree works and tree protection measures throughout the course of the demolition and site works. The works shall be carried out strictly in accordance with the approved Arboricultural Method Statement and Tree Protection Plan.

REASON To protect and safeguard the existing retained trees in accordance with the following Development Plan policies for Merton: policy 7.5 of the London Plan 2016, policy CS13 of Merton's Core Planning Strategy 2011 and policy 02 of Merton's Sites and Polices Plan 2014.

- 27. Noise mitigation Noise levels:** (expressed as the equivalent continuous sound level) LAeq (10 minutes), from any new plant/machinery associated with each separate commercial unit shall not exceed LA90-10dB at the boundary with the closest residential or noise sensitive property.

REASON: To protect the residential amenities of future occupiers in accordance with Policy 7.15 of the London Plan (2016), Policies DM D2 & DM EP2 of the SPP Local Plan 2014, Policies CS14 & CS15 of the Core Planning Strategy 2011.

- 28 Any external lighting, associated with new development, shall be positioned and angled to prevent any light spillage or glare that will affect any existing or new residential premises.

29. **Odour:** Details of the measures to control odour from all mechanical systems serving an individual non-residential food premises shall be submitted and approved in writing to the local planning authority and implemented prior to the use commencing. The measures are subject to approval by the local authority. The system shall be designed so neighbouring premises are not affected by odour.

REASON: To protect the amenities of adjoining properties and the surrounding area, in order to comply with Policies DM D2, DM EP2, DM EP4, DM E1 & DM E3 of the SPP Local Plan 2014, Policies CS14 & CS15 of the Core Planning Strategy 2011.

30. Any D2 CLASS use, subsequently approved, shall not commence until a scheme for the soundproofing of the building to prevent the transmission of noise and vibration from the use of the unit, has been submitted to, demonstrated and approved in writing by the Local Planning Authority. The measures as approved shall be implemented in strict accordance with the approved details prior to the first use of the development and shall thereafter be retained.

REASON: To protect the residential amenities of future occupiers in accordance with Policy 7.15 of the London Plan (2016), Policies DM D2 & DM EP2 of the SPP Local Plan 2014, Policies CS14 & CS15 of the Core Planning Strategy 2011.

31. **Surface and Foul Water Drainage Strategy:** The first application for approval of Reserved Matters submitted pursuant to this permission relating to layout or landscaping (other than those relating to Enabling Works) shall be accompanied by a scheme for the provision of an Overarching Surface and Foul Water Drainage Strategy for the whole site, and by a Surface and Foul Water Drainage Detailed Design for the relevant phase.

The site wide strategy and detailed drainage design for each phase shall be prepared in consultation with Thames Water, and shall be designed in accordance with the outline details submitted in the drainage Strategy ref: dated.....

The development will dispose of surface water by means of a sustainable drainage system (SuDS) at the agreed restricted rate in accordance with drainage hierarchy contained within the London Plan Policy (5.12, 5.13) and it should have regard to the guidance contained within the National SuDS Standards and Mayor of London SPG 'Sustainable design and construction' and Merton's SuDS Design and Evaluation Guide.

a. The site wide drainage Scheme (overarching) shall:

- i. provide information about the design storm period and intensity, the method employed to delay (the provision of attenuation volume is to be no less than 3643m³) and control the rate of surface water discharged from the entire site at a maximum rate of 101.2 l/s for a 1:100 year return period plus 40% climate change;
- ii. appropriate measures must be taken to prevent pollution of the receiving groundwater and/or surface waters;
- iii. include a timetable for its implementation; and
- iv. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

b. For each subsequent phase of development thereafter, a Surface and Foul Water Drainage Detailed Design for the relevant phase shall be submitted to the Local Planning Authority for approval prior to commencement of the development (other than Enabling Works) in that phase. The Detailed Design shall be prepared in accordance with the

approved scheme for the Overarching Surface and Foul Water Drainage Strategy.

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.

32. **Green, Blue and brown roofs:** Prior to the commencement of each relevant phase of the development (other than Enabling Works) the detailed design, specification and planting scheme for the green, blue and / or brown roofs shall be submitted to and approved in writing by the Local Planning Authority. The design and planting shall be carried out as approved, retained and maintained in perpetuity thereafter.
REASON: To protect the future occupiers and neighbouring residents in accordance with Policy 7.14 of the London Plan (2016) and Policies OM EP2, OM EP3 & OM EP4 of the SPP Local Plan 2014, Policy CS15 of the Core Planning Strategy 2011.

33. **Secured by Design:** Prior to the commencement of the Above Ground works in each relevant phase of development, details of measures to minimise the risk of crime to meet the specific security needs of the application site/development (as informed by the principles of Secured by Design), shall be submitted to and approved in writing by the Local Planning Authority. Once approved the development shall be carried out in accordance with the approved details and thereafter maintained.

REASON: In the interest of creating safer, sustainable communities, in compliance with Policy DM D2 of the SPP Local Plan 2014, Policy CS14 of the Core Planning Strategy 2011.

34. **Non-Road Mobile Machinery (NRMM):** An inventory of all NRMM must be kept on-site during the course of the demolition, site preparation and construction phases. All machinery should be regularly serviced, and service logs kept onsite for inspection. Records should be kept on-site, which details proof of emission limits for all equipment. This documentation should be made available to Local Authority officers as required until completion of development.

REASON: To protect local air quality in accordance with Policy 7.14 of the London Plan (2016) and Policies DM EP2, DM EP3 & DM EP4 of the SPP Local Plan 2014, Policy CS15 of the Core Planning Strategy 2011

36. **Contamination:** Prior to the commencement of the each relevant phase of development (other than Enabling Works) approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a

scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1. A site investigation scheme, based on the Ground Conditions Assessment, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

2. The results of the site investigation and detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. The strategy 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.

3. Prior to occupation of each relevant phase of development a verification plan providing details of the data collected in order to demonstrate completion and effectiveness of the works set out in the remediation strategy in (2) and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, must be submitted to and approved in writing by the Local Planning Authority.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

REASON: The site is located over a Secondary Aquifer and within SPZ2 and it is possible that the site may be affected by contamination from historic uses. For the protection of Controlled Waters, and in the interests of future health of occupiers of the development, and to protect pollution of groundwater, in accordance with Policy 5.21 of the London Plan (2016), Policy OM EP4 of the SPP Local Plan 2014, Policy CS15 of the Core Planning Strategy 2011.

37. **Unexpected contamination and remediation:** If, during development, contamination not previously identified is found to be present at the site then it must be reported in writing immediately to the Local Planning Authority. The Environment Agency should also be consulted should any contamination be identified that could present an unacceptable risk to Controlled Waters. An investigation and risk assessment must be undertaken in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'. No further development 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 reported to, verified, and approved, in writing by the Local Planning Authority.

REASON: In the interests of future health of occupiers of the development and to protect pollution of groundwater, in accordance

with Policy 5.21 of the London Plan (2016), Policy OM EP4 of the SPP Local Plan 2014, Policy CS15 of the Core Planning Strategy 2011.

38. **Drainage scheme infiltration:** Whilst the principles and installation of sustainable drainage schemes are to be encouraged, no drainage systems for the infiltration of surface water drainage into the ground are permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to Controlled Waters. The development shall be carried out in accordance with the approval details.

REASON: Infiltrating water has the potential to cause remobilisation of contaminants present in shallow soil/made ground which could ultimately cause pollution of groundwater.

39. **Piling or any other foundation designs using penetrative methods** shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

REASON The developer should be aware of the potential risks associated with the use of piling where contamination is an issue. Piling or other penetrative methods of foundation design on contaminated sites can potentially result in unacceptable risks to underlying groundwaters. We recommend that where soil contamination is present, a risk assessment is carried out in accordance with our guidance 'Piling into Contaminated Sites'. We will not permit piling activities on parts of a site where an unacceptable risk is posed to Controlled Waters.

45. **Play space:** The first application for the approval of reserved matters pertaining to landscaping, appearance and layout of the development hereby approved (other than those relating to Enabling Works), the developer must submit an overarching comprehensive play space strategy showing details of the areas and features of the dedicated children's play space to be provided on site meeting the minimum play space requirements for all age groups in accordance with the Mayor's Supplementary Planning Guidance "Shaping Neighbourhoods: Play and Informal Recreation" (or any subsequent guidance) for approval in writing by the local planning authority.

For each phase of development, an updated detailed Play Space Strategy shall be submitted to the Local Planning Authority for approval prior to commencement of Above Ground works in that phase. The development shall be carried out in accordance with the approved details and maintained for the duration of operational works.

REASON: To ensure the provision and retention of suitable children's play space in accordance with the requirements of Merton's Core Planning Strategy policy CS 13 and The London Plan 2016.

46. **Electric vehicle charging points:** Applications for approval of reserved matters for each relevant phase of development pertaining to access and layout (other than those relating to Enabling Works), shall be accompanied by an electric vehicle charging infrastructure strategy and implementation plan, to be submitted to and approved in writing by the local planning authority. This shall accord with the London Plan in place at the time and shall include details of the number, location, installation and management of the electric vehicle charging points.

The electric vehicle charging points shall be implemented prior to first occupation of each Phase and maintained in accordance with the approved strategy/ plan and details.

REASON: To ensure that sustainable means of transport are encouraged and to ensure that no unacceptable increase in traffic movements result, in line with the recommendations of the Transport Assessment and in accordance with Policies 6.3, 6.9 and 6.13 of the London Plan (2016), and Draft London Plan (2018) Policy T6.1, Policies DM T1, DM T2 & DM D3 of the SPP Local Plan 2014, Policy CS18, CS19 & CS20 of the Core Planning Strategy 2011.

47. **Temporary accesses:** Details of any temporary access arrangements to be put in place during the phased development of the site shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of the temporary access arrangements in the Phase to which the access relates. Any temporary access arrangements shall, once becoming redundant be removed and the approved road/pedestrian/landscaping details shall be installed/erected.

REASON: To ensure that any temporary access arrangements do not have an adverse impact on existing/future amenity and to ensure the provision of the approved scheme details on cessation of the use of such accesses in accordance with Policy T4 of the London Plan 2016 and Policy DMT2 of the SPP Local Plan 2014, Policy CS18 of the Core Planning Strategy 2011.

48. **Permitted Development Restricted:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no development which would otherwise fall within Classes A, B, C, D, E and F in Part 1 of Schedule 2 to that Order shall be carried out to the proposed houses without the prior written permission of the Local Planning Authority.

REASON: To safeguard the character of the area by restricting the amount of site coverage and size of dwelling and to safeguard the amenity of neighbouring residents in accordance with Policy DM D2 of

the SPP Local Plan 2014, Policy CS14 of the Core Planning Strategy 2011.

49. Space Standards . All of the proposed dwellings shall be designed to accord with the Nationally Described Space Standards. To ensure a satisfactory standard of accommodation for future occupiers.

Informatives

1. **Trade Effluent Consent:** will be required for any Effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution. (Domestic usage for example includes - toilets, showers, washbasins, baths, private swimming pools and canteens). Typical Trade Effluent processes include: - Launderette/Laundry, PCB manufacture, commercial swimming pools, photographic/printing, food preparation, abattoir, farm wastes, vehicle washing, metal plating/finishing, cattle market wash down, chemical manufacture, treated cooling water and any other process which produces contaminated water. Pre-treatment, separate metering, sampling access etc, may be required before the Company can give its consent. Applications should be made at <http://www.thameswater.co.uk/business/9993.htm> or alternatively to Waste Water Quality, Crossness STW, Belvedere Road, Abbeywood, London. SE2 9AQ. Telephone: 020 3577 9200.
2. **CIL:** The application is subject to both the Mayoral and the Merton Council Community Infrastructure Levy unless an application for an exemption is made and approved.
3. Demolition of buildings and tree felling should avoid the bird nesting and bat roosting seasons. Anyone who takes, damages or destroys the nest of any wild bird whilst that nest is in use, or who kills, injures or disturbs bats, obstructs access to bat roosts or damages or disturbs bat roosts, even when unoccupied by bats, is guilty of an offence under the Wildlife and Countryside Act 1981. Buildings and trees should be inspected for bird nests and bat roosts prior to demolition or felling by an appropriately qualified person. If bats are found, Natural England should be contacted for advice.
4. **Nesting birds:** If the intention is to complete tree work between the 1st March & the 31st July (inclusive) a due diligence check for nesting birds must be completed before work starts in order to comply with the Wildlife & Countryside Act 1981. Arborists should record such checks in their site-specific Risk assessment. If active nests are found work should not take place until the young have fledged.
5. **Bats and other habitat:** A due diligence check for bats and likely habitats must be completed before work starts in order to comply with the Wildlife & Countryside Act 1981. Arborists should carry out and record such checks in line with BS8596: 2015 surveying for bats in trees and woodland in their site-specific risk assessment. If bats or potential roosting features are found work must not start until an appropriately licenced bat handler has been engaged.

6. **Thames Water:** The developer should consult with Thames Water with regard to whether any offsite reinforcement of the foul water drainage network is required. Copies of the correspondence should be provided for the Council records. The contact number is 0800 009 3921.
7. **Piling and preventing contamination:** The Council recommends that where soil contamination is present, a risk assessment is carried out in accordance with our guidance 'Piling into Contaminated Sites'. We will not permit piling activities on parts of a site where an unacceptable risk is posed to Controlled Waters.
8. **Asbestos:** In the event that asbestos containing materials (ACMs) are discovered, details of the contractors with their plan of work detailing the method of removal of ACMs in compliance with current legislation shall be submitted to the HSE (Health and Safety Executive).
9. **Fire Strategy:** In accordance with Policy 011 (Fire Safety) of the draft London Plan, the applicant must submit to the Council a fire statement, produced by a third party suitably qualified assessor, to be submitted to and agreed with the London Fire Brigade.
10. **Carbon emissions evidence:** requirements for prior to occupation stage assessments must provide:
 - Copies of Micro-generation Certification Scheme (MCS) Certificates or any subsequent standard.
 - Detailed documentary evidence confirming the Target Emission Rate (TER), Dwelling or Building Emission Rate (DER or BER) and percentage improvement of DER or BER over TER based on 'As Built' SAP or SBEM outputs (i.e. dated outputs with accredited energy assessor name and registration number, assessment status, plot number and development address).

OR, where applicable:

- A copy of revised/final calculations as detailed in the assessment methodology based on 'As Built' SAP or SBEM outputs, AND
- Confirmation of Fabric Energy Efficiency (FEE) performance where SAP section 16 allowances (i.e. CO2 emissions associated with appliances and cooking, and site-wide electricity generation technologies) have been included in the calculation.

Domestic Water efficiency evidence requirements for Post Construction Stage assessments must

provide:

- Detailed documentary evidence representing the dwellings 'As Built'; showing:
 - the location, details and type of appliances/ fittings that use water in the dwelling (including any specific water reduction equipment with the capacity/ flow rate of equipment); and
 - the location, size and details of any rainwater and grey-water collection systems provided for use in the dwelling;

Along with one of the following:

- Water Efficiency Calculator for New Dwellings; OR
- Written confirmation from the developer that the appliances/fittings have been installed, as specified in the design stage detailed documentary evidence; or
- Where different from design stage, provide revised Water Efficiency Calculator for New Dwellings and detailed documentary evidence (as listed above) representing the dwellings 'As Built' To ensure that the development performs in accordance with the approved plans, achieves a high standard of sustainability, and makes efficient use of resources and to comply with the following Development Plan policies for Merton: Policy 5.2 of the London Plan 2016 and Policy CS15 of Merton's Core Planning Strategy 2011.

11. Signage: You are advised that it is the developer's responsibility to ensure all signage associated with the proposed development i.e. street nameplates, building names and door numbers are erected prior to occupation, as agreed with the Councils Street Naming/Numbering Officer.

12. Open Space: Means any open piece of land that is undeveloped (has no buildings or other built structures) and is accessible to the public. Open space is taken to mean all open space of public value, including not just land, but also inland bodies of water such as rivers, canals, lakes and reservoirs which offer important opportunities for sport and outdoor recreation and can also act as a visual amenity.

13. Above Ground works: Means any works above the ground floor slab of the proposed redevelopment (excluding Enabling Works).

14. Below Ground works: Means any works below the ground floor slab of the proposed redevelopment (excluding Enabling Works).

15. Enabling Works: Means any works comprising of demolition, site clearance, ground investigation, archaeological investigation, construction of boundary fencing or hoardings for the demolition / construction phase, demolition / construction noise attenuation works, construction of temporary highways accesses, construction/ demolition compound set up).

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